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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 27, 2000.

I hereby appoint the Honorable DOUG OSE to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Michael Caridi, Mary, Mother of the Church, Charleroi, Pennsylvania, offered the following prayer:

God of Abraham, Isaac and Jacob, Father of our Lord, Jesus Christ, as this venerable assembly of representatives convenes this day to offer guidance and leadership to our Nation, we beseech Your divine presence among us and ask You to send Your blessings upon these men and women who so generously devote themselves to helping and serving others.

We ask that, prompted by Your Spirit, they will make decisions that further the ideals upon which this Nation was founded, decisions which respect the inherent dignity of every human being residing within our borders, irrespective of age, race, creed or social class.

May their work this day be pleasing in Your sight and may it bring about an increase of peace, justice and prosperity, not only in our own land, but throughout the whole world. 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 Pennsylvania (Mr. MASCARA) come forward and lead the House in the Pledge of Allegiance.

Mr. MASCARA led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 4700. An act to grant the consent of the Congress to the Kansas and Missouri Metropolitan Culture District Compact.

H.J. Res. 72. Joint resolution granting the consent of the Congress to the Red River Boundary Compact.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 1658. An act to authorize the construction of a Reconciliation Place in Fort Pierre, South Dakota, and for other purposes.

S. 1865. An act to provide grants to establish demonstration mental health courts.

S. 1929. An act to amend the Native Hawaiian Health Care Improvement Act to revise and extend such Act.

S. 2272. An act to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997.

WELCOME TO FATHER MICHAEL CARIDI, MARY, MOTHER OF THE CHURCH, CHARLEROI, PENNSYLVANIA

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

Mr. MASCARA. Mr. Speaker, I would like to welcome Father Michael Caridi of Mary, Mother of the Church, in Charleroi, Pennsylvania, and his brothers, Gregory and Jamie Caridi, to our Nation's Capital.

Thank you, Father Michael, for your inspiring prayer. I am sure it will be comforting to all of us as we proceed with our legislative business today.

I would also like to extend a special greeting to Father David Dzermejko, pastor of Mary, Mother of the Church. Father David also served as a guest chaplain here several years ago.

I would also like to thank the House chaplain, Father Daniel Coughlin, for making the arrangements for Father Michael's visit.

Father David and Father Michael have been true spiritual leaders of our parish.

I wish to extend my best wishes to the parish family in Charleroi. Be assured, be assured, that I will take good care of Father Michael during his visit to Washington, DC.

VIGIL FOR CAPTAIN NATHAN PECHACEK, LAS VEGAS FIRE DEPARTMENT

(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, it is often known that in times of crisis, family and friends join together to support one another, and today that is exactly what is happening in Las Vegas, Nevada, for Captain Nathan Pechacek of the Las Vegas Fire Department.

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Earlier this week Captain Pechacek was seriously injured as his car was crushed and knocked on to its side by a drunk driver. Within minutes, fire fighters from Pechacek's own station arrived on the scene to rescue the injured driver from the wreck, not even knowing at first that the injured driver was their own captain.

Now, Captain Pechacek's fellow firefighters are keeping a vigil at the hospital, during which they have organized a blood drive to help him and others and volunteered to help Captain Pechecek's son with his homework in his father's absence.

We all wish Captain Pechacek a full and speedy recovery and his family strength during this difficult time. And to all those Las Vegas firefighters, we commend you on your heroism and loyalty.

Finally, I would like to end with a comment made by Las Vegas Fire Chief Mario Trevino. He said that they ''always treat an accident like it was our mother or father or sister or brother. This time it really was.''

JOHN LENNON MURDERER WANTS FREEDOM

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

Mr. TRAFICANT. Mr. Speaker, John Lennon's murderer says he should be set free, and even John Lennon, who was a liberal, would agree he should be set free.

Think about it. Chapman said, ''My mental illness is over. I am eating, I am breathing, I am even singing and playing the guitar.''

Now, if that is not enough to throw up, let us remember Chapman's testimony. ''I asked Lennon for his autograph. He gave it to me. It was a ploy. I killed him. It was not his signature I wanted, I wanted his life.''

Beam me up. Mark Chapman deserves an electric chair, not an electric guitar.

I yield back the fact that America, that tolerates murderers like Mark Chapman, is an America that promotes and tolerates more murderers.

I yield back the life of John Lennon.

COMMENDING DR. CARLOTTA MORALES, PRINCIPAL OF SAINT AGATHA CATHOLIC SCHOOL, MIAMI, FLORIDA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I am honored to commend Dr. Carlotta Morales, the Principal of Saint Agatha Catholic School in my hometown of Miami.

Through her hard work and dedication, Dr. Morales has upgraded her school's facilities, advanced the education of her students, and improved the relationship between students, faculty and parents.

Dr. Morales has shown us what can be achieved with a positive attitude and a firm belief in self-reliance.

For her wonderful leadership in both her school and our community, Dr. Morales has been honored by both the National Association of Elementary School Principals and the Department of Education by being named one of this year's national distinguished principals.

Through her work, Dr. Morales demonstrates that our children are our Nation's most important assets, and her fine work on behalf of South Florida's youngsters is a shining example to be followed by educators everywhere.

I ask my colleagues to join me in congratulating Dr. Carlotta Morales as she continues her wonderful work at Saint Agatha Catholic school in Miami.

INTERNATIONAL CHILD ABDUCTION

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

Mr. LAMPSON. Mr. Speaker, today I continue in my effort to bring to this House's attention my deepest concern for American families destroyed by cases of international child abduction. Since February I have been coming to the floor to tell the stories of the over 10,000 American children who have been abducted abroad.

Today I will tell the story of Ms. Ildiko Gerbatsch and her two daughters, Naomi, who is 13, and her younger sister, Isabelle, who is now 10.

In the summer of 1977, Naomi and Isabelle visited their father in Germany. The parents had divorced in 1994, and Ms. Gerbatsch had complied with the California Superior Court's decision allowing the father visitation rights. At the end of the children's visiting time, the father failed to return the children to their mother in the United States.

To this date and after 3 years of legal disputes costing close to $100,000 in legal fees, the mother now has full custody of both children, but only on paper. Ms. Gerbatsch has only been allowed to visit with Naomi and Isabelle on three occasions. She has been mistreated by the German courts, who have failed to comply with the Hague Treaty.

Mr. Speaker, I come back to the floor for these daily one minutes because I care about families and reuniting children and parents. Let us make it our duty to place pressure on the countries that are the Hague signatories and who choose not to abide by the Hague Treaty.

I urge my colleagues to join me in spreading the message and taking a responsible role in bringing our children home.

VICE PRESIDENT AND MARRIAGE PENALTY TAX RELIEF

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

Mr. ARMEY. Mr. Speaker, Vice President AL GORE, who once claimed he invented the Internet, now has an equally incredible claim, that he will get rid of the marriage penalty. The marriage penalty forces married couples to pay higher taxes than they would if they were single. Simply put, the marriage penalty is a tax on marriage.

The Vice President's proposal does not repeal the marriage penalty for all marriage penalty victims. The Vice President's plan only helps couples who take the standard deduction. That means that you would only get the marriage penalty reduction if you do not itemize your taxes.

In other words, under the Vice President's scheme, you will not get one penny of marriage penalty tax relief if you own a home and deduct your mortgage interest, if you donate to your church and other charities and deduct your contributions, if you own property and deduct your real estate or property taxes, if you deduct your State and local income taxes, if your spouse or child is ill and you deduct skyrocketing medical bills, or if you work at home and deduct the cost of your home office.

No one, Mr. Speaker, should be subjected to higher taxes simply because they are married. Taxing marriage is wrong. It is wrong whether a couple itemizes their taxes or not.

Mr. Speaker, I ask the American people, e-mail Vice President GORE, tell him to get it right. He did so well on the Internet, he should be able to do so well on the marriage penalty.

THE SURPLUS AND MEDICARE

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

Mr. MCDERMOTT. Mr. Speaker, this week we have had some interesting events. We were treated to a video coverage of Mr. Bush, Governor Bush, who is running for the Presidency, who was saying what a wonderful set of cuts were made in 1997 on Medicare, the Gingrich proposal to produce $270 billion that could be used for $270 billion worth of tax cuts.

Now we have the majority leader talking here about the marriage tax penalty. Why did they not do it in 1997? Well, they had some other rich folks they wanted to take care of before they got to the middle class folks in this country.

Tomorrow in the Committee on Ways and Means, for the third time, we are going to go back and shovel money back into the Medicare plan that was taken out in 1997. They are going to

throw $40 billion in there tomorrow to fill the hole they dug for themselves in 1997. If you think that is silly, where is something on prescription drugs?

Who is driving this bus, Mr. Speaker?

DEBT PAY DOWN AND PRESCRIPTION DRUGS

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

Mr. BALLENGER. Mr. Speaker, there are a lot of issues on our plate, but there are two in particular that the American people are demanding action on. The American people want us to take advantage of our current prosperity to pay off the multi-trillion dollar public debt that the Democrats racked up in their 30-year stranglehold on Congress, and they want to do something about prescription drugs. No senior should ever have to choose between putting food on the table and filling prescriptions when the doctor gives them.

Well, we are paying down the debt all right. By the end of the next year, we will have paid off a half a trillion dollars on the national debt, and done it while protecting 100 percent of Social Security and Medicare Trust Fund surpluses. But the Democrats and the President are blocking any progress on the prescription drug issue. You see, as long as they can keep us from implementing our plan, and it is a good one, they can keep accusing us of having done nothing.

Well, the American people need to know we have acted on the prescription drugs issue. We passed a plan that is effective, fair and comprehensive. We passed a plan that would give seniors solid coverage, even on catastrophic expenses, something AL GORE's plan would make them wait years for. But Democrats are blocking it because they do not want Republicans to get any credit for it.

HELPING SENIORS PAY FOR PRESCRIPTION DRUGS

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

Mr. BARTLETT of Maryland. Mr. Speaker, Republicans are working to pay down the debt and help seniors get the prescription drugs they need. Republicans believe that in this time of plenty, it is critical that Congress reduce the public debt and enact a prescription drug benefit for our elderly.

As government surpluses pile up, we have a moral obligation to wipe out the public debt to provide our children with a brighter future. Reducing the public debt will strengthen the economy and result in lower interest rates for consumers. Our budget plan will pay down $240 billion of the public debt next year alone. America is the most prosperous nation on Earth, yet some seniors here are forced to choose between putting food on the table and the prescription drugs they need to lead healthy and productive lives.

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That is just not right. Republicans have passed a plan to make voluntary prescription drug coverage available and affordable to all.

Mr. Speaker, as the 106th Congress enters the final stretch, Republicans are working to pay off the public debt and help seniors pay for their prescription drugs they need to live happy, productive lives.

SLEEPOVERS AT THE WHITE HOUSE

(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, last week, the White House grudgingly released information showing that 404 people have been invited to sleep overnight in the White House since Hillary began her Senate campaign. Today a columnist in the Washington Post reports that 146 of the guests have contributed funds in this election cycle, 98 percent of it to Democrats. About 100 committed to supporting Hillary's campaign; others gave to the Gore campaign; others to the DNC.

Sleepovers have risen to 29 per month. That is almost every night. Mr. Speaker, this practice of turning the White House into a Motel 6 for soliciting campaign funds is improper and demeaning to the White House and to the office of the presidency. It is another disgusting example of the Clinton-Gore campaign finance practices, all while they call for campaign finance reform. That is nothing more than an attempt to get public attention away from their blatant ''no controlling legal authority'' violations. The American people deserve better.

CLINTON-GORE ENERGY POLICY IS DANGEROUS

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

Mr. KNOLLENBERG. Mr. Speaker, when it comes to energy prices and energy policy, the Clinton-Gore administration has failed the American people.

National gas and crude oil prices are at record highs. It is the American people who bear the brunt of the administration's failures on their policies.

The administration has prevented exploration of our largest domestic reserves along the coasts and in Alaska. They have strangled the capacity of American refineries with needless regulations to satisfy the goals of their extreme left wing. They have totally ignored and stifled the significant contributions of clean coal, hydroelectric and nuclear power.

The Vice President even cast a deciding vote to increase gasoline taxes on consumers, directly in line with his outrageous book, Earth in the Balance.

Now just a few weeks before the election, the Clinton-Gore administration reverses itself and risks the national energy security by releasing oil from our strategic petroleum reserves. I urge the administration to stop the politics and provide a real and effective energy policy for the American people.

CONGRATULATIONS TO MARTY NOTHSTEIN, OLYMPIC GOLD MEDAL WINNER

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

Mr. TOOMEY. Mr. Speaker, today I rise to offer hardy congratulations to Marty Nothstein. Last Wednesday, Marty won the gold medal in the cycling match sprint competition during the 2000 Summer Olympic Games in Sydney, Australia. I am proud to stand before all of my colleagues today to say ''job well done'' to this Trexlertown, Lehigh Valley, Pennsylvania native.

During the 1996 Atlanta games, Marty narrowly missed his chance at gold by placing second in the match sprint competition in one of the closest races from Olympic history. But instead of giving up on his Olympic dream for gold, Marty rededicated himself to his sport. He devoted more time, more energy, more patience to his training than he had at any other time during his long cycling career.

Marty's win last Wednesday is the culmination of a career that includes seven World Championship medals, including three World Championship titles.

Mr. Speaker, before all of my colleagues today, I want to recognize the efforts of this outstanding young man. By winning this gold medal on the world's biggest stage, Marty has proven that, with unparalleled effort, determination, and dedication, everything is possible. Marty is a true Olympic hero.

MEDIA BIASED AGAINST CHENEY

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

Mr. SMITH of Texas. Mr. Speaker, here is a recent Washington Post article describing vice presidential candidate Dick Cheney's speeches: ''Bash. Bash. Bash.''

The reporter quotes Cheney as saying that the country was ''weary of the Clinton-Gore routine,'' but then adds, ''even if no one else is'' but Cheney.

No, these sarcastic opinions are not from an editorial. They are from a news story that is supposed to be objective and impartial. What it reveals is the bias of a reporter who is trying to tell us what to think.

Why does the media display such a liberal bias? Simply because journalists are more liberal than the rest of us.

Peter Brown, an editor at the ''Orlando Sentinel'' conducted a study that discovered a profound cultural disconnect between journalists and readers. He found that reporters are far more likely than other Americans to approve of abortion on demand, to express disdainful attitudes towards the suburbs and rural areas, and to identify strongly with people who see themselves as victims of society. They are also less likely to go to church or do volunteer work in their communities.

But what is the answer? We need to tell the media, give us the facts, and let us make up our own mind.

PRESCRIPTION DRUG BENEFIT UNDER MEDICARE IS WHAT SENIORS WANT

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SCHAKOWSKY. Mr. Speaker, as we speak right now, outside of this Chamber, our senior citizens who have come here begging us for some relief for the high cost of prescription drugs, they are telling us about how they are spending all of their money, rather than being able to buy the nutritious food or put a decent roof over their head, they are struggling to pay for the drugs that they need. We have only a few days left to provide real relief. A prescription drug benefit under Medicare is what they want.

Now we are talking about reimportation of lower-cost drugs from Canada. That is fine. Let us do that. Although, I have to tell my colleagues, it is pretty crazy that we have to rely on the Canadian Government who puts some controls on the cost of drugs, the cost they are willing to pay, and we as Americans have to go and buy those same American-made drugs from the Canadians because we do not do anything to control the cost.

Senior citizens need help. Let us get a prescription drug benefit under Medicare.

PRESCRIPTION DRUG COVERAGE FOR AMERICA'S SENIORS IS IMPORTANT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, prescription drug coverage for America's seniors is important. Our two parties differ, however.

Republicans believe in choice, not government control. Americans themselves can always make decisions that best meet their individuals needs. On the other hand, Democrats believe government, not individuals, make the best decisions for all people in every circumstance.

The Clinton-Gore administration's prescription drug proposals are total government control. Vice President GORE claims to have a recipe of hopes and promises. But when we get in the kitchen, we discover it is the same old concoction of government ingredients and bureaucratic spices. One can present it any way one wants to, but one knows it still tastes the same, it still smells the same. It is not good.

We need a prescription drug benefit under Medicare that offers seniors real choices without government control. Americans do not want, need, or deserve any more Hillary care.

SHAME ON THE CONGRESS FOR NOT TAKING ACTION ON PRESCRIPTION DRUGS

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

Mr. FARR of California. Mr. Speaker, I rise today to admonish this country, it is a shame that we are here talk, talk, talk, and not doing anything about prescription drugs.

My daughter recounted to me a story last Saturday night when she was in a pharmacy at midnight on Saturday night, to pick up some pain medicine. She told me that the people waiting in line there were limited English speaking, about eight families.

One of the gentlemen was pleading with the pharmacist to sell him at least two of the pills that were prescribed, he could not afford the whole package, because his infant daughter was sick and needed these prescription drugs. But the pharmacist would not sell the drugs to him because he could not buy the entire package, the entire dosage which the doctors recommend.

He said, ''I cannot afford it. Give me two now, and I will come back in a couple of days and buy the rest of them.'' It went on and on, and the pharmacist would not sell it because the process would not allow them to do it, and the person could not afford the drugs. He was in tears, as any parent would be.

Shame on America that we cannot take care of people; we cannot even disburse those drugs that have been prescribed because people cannot pay for them. Shame on the drug companies. Shame on the process. Shame on Congress for not correcting it.

THIS ADMINISTRATION NOT CONNECTED WHEN IT COMES TO EDUCATION

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

Mr. KINGSTON. Mr. Speaker, now we have from the Gore-Clinton administration the formula for turning around education. This was revealed on September 7, 2000, by the Secretary of Education, Richard Riley, and I quote: ''What we need are the three R's in education: relationships, resilience, and readiness.''

Now, is not that odd, because back home in Georgia, none of the parents or teachers have come to me and said, what we really need is resilience in education. Somehow their idea of the three R's is a little bit different. We need local control of education. We need parental involvement. We need the money going to the teacher in the classroom, not the bureaucrats in Washington. We need safe campuses.

No wonder the gentleman from California (Mr. GEORGE MILLER), a Democrat Congressman, said January 10, 2000, and I quote directly: ''I sit on the House Committee on Education and the Workforce, and I have witnessed the failure of this administration and AL GORE to do enough to address our Nation's education needs.''

Well, I agree with the gentleman from California (Mr. GEORGE MILLER), my Democrat colleague. It does not appear that this administration is connected when it comes to education.

UNITED STATES RANKS NEAR BOTTOM IN EDUCATION COMPARED TO INDUSTRIALIZED COUNTRIES AROUND THE WORLD

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

Mr. SCHAFFER. Mr. Speaker, I have an obscenity to share with the Members of the House. For the 8 years that the Clinton-Gore administration has possessed the White House, they have squandered their opportunity to fix education in America.

The Third International Math and Science Study comparison compared 21 industrialized countries around the world in math and science. Let me read the list of countries that outperform the United States: Netherlands, Sweden, Denmark, Switzerland, Iceland, Norway, France, New Zealand, Australia, Canada, Austria, Slovenia, Germany, Hungary, Italy, Russia, Lithuania, the Czech Republic.

After the United States comes two countries: Cyprus and South Africa.

Yes, Mr. Speaker, we rank near the bottom when compared to industrial countries around the world in education.

Republicans have a different message. Stop squandering opportunity in the White House. Get dollars to the classroom. Get money to the teachers, the administrators, the school board members who know the names of our children. Stop wasting billions on a huge bureaucracy here in Washington, D.C. that cannot teach.

CHILDREN'S HEALTH ACT OF 2000

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 594 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 594

Resolved, That upon adoption of this resolution it shall be in order to take from the

Speaker's table the bill (H.R. 4365) to amend the Public Health Service Act with respect to children's health, with Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chairman of the Committee on Commerce or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. The previous question shall be considered as ordered on the motion to final adoption without intervening motion.

The SPEAKER pro tempore (Mr. OSE). The gentlewoman from Ohio (Ms. PRYCE) is recognized for 1 hour.

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

Mr. Speaker, House Resolution 594 is a rule waiving all points of order against a motion to concur in the Senate amendment to H.R. 4365, the Children's Health Act of the year 2000.

The rule provides 1 hour of debate on the motion to be equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce.

Mr. Speaker, H.R. 4365, the Children's Health Act of 2000, was passed in the House earlier this year on May 9 by a vote of 419 to two. Last week, our colleagues in the other body considered and passed this important legislation with an amendment by unanimous consent.

Adoption of this rule and passage of this legislation today is the last step in our work to sending this bill to the President for his signature and thus making this important package a reality.

I would like to congratulate the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. BROWN) for their renewed efforts and success on this important legislation and also to commend the gentleman from Virginia (Mr. BLILEY), chairman of the Committee on Commerce and the gentleman from Michigan (Mr. DINGELL), ranking member, for their hard work and leadership.

H.R. 4365, along with the decisions made by the other body, is a comprehensive package of several important children's health bills. Together it addresses a wide variety of critical issues, including day care safety, maternal and infant health, pediatric public health promotion, pediatric research, along with efforts to fight youth drug abuse and provide mental health services.

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The legislation includes two important divisions. Division A addresses issues regarding children's health; while Division B focuses on youth drug abuse. Together this package will form the foundation for efforts to address the unique needs of one of our most important constituencies: Our children.

The provisions contained in the second part of this legislation, Division D, include a number of provisions previously introduced and considered in the House of Representatives and will allow us to tackle the plague of drug abuse and addiction which are moving through many of our communities.

The 1999 National Household Survey on drug abuse reported that some 10.9 percent of our youths, between the ages of 12 and 17, use some form of illicit drug. Just as tragic are the report's findings that alcohol use is also on the rise with our Nation's youth, with some 10.4 million drinkers under the legal age of 21.

H.R. 4365 reauthorizes and improves the Substance Abuse and Mental Health Services Administration, SAMSHA, by giving it greater focus on our youth and increased flexibility and accountability for the States. It will provide the needed funds for community-based programs, helping individuals with substance abuse and mental health disorders.

It includes the Drug Addiction Treatment Act, introduced by the gentleman from Virginia (Mr. BLILEY), to permit qualified physicians to treat their addicted patients and speed up the drug approval process of narcotic drugs needed for additional treatment.

Finally, H.R. 4365 includes important provisions to reduce the proliferation of the drug methamphetamine, and tackle the devastating drug currently on the rise with our youth commonly known as Ecstasy.

Mr. Speaker, we all hope that the wealth of our Nation and the amazing technological advances that have been made in medicine will give us the necessary resources to protect our children from harm. We have made tremendous progress, but the sad fact is that there are still so many diseases that affect our children for which there is no cure or even an effective treatment.

Division A of the legislation before us will give child victims and their families hope by devoting more Federal resources to diseases such as autism, asthma, juvenile diabetes and arthritis. I am especially pleased that this new version of H.R. 4365 includes specific provisions on childhood cancer.

By awarding grants, expanding data collection, encouraging uniform reporting standards and urging the national coordination of activities, this bill will go a long way in the battle against this disease that takes the lives of so many of our Nation's children.

This legislation also focuses on a new pediatric research initiative at NIH, and reauthorizes money to train physicians at children's hospitals, in order to help us better understand the way in which diseases attack children and how to give them the most effective and appropriate care.

There are critical differences between medical care for adults and medical care for children that must be reflected in the training of physicians and treatments designed for a child's system, which is still developing. The children's hospitals across the Nation need funding to adequately train their physicians, and I am so very pleased that H.R. 4365 extends the authorization of appropriations for graduate medical education programs in children's hospitals through fiscal year 2005.

This is an issue of fairness, and full authorization is necessary to provide children's hospitals support that is on par with that received by teaching hospitals that care for adults. This legislation recognizes and focuses on these many important differences.

Mr. Speaker, while we may never be able to make a child understand why he or she is sick or is made to suffer, we can invest in the research that will allow our best and brightest scientists to solve the mysteries of childhood disease so that more children can have the carefree youths to which they are entitled. What better way to invest our Nation's resources?

Mr. Speaker, this measure is straightforward and noncontroversial and its adoption will allow us to complete the work and the business of the House and pass this comprehensive package. I urge all my colleagues to support both the rule and this very important child health initiative.

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

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

As the gentlewoman has explained, this rule will take a Senate amendment from the Speaker's desk and agree to it. Under this procedure, there will be no opportunity to change the bill under consideration with a motion to recommit.

Mr. Speaker, 6 years after the Republican majority took control of this House, the Republican leadership has yet to find a way to effectively manage the business of the House. It is 3 days before the end of the fiscal year and 9 days before the Congress is scheduled to end, yet only 2 of the 13 appropriation bills have been sent to the President to be signed; we have yet to consider on this floor the funding bills we need to help people find housing or have safe transportation to get to work or plow their ground to produce food or learn the basic skills to be able to get and hold a job in the modern day workplace.

Last night, the members of the Committee on Rules were held hostage for hours past the last vote so that we might be available to bail out the Republican leadership so that the House might have some business to conduct today. Why should the Committee on Rules be held here until 9:30? For one very simple reason, Mr. Speaker. And that is because the majority party still has not figured out how to run this institution in an efficient manner and

could not find anything to do on the floor today.

However, sometime around 9 p.m. the Republican leadership came up with a solution. So what did they do? The Republican leadership has taken one of the bills that was supposed to be considered yesterday under procedures for noncontroversial bills, suspension of the rules, and moved it to today to be considered under a rule.

I do not mean to take anything away from the value of this bill. The Children's Health Act is vitally important to help find new ways to prevent or cure diseases which affect our children. But it should have been passed last night under suspension of the rules, as it was intended to be done. The health organizations, including the March of Dimes, the Spina Bifida Foundation, the Autism Society of America, the Association of Maternal and Child Health Programs, the Epilepsy Foundation, the Cereberal Palsy Association, and many, many others have worked hard to see the bill to completion and were counting on us to do our work. It is past time to get on with this business.

Mr. Speaker, I strongly support the Children's Health Act of 2000. This bill now spans 400 pages and has two basic purposes. The first addresses a host of specific childhood health problems and prenatal risk factors, including many provisions which passed in the House earlier this year. The bill authorizes research and public health and health education services that respond to fragile X syndrome, epilepsy, asthma, childhood lead poisoning, pediatric cancers, childhood obesity prevention, traumatic brain injury, juvenile diabetes, hearing loss, oral health, autism, arthritis, muscular dystrophy, autoimmune conditions, child care safety and pediatric organ transplants.

It also provides block grants to the States for laboratory infrastructure and patient care services for those affected with or at risk for genetic conditions. The bill contains the first ever authorization of the very successful Healthy Start demonstration project, now in their ninth year of reducing infant mortality and improving pregnancy outcomes in underserved populations.

The second feature of this bill covers a wide range of youth drug and mental health service programs that will strengthen America's communities, including extending and reauthorizing programs administered by the Substance Abuse and Mental Health Services Administration. These programs provide critical safety net services for individuals and families with substance abuse problems and mental illness, and also exclusively target youth. It also supports public and professional education programs related to substance abuse and mental illness. The breadth of services provided here range from an underage drinking provision and a suicide prevention initiative, to services for youth offenders, the homeless, and adults with fetal alcohol syndrome.

This large and complex bill, however, is marked with a number of procedural irregularities. As worthy as the goals may be, no bill of this scope and magnitude should proceed to the floor without going through the committee process, yet this occurred in the majority's apparent rush to move this bill to the floor.

For example, the bill contains a provision that invokes charitable choice. This is a difficult issue for many Members, yet the Committee on the Judiciary was never given the opportunity for public debate on this issue. I know this is of particular concern to my colleague, the gentleman from Virginia (Mr. SCOTT), who is here to voice his concerns this morning.

The second example is marked with some irony. The fine provision promoting safe motherhood includes a public education initiative addressing the dangers of alcohol, tobacco and illicit drug use in pregnancy. Most women do not begin smoking during pregnancy, they begin as adolescents. Yet neither the House nor the Committee on Commerce had the opportunity to even debate the issue of FDA regulation of youth tobacco use during this Congress.

I will vote for this bill, however, I want America's children to know that while H.R. 4365 is a measurable step toward improving the quality of their collective health, we can and should do better. It is obvious that this Congress will fail to address many major health care issues that confront us. I am only grateful we have the opportunity to vote for this bill and do something constructive to improve the health care of our Nation's children.

Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise to oppose the rule because, in its present form, good health care for children now includes a bad crime bill and a provision which waters down our fundamental civil rights. A good child health care bill should not come at such a price.

By adopting the rule, we will prohibit amendments to the bill that could fix the methamphetamine drug part of the bill. A similar bill was considered in the Committee on the Judiciary, and amendments could have conformed that 46-page bill to the formal deliberations of the committee. But the rule prohibits amendments, and so the bill now provides new Draconian mandatory minimums for violations of methamphetamines, mandatory minimums that everyone knows do not work. The same mandatory minimums as for crack cocaine.

Now, it is interesting that crack cocaine is prevalent in the black community; methamphetamine is more prevalent in the Hispanic community. They get the Draconian mandatory minimums. However, there is an exception to all of this. Ecstasy, which is prevalent in the middle class white community, does not suffer the same mandatory minimums. The Committee on the Judiciary at least had the common decency to make them all equal. But now we have a rule which prohibits any consideration for equalizing this penalty. We have this exemption and, because of the rule, we have to just do it.

The rule also protects another form of discrimination: Religious discrimination. Section 3305 has a provision that allows some sponsors of federally funded programs to discriminate on employment based on religion. That is they can tell otherwise qualified individuals that they do not hire their kind because of their religion. These are federally funded programs. We cannot address this discrimination because the rule protects that provision and does not allow any amendments.

So if we want good child health care, we have to accept the discrimination; we have to accept the mandatory minimums, with the exception for the middle class white kids. We should not be forced to accept ineffective counterproductive mandatory minimums and religious discrimination as a price for good child health care, and that is why I oppose this rule.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

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

Mr. PASCRELL. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

Mr. Speaker, I am thrilled that the Children's Health Act of 2000 is on the floor today. I would like to thank the Chair of the Subcommittee on Health and the Environment, the gentleman from Florida (Mr. BILIRAKIS), and the ranking member, the gentleman from Ohio (Mr. BROWN), for their leadership and determination to see the bill through.

But I want to take special time to salute the gentleman from Pennsylvania (Mr. GREENWOOD) for his work on behalf of children in America. The gentleman from Pennsylvania has worked tirelessly on behalf of millions of Americans suffering from traumatic brain injury. He has also assisted in my efforts to create the first national traumatic brain injury registry, which is critical.

I first became involved with this issue several years ago when a constituent of mine, Dennis Benigno, approached me to tell me about his son, who was struck by a car, hospitalized for months, leaving him with severe cognitive and physical damage.

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As a result of his son's accident, Mr. Benigno has been on the front lines researching the disease, informing others, reaching out to the medical research and scientific community, and lobbying elected officials like myself.

I am proud of the efforts and the progress my good friend has made on

behalf of traumatic brain injury, and I am pleased that the national registry will be included in the Children's Health Act.

These brain injury registries will also charge hospitals and local and State departments of health with the task of collecting data for up to a year following the injury.

A national registry will help all of us to better understand the injury, what types of treatment people have received, what services they use, and how we can best link people with services.

I also hope that we fight each day, like Dennis does, to raise awareness of this disease and to fight for the injured, like his son.

I urge all my colleagues to, when the bill comes up after we debate the rule, vote for the passage of this bill.

Ms. PRYCE of Ohio. Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, as I indicated in my opening remarks, this is a good bill. The gentleman from Virginia (Mr. SCOTT) has some legitimate concerns about a particular matter that he was not able to address. The overall bill is an important piece of legislation.

We have concerns on this side that we seem to be treading water here in not being able to bring anything up on the floor on a regular basis. We do not know from day to day what is going to be considered.

This bill could have been done on suspension yesterday. That does not diminish the bill. This is an important piece of legislation. I support the bill and support the rule.

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

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

Mr. Speaker, in closing, let me just respond. This very well could have been considered under the suspension calendar last night. We would all have been considering this bill at about 11 p.m. if that were the case.

Instead, we chose to come back in the light of day and with everyone well rested and alert and consider this important piece of legislation and allow the American public to hear all the goods things that we are promoting and adopting.

In closing, let me remind my colleagues that the House has already passed this with a strong bipartisan support vote of 419–2. Our work today will allow us to dedicate important resources and focus Members on the very unique needs in the health and well-being of our children.

I urge adoption of this straightforward, noncontroversial rule and passage of the comprehensive legislation.

I applaud my colleagues, the gentleman from Florida (Chairman BILIRAKIS), and my colleague, the gentleman from Ohio (Mr. BROWN), on their hard work.

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 reconsider was laid on the table.

Mr. BILIRAKIS. Mr. Speaker, pursuant to House Resolution 594, I call up from the Speaker's table the bill (H.R. 4365) to amend the Public Health Service Act with respect to children's health, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

MOTION OFFERED BY MR. BILIRAKIS

Mr. BILIRAKIS. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore (Mr. OSE). The Clerk will designate the motion.

The text of the motion is as follows:

Mr. BILIRAKIS moves that the House concur in the Senate amendment to H.R. 4365, as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Children's Health Act of 2000''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

DIVISION A—CHILDREN'S HEALTH

TITLE I—AUTISM

Sec. 101. Expansion, intensification, and coordination of activities of National Institutes of Health with respect to research on autism.
Sec. 102. Developmental disabilities surveillance and research programs.
Sec. 103. Information and education.
Sec. 104. Inter-agency Autism Coordinating Committee.
Sec. 105. Report to Congress.

TITLE II—RESEARCH AND DEVELOPMENT REGARDING FRAGILE X

Sec. 201. National Institute of Child Health and Human Development; research on fragile X.

TITLE III—JUVENILE ARTHRITIS AND RELATED CONDITIONS

Sec. 301. National Institute of Arthritis and Musculoskeletal and Skin Diseases; research on juvenile arthritis and related conditions.
Sec. 302. Information clearinghouse.

TITLE IV—REDUCING BURDEN OF DIABETES AMONG CHILDREN AND YOUTH

Sec. 401. Programs of Centers for Disease Control and Prevention.
Sec. 402. Programs of National Institutes of Health.

TITLE V—ASTHMA SERVICES FOR CHILDREN

Subtitle A—Asthma Services

Sec. 501. Grants for children's asthma relief.
Sec. 502. Technical and conforming amendments.

Subtitle B—Prevention Activities

Sec. 511. Preventive health and health services block grant; systems for reducing asthma-related illnesses through integrated pest management.

Subtitle C—Coordination of Federal Activities

Sec. 521. Coordination through National Institutes of Health.

Subtitle D—Compilation of Data

Sec. 531. Compilation of data by Centers for Disease Control and Prevention.

TITLE VI—BIRTH DEFECTS PREVENTION ACTIVITIES

Subtitle A—Folic Acid Promotion

Sec. 601. Program regarding effects of folic acid in prevention of birth defects.

Subtitle B—National Center on Birth Defects and Developmental Disabilities

Sec. 611. National Center on Birth Defects and Developmental Disabilities.

TITLE VII—EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING HEARING LOSS IN INFANTS

Sec. 701. Purposes.
Sec. 702. Programs of Health Resources and Services Administration, Centers for Disease Control and Prevention, and National Institutes of Health.

TITLE VIII—CHILDREN AND EPILEPSY

Sec. 801. National public health campaign on epilepsy; seizure disorder demonstration projects in medically underserved areas.

TITLE IX—SAFE MOTHERHOOD; INFANT HEALTH PROMOTION

Subtitle A—Safe Motherhood Prevention Research

Sec. 901. Prevention research and other activities.

Subtitle B—Pregnant Women and Infants Health Promotion

Sec. 911. Programs regarding prenatal and postnatal health.

TITLE X—PEDIATRIC RESEARCH INITIATIVE

Sec. 1001. Establishment of pediatric research initiative.
Sec. 1002. Investment in tomorrow's pediatric researchers.
Sec. 1003. Review of regulations.
Sec. 1004. Long-term child development study.

TITLE XI—CHILDHOOD MALIGNANCIES

Sec. 1101. Programs of Centers for Disease Control and Prevention and National Institutes of Health.

TITLE XII—ADOPTION AWARENESS

Subtitle A—Infant Adoption Awareness

Sec. 1201. Grants regarding infant adoption awareness.

Subtitle B—Special Needs Adoption Awareness

Sec. 1211. Special needs adoption programs; public awareness campaign and other activities.

TITLE XIII—TRAUMATIC BRAIN INJURY

Sec. 1301. Programs of Centers for Disease Control and Prevention.
Sec. 1302. Study and monitor incidence and prevalence.
Sec. 1303. Programs of National Institutes of Health.
Sec. 1304. Programs of Health Resources and Services Administration.
Sec. 1305. State grants for protection and advocacy services.
Sec. 1306. Authorization of appropriations for certain programs.

TITLE XIV—CHILD CARE SAFETY AND HEALTH GRANTS

Sec. 1401. Definitions.
Sec. 1402. Authorization of appropriations.
Sec. 1403. Programs.
Sec. 1404. Amounts reserved; allotments.
Sec. 1405. State applications.
Sec. 1406. Use of funds.
Sec. 1407. Reports.

TITLE XV—HEALTHY START INITIATIVE

Sec. 1501. Continuation of healthy start program.

TITLE XVI—ORAL HEALTH PROMOTION AND DISEASE PREVENTION

Sec. 1601. Identification of interventions that reduce the burden and transmission of oral, dental, and craniofacial diseases in high risk populations; development of approaches for pediatric oral and craniofacial assessment.

Sec. 1602. Oral health promotion and disease prevention.

Sec. 1603. Coordinated program to improve pediatric oral health.

TITLE XVII—VACCINE-RELATED PROGRAMS

Subtitle A—Vaccine Compensation Program

Sec. 1701. Content of petitions.

Subtitle B— Childhood Immunizations

Sec. 1711. Childhood immunizations.

TITLE XVIII—HEPATITIS C

Sec. 1801. Surveillance and education regarding hepatitis C.

TITLE XIX—NIH INITIATIVE ON AUTOIMMUNE DISEASES

Sec. 1901. Autoimmune diseases; initiative through Director of National Institutes of Health.

TITLE XX—GRADUATE MEDICAL EDUCATION PROGRAMS IN CHILDREN'S HOSPITALS

Sec. 2001. Provisions to revise and extend program.

TITLE XXI—SPECIAL NEEDS OF CHILDREN REGARDING ORGAN TRANSPLANTATION

Sec. 2101. Organ Procurement and Transplantation Network; amendments regarding needs of children.

TITLE XXII—MUSCULAR DYSTROPHY RESEARCH

Sec. 2201. Muscular dystrophy research.

TITLE XXIII—CHILDREN AND TOURETTE SYNDROME AWARENESS

Sec. 2301. Grants regarding Tourette Syndrome.

TITLE XXIV—CHILDHOOD OBESITY PREVENTION

Sec. 2401. Programs operated through the Centers for Disease Control and Prevention.

TITLE XXV—EARLY DETECTION AND TREATMENT REGARDING CHILDHOOD LEAD POISONING

Sec. 2501. Centers for Disease Control and Prevention efforts to combat childhood lead poisoning.

Sec. 2502. Grants for lead poisoning related activities.

Sec. 2503. Training and reports by the Health Resources and Services Administration.

Sec. 2504. Screenings, referrals, and education regarding lead poisoning.

TITLE XXVI—SCREENING FOR HERITABLE DISORDERS

Sec. 2601. Program to improve the ability of States to provide newborn and child screening for heritable disorders.

TITLE XXVII—PEDIATRIC RESEARCH PROTECTIONS

Sec. 2701. Requirement for additional protections for children involved in research.

TITLE XXVIII—MISCELLANEOUS PROVISIONS

Sec. 2801. Report regarding research on rare diseases in children.

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TITLE XXIX—EFFECTIVE DATE

Sec. 2901. Effective date.

DIVISION B—YOUTH DRUG AND MENTAL HEALTH SERVICES

Sec. 3001. Short title.

TITLE XXXI—PROVISIONS RELATING TO SERVICES FOR CHILDREN AND ADOLESCENTS

Sec. 3101. Children and violence.

Sec. 3102. Emergency response.

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Sec. 3104. Substance abuse treatment services for children and adolescents.

Sec. 3105. Comprehensive community services for children with serious emotional disturbance.

Sec. 3106. Services for children of substance abusers.

Sec. 3107. Services for youth offenders.

Sec. 3108. Grants for strengthening families through community partnerships.

Sec. 3109. Programs to reduce underage drinking.

Sec. 3110. Services for individuals with fetal alcohol syndrome.

Sec. 3111. Suicide prevention.

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TITLE XXXII—PROVISIONS RELATING TO MENTAL HEALTH

Sec. 3201. Priority mental health needs of regional and national significance.

Sec. 3202. Grants for the benefit of homeless individuals.

Sec. 3203. Projects for assistance in transition from homelessness.

Sec. 3204. Community mental health services performance partnership block grant.

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Sec. 3206. Protection and Advocacy for Mentally Ill Individuals Act of 1986.

Sec. 3207. Requirement relating to the rights of residents of certain facilities.

Sec. 3208. Requirement relating to the rights of residents of certain non-medical, community-based facilities for children and youth.

Sec. 3209. Emergency mental health centers.

Sec. 3210. Grants for jail diversion programs.

Sec. 3211. Improving outcomes for children and adolescents through services integration between child welfare and mental health services.

Sec. 3212. Grants for the integrated treatment of serious mental illness and co-occurring substance abuse.

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Sec. 3301. Priority substance abuse treatment needs of regional and national significance.

Sec. 3302. Priority substance abuse prevention needs of regional and national significance.

Sec. 3303. Substance abuse prevention and treatment performance partnership block grant.

Sec. 3304. Determination of allotments.

Sec. 3305. Nondiscrimination and institutional safeguards for religious providers.

Sec. 3306. Alcohol and drug prevention or treatment services for Indians and Native Alaskans.

Sec. 3307. Establishment of commission.

TITLE XXXIV—PROVISIONS RELATING TO FLEXIBILITY AND ACCOUNTABILITY

Sec. 3401. General authorities and peer review.

Sec. 3402. Advisory councils.

Sec. 3403. General provisions for the performance partnership block grants.

Sec. 3404. Data infrastructure projects.

Sec. 3405. Repeal of obsolete addict referral provisions.

Sec. 3406. Individuals with co-occurring disorders.

Sec. 3407. Services for individuals with co-occurring disorders.

TITLE XXXV—WAIVER AUTHORITY FOR PHYSICIANS WHO DISPENSE OR PRESCRIBE CERTAIN NARCOTIC DRUGS FOR MAINTENANCE TREATMENT OR DETOXIFICATION TREATMENT

Sec. 3501. Short title.

Sec. 3502. Amendment to Controlled Substances Act.

TITLE XXXVI—METHAMPHETAMINE AND OTHER CONTROLLED SUBSTANCES

Sec. 3601. Short title.

Subtitle A—Methamphetamine Production, Trafficking, and Abuse

PART I—CRIMINAL PENALTIES

Sec. 3611. Enhanced punishment of amphetamine laboratory operators.

Sec. 3612. Enhanced punishment of amphetamine or methamphetamine laboratory operators.

Sec. 3613. Mandatory restitution for violations of Controlled Substances Act and Controlled Substances Import and Export Act relating to amphetamine and methamphetamine.

Sec. 3614. Methamphetamine paraphernalia.

PART II—ENHANCED LAW ENFORCEMENT

Sec. 3621. Environmental hazards associated with illegal manufacture of amphetamine and methamphetamine.

Sec. 3622. Reduction in retail sales transaction threshold for non-safe harbor products containing pseudoephedrine or phenylpropanolamine.

Sec. 3623. Training for Drug Enforcement Administration and State and local law enforcement personnel relating to clandestine laboratories.

Sec. 3624. Combating methamphetamine and amphetamine in high intensity drug trafficking areas.

Sec. 3625. Combating amphetamine and methamphetamine manufacturing and trafficking.

PART III—ABUSE PREVENTION AND TREATMENT

Sec. 3631. Expansion of methamphetamine research.

Sec. 3632. Methamphetamine and amphetamine treatment initiative by Center for Substance Abuse Treatment.

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PART IV—REPORTS

Sec. 3641. Reports on consumption of methamphetamine and other illicit drugs in rural areas, metropolitan areas, and consolidated metropolitan areas.

Sec. 3642. Report on diversion of ordinary, over-the-counter pseudoephedrine and phenylpropanolamine products.

Subtitle B—Controlled Substances Generally

Sec. 3651. Enhanced punishment for trafficking in list I chemicals.

Sec. 3652. Mail order requirements.

Sec. 3653. Theft and transportation of anhydrous ammonia for purposes of illicit production of controlled substances.

Subtitle C—Ecstasy Anti-Proliferation Act of 2000

Sec. 3661. Short title.

Sec. 3662. Findings.

Sec. 3663. Enhanced punishment of Ecstasy traffickers.

Sec. 3664. Emergency authority to United States Sentencing Commission.

Sec. 3665. Expansion of Ecstasy and club drugs abuse prevention efforts.

Subtitle D—Miscellaneous

Sec. 3671. Antidrug messages on Federal Government Internet websites.

Sec. 3672. Reimbursement by Drug Enforcement Administration of expenses incurred to remediate methamphetamine laboratories.

Sec. 3673. Severability.

DIVISION A—CHILDREN'S HEALTH

TITLE I—AUTISM

SEC. 101. EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES OF NATIONAL INSTITUTES OF HEALTH WITH RESPECT TO RESEARCH ON AUTISM.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following section:

''EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES OF NATIONAL INSTITUTES OF HEALTH WITH RESPECT TO RESEARCH ON AUTISM

''SEC. 409C. (a) IN GENERAL.—

''(1) EXPANSION OF ACTIVITIES.—The Director of NIH (in this section referred to as the 'Director') shall expand, intensify, and coordinate the activities of the National Institutes of Health with respect to research on autism.

''(2) ADMINISTRATION OF PROGRAM; COLLABORATION AMONG AGENCIES.—The Director shall carry out this section acting through the Director of the National Institute of Mental Health and in collaboration with any other agencies that the Director determines appropriate.

''(b) CENTERS OF EXCELLENCE.—

''(1) IN GENERAL.—The Director shall under subsection (a)(1) make awards of grants and contracts to public or nonprofit private entities to pay all or part of the cost of planning, establishing, improving, and providing basic operating support for centers of excellence regarding research on autism.

''(2) RESEARCH.—Each center under paragraph (1) shall conduct basic and clinical research into autism. Such research should include investigations into the cause, diagnosis, early detection, prevention, control, and treatment of autism. The centers, as a group, shall conduct research including the fields of developmental neurobiology, genetics, and psychopharmacology.

''(3) SERVICES FOR PATIENTS.—

''(A) IN GENERAL.—A center under paragraph (1) may expend amounts provided under such paragraph to carry out a program to make individuals aware of opportunities to participate as subjects in research conducted by the centers.

''(B) REFERRALS AND COSTS.—A program under subparagraph (A) may, in accordance with such criteria as the Director may establish, provide to the subjects described in such subparagraph, referrals for health and other services, and such patient care costs as are required for research.

''(C) AVAILABILITY AND ACCESS.—The extent to which a center can demonstrate availability and access to clinical services shall be considered by the Director in decisions about awarding grants to applicants which meet the scientific criteria for funding under this section.

''(4) COORDINATION OF CENTERS; REPORTS.—The Director shall, as appropriate, provide for the coordination of information among centers under paragraph (1) and ensure regular communication between such centers, and may require the periodic preparation of reports on the activities of the centers and the submission of the reports to the Director.

''(5) ORGANIZATION OF CENTERS.—Each center under paragraph (1) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director.

''(6) NUMBER OF CENTERS; DURATION OF SUPPORT.—

''(A) IN GENERAL.—The Director shall provide for the establishment of not less than 5 centers under paragraph (1).

''(B) DURATION.—Support for a center established under paragraph (1) may be provided under this section for a period of not to exceed 5 years. Such period may be extended for 1 or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period should be extended.

''(c) FACILITATION OF RESEARCH.—The Director shall under subsection (a)(1) provide for a program under which samples of tissues and genetic materials that are of use in research on autism are donated, collected, preserved, and made available for such research. The program shall be carried out in accordance with accepted scientific and medical standards for the donation, collection, and preservation of such samples.

''(d) PUBLIC INPUT.—The Director shall under subsection (a)(1) provide for means through which the public can obtain information on the existing and planned programs and activities of the National Institutes of Health with respect to autism and through which the Director can receive comments from the public regarding such programs and activities.

''(e) FUNDING.—There are authorized to be appropriated such sums as may be necessary to carry out this section. Amounts appropriated under this subsection are in addition to any other amounts appropriated for such purpose.''.

SEC. 102. DEVELOPMENTAL DISABILITIES SURVEILLANCE AND RESEARCH PROGRAMS.

(a) NATIONAL AUTISM AND PERVASIVE DEVELOPMENTAL DISABILITIES SURVEILLANCE PROGRAM.—

(1) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary''), acting through the Director of the Centers for Disease Control and Prevention, may make awards of grants and cooperative agreements for the collection, analysis, and reporting of data on autism and pervasive developmental disabilities. In making such awards, the Secretary may provide direct technical assistance in lieu of cash.

(2) ELIGIBILITY.—To be eligible to receive an award under paragraph (1) an entity shall be a public or nonprofit private entity (including health departments of States and political subdivisions of States, and including universities and other educational entities).

(b) CENTERS OF EXCELLENCE IN AUTISM AND PERVASIVE DEVELOPMENTAL DISABILITIES EPIDEMIOLOGY.—

(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish not less than 3 regional centers of excellence in autism and pervasive developmental disabilities epidemiology for the purpose of collecting and analyzing information on the number, incidence, correlates, and causes of autism and related developmental disabilities.

(2) RECIPIENTS OF AWARDS FOR ESTABLISHMENT OF CENTERS.—Centers under paragraph (1) shall be established and operated through the awarding of grants or cooperative agreements to public or nonprofit private entities that conduct research, including health departments of States and political subdivisions of States, and including universities and other educational entities.

(3) CERTAIN REQUIREMENTS.—An award for a center under paragraph (1) may be made only if the entity involved submits to the Secretary an application containing such agreements and information as the Secretary may require, including an agreement that the center involved will operate in accordance with the following:

(A) The center will collect, analyze, and report autism and pervasive developmental disabilities data according to guidelines prescribed by the Director, after consultation with relevant State and local public health officials, private sector developmental disability researchers, and advocates for those with developmental disabilities.

(B) The center will assist with the development and coordination of State autism and pervasive developmental disabilities surveillance efforts within a region.

(C) The center will identify eligible cases and controls through its surveillance systems and conduct research into factors which may cause autism and related developmental disabilities.

(D) The center will develop or extend an area of special research expertise (including genetics, environmental exposure to contaminants, immunology, and other relevant research specialty areas).

(c) CLEARINGHOUSE.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out the following:

(1) The Secretary shall establish a clearinghouse within the Centers for Disease Control and Prevention for the collection and storage of data generated from the monitoring programs established by this title. Through the clearinghouse, such Centers shall serve as the coordinating agency for autism and pervasive developmental disabilities surveillance activities. The functions of such a clearinghouse shall include facilitating the coordination of research and policy development relating to the epidemiology of autism and other pervasive developmental disabilities.

(2) The Secretary shall coordinate the Federal response to requests for assistance from State health department officials regarding potential or alleged autism or developmental disability clusters.

(d) DEFINITION.—In this title, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 103. INFORMATION AND EDUCATION.

(a) IN GENERAL.—The Secretary shall establish and implement a program to provide information and education on autism to health professionals and the general public, including information and education on advances in the diagnosis and treatment of autism and training and continuing education through programs for scientists, physicians, and other health professionals who provide care for patients with autism.

(b) STIPENDS.—The Secretary may use amounts made available under this section to provide stipends for health professionals who are enrolled in training programs under this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 104. INTER-AGENCY AUTISM COORDINATING COMMITTEE.

(a) ESTABLISHMENT.—The Secretary shall establish a committee to be known as the ''Autism Coordinating Committee'' (in this section referred to as the ''Committee'') to coordinate all efforts within the Department of Health and Human Services concerning autism, including activities carried out through the National Institutes of Health and the Centers for Disease Control and Prevention under this title (and the amendment made by this title).

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall be composed of the Directors of such national research institutes, of the Centers for Disease Control and Prevention, and of such other agencies and such other officials as the Secretary determines appropriate.

(2) ADDITIONAL MEMBERS.—If determined appropriate by the Secretary, the Secretary may appoint to the Committee—

(A) parents or legal guardians of individuals with autism or other pervasive developmental disorders; and

(B) representatives of other governmental agencies that serve children with autism such as the Department of Education.

(c) ADMINISTRATIVE SUPPORT; TERMS OF SERVICE; OTHER PROVISIONS.—The following shall apply with respect to the Committee:

(1) The Committee shall receive necessary and appropriate administrative support from the Department of Health and Human Services.

(2) Members of the Committee appointed under subsection (b)(2)(A) shall serve for a term of 3 years, and may serve for an unlimited number of terms if reappointed.

(3) The Committee shall meet not less than 2 times each year.

SEC. 105. REPORT TO CONGRESS.

Not later than January 1, 2001, and each January 1 thereafter, the Secretary shall prepare and submit to the appropriate committees of Congress, a report concerning the implementation of this title and the amendments made by this title.

TITLE II—RESEARCH AND DEVELOPMENT REGARDING FRAGILE X

SEC. 201. NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT; RESEARCH ON FRAGILE X.

Subpart 7 of part C of title IV of the Public Health Service Act is amended by adding at the end the following section:

''FRAGILE X

''SEC. 452E. (a) EXPANSION AND COORDINATION OF RESEARCH ACTIVITIES.—The Director of the Institute, after consultation with the advisory council for the Institute, shall expand, intensify, and coordinate the activities of the Institute with respect to research on the disease known as fragile X.

''(b) RESEARCH CENTERS.—

''(1) IN GENERAL.—The Director of the Institute shall make grants or enter into contracts for the development and operation of centers to conduct research for the purposes of improving the diagnosis and treatment of, and finding the cure for, fragile X.

''(2) NUMBER OF CENTERS.—

''(A) IN GENERAL.—In carrying out paragraph (1), the Director of the Institute shall, to the extent that amounts are appropriated, and subject to subparagraph (B), provide for the establishment of at least three fragile X research centers.

''(B) PEER REVIEW REQUIREMENT.—The Director of the Institute shall make a grant to, or enter into a contract with, an entity for purposes of establishing a center under paragraph (1) only if the grant or contract has been recommended after technical and scientific peer review required by regulations under section 492.

''(3) ACTIVITIES.—The Director of the Institute, with the assistance of centers established under paragraph (1), shall conduct and support basic and biomedical research into the detection and treatment of fragile X.

''(4) COORDINATION AMONG CENTERS.—The Director of the Institute shall, as appropriate, provide for the coordination of the activities of the centers assisted under this section, including providing for the exchange of information among the centers.

''(5) CERTAIN ADMINISTRATIVE REQUIREMENTS.—Each center assisted under paragraph (1) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of the Institute.

''(6) DURATION OF SUPPORT.—Support may be provided to a center under paragraph (1) for a period not exceeding 5 years. Such period may be extended for one or more additional periods, each of which may not exceed 5 years, if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period be extended.

''(7) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE III—JUVENILE ARTHRITIS AND RELATED CONDITIONS

SEC. 301. NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES; RESEARCH ON JUVENILE ARTHRITIS AND RELATED CONDITIONS.

(a) IN GENERAL.—Subpart 4 of part C of title IV of the Public Health Service Act (42 U.S.C. 285d et seq.) is amended by inserting after section 442 the following section:

''JUVENILE ARTHRITIS AND RELATED CONDITIONS

''SEC. 442A. (a) EXPANSION AND COORDINATION OF ACTIVITIES.—The Director of the Institute, in coordination with the Director of the National Institute of Allergy and Infectious Diseases, shall expand and intensify the programs of such Institutes with respect to research and related activities concerning juvenile arthritis and related conditions.

''(b) COORDINATION.—The Directors referred to in subsection (a) shall jointly coordinate the programs referred to in such subsection and consult with the Arthritis and Musculoskeletal Diseases Interagency Coordinating Committee.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

(b) PEDIATRIC RHEUMATOLOGY.—Subpart 1 of part E of title VII of the Public Health Service Act (42 U.S.C. 294n et seq.) is amended by adding at the end the following:

''SEC. 763. PEDIATRIC RHEUMATOLOGY.

''(a) IN GENERAL.—The Secretary, acting through the appropriate agencies, shall evaluate whether the number of pediatric rheumatologists is sufficient to address the health care needs of children with arthritis and related conditions, and if the Secretary determines that the number is not sufficient, shall develop strategies to help address the shortfall.

''(b) REPORT TO CONGRESS.—Not later than October 1, 2001, the Secretary shall submit to the Congress a report describing the results of the evaluation under subsection (a), and as applicable, the strategies developed under such subsection.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 302. INFORMATION CLEARINGHOUSE.

Section 438(b) of the Public Health Service Act (42 U.S.C. 285d–3(b)) is amended by inserting '', including juvenile arthritis and related conditions,'' after ''diseases''.

TITLE IV—REDUCING BURDEN OF DIABETES AMONG CHILDREN AND YOUTH

SEC. 401. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION.

Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317G the following section:

''DIABETES IN CHILDREN AND YOUTH

''SEC. 317H. (a) SURVEILLANCE ON JUVENILE DIABETES.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall develop a sentinel system to collect data on juvenile diabetes, including with respect to incidence and prevalence, and shall establish a national database for such data.

''(b) TYPE 2 DIABETES IN YOUTH.—The Secretary shall implement a national public health effort to address type 2 diabetes in youth, including—

''(1) enhancing surveillance systems and expanding research to better assess the prevalence and incidence of type 2 diabetes in youth and determine the extent to which type 2 diabetes is incorrectly diagnosed as type 1 diabetes among children; and

''(2) developing and improving laboratory methods to assist in diagnosis, treatment, and prevention of diabetes including, but not limited to, developing noninvasive ways to monitor blood glucose to prevent hypoglycemia and improving existing glucometers that measure blood glucose.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 402. PROGRAMS OF NATIONAL INSTITUTES OF HEALTH.

Subpart 3 of part C of title IV of the Public Health Service Act (42 U.S.C. 285c et seq.) is amended by inserting after section 434 the following section:

''JUVENILE DIABETES

''SEC. 434A. (a) LONG-TERM EPIDEMIOLOGY STUDIES.—The Director of the Institute shall conduct or support long-term epidemiology studies in which individuals with or at risk for type 1, or juvenile, diabetes are followed for 10 years or more. Such studies shall investigate the causes and characteristics of the disease and its complications.

''(b) CLINICAL TRIAL INFRASTRUCTURE/INNOVATIVE TREATMENTS FOR JUVENILE DIABETES.—The Secretary, acting through the Director of the National Institutes of Health, shall support regional clinical research centers for the prevention, detection, treatment, and cure of juvenile diabetes.

''(c) PREVENTION OF TYPE 1 DIABETES.—The Secretary, acting through the appropriate agencies, shall provide for a national effort to prevent type 1 diabetes. Such effort shall provide for a combination of increased efforts in research and development of prevention strategies, including consideration of vaccine development, coupled with appropriate ability to test the effectiveness of such strategies in large clinical trials of children and young adults.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE V—ASTHMA SERVICES FOR CHILDREN

Subtitle A—Asthma Services

SEC. 501. GRANTS FOR CHILDREN'S ASTHMA RELIEF.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by adding at the end the following part:

''PART P—ADDITIONAL PROGRAMS

''SEC. 399L. CHILDREN'S ASTHMA TREATMENT GRANTS PROGRAM.

''(a) AUTHORITY TO MAKE GRANTS.—

''(1) IN GENERAL.—In addition to any other payments made under this Act or title V of the Social Security Act, the Secretary shall award grants to eligible entities to carry out the following purposes:

''(A) To provide access to quality medical care for children who live in areas that have a high prevalence of asthma and who lack access to medical care.

''(B) To provide on-site education to parents, children, health care providers, and medical teams to recognize the signs and symptoms of asthma, and to train them in the use of medications to treat asthma and prevent its exacerbations.

''(C) To decrease preventable trips to the emergency room by making medication available to individuals who have not previously had access to treatment or education in the management of asthma.

''(D) To provide other services, such as smoking cessation programs, home modification, and other direct and support services that ameliorate conditions that exacerbate or induce asthma.

''(2) CERTAIN PROJECTS.—In making grants under paragraph (1), the Secretary may make

grants designed to develop and expand the following projects:

''(A) Projects to provide comprehensive asthma services to children in accordance with the guidelines of the National Asthma Education and Prevention Program (through the National Heart, Lung and Blood Institute), including access to care and treatment for asthma in a community-based setting.

''(B) Projects to fully equip mobile health care clinics that provide preventive asthma care including diagnosis, physical examinations, pharmacological therapy, skin testing, peak flow meter testing, and other asthma-related health care services.

''(C) Projects to conduct validated asthma management education programs for patients with asthma and their families, including patient education regarding asthma management, family education on asthma management, and the distribution of materials, including displays and videos, to reinforce concepts presented by medical teams.

''(2) AWARD OF GRANTS.—

''(A) APPLICATION.—

''(i) IN GENERAL.—An eligible entity shall submit an application to the Secretary for a grant under this section in such form and manner as the Secretary may require.

''(ii) REQUIRED INFORMATION.—An application submitted under this subparagraph shall include a plan for the use of funds awarded under the grant and such other information as the Secretary may require.

''(B) REQUIREMENT.—In awarding grants under this section, the Secretary shall give preference to eligible entities that demonstrate that the activities to be carried out under this section shall be in localities within areas of known or suspected high prevalence of childhood asthma or high asthma-related mortality or high rate of hospitalization or emergency room visits for asthma (relative to the average asthma prevalence rates and associated mortality rates in the United States). Acceptable data sets to demonstrate a high prevalence of childhood asthma or high asthma-related mortality may include data from Federal, State, or local vital statistics, claims data under title XIX or XXI of the Social Security Act, other public health statistics or surveys, or other data that the Secretary, in consultation with the Director of the Centers for Disease Control and Prevention, deems appropriate.

''(3) DEFINITION OF ELIGIBLE ENTITY.—For purposes of this section, the term 'eligible entity' means a public or nonprofit private entity (including a State or political subdivision of a State), or a consortium of any of such entities.

''(b) COORDINATION WITH OTHER CHILDREN'S PROGRAMS.—An eligible entity shall identify in the plan submitted as part of an application for a grant under this section how the entity will coordinate operations and activities under the grant with—

''(1) other programs operated in the State that serve children with asthma, including any such programs operated under titles V, XIX, or XXI of the Social Security Act; and

''(2) one or more of the following—

''(A) the child welfare and foster care and adoption assistance programs under parts B and E of title IV of such Act;

''(B) the head start program established under the Head Start Act (42 U.S.C. 9831 et seq.);

''(C) the program of assistance under the special supplemental nutrition program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

''(D) local public and private elementary or secondary schools; or

''(E) public housing agencies, as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).

''(c) EVALUATION.—An eligible entity that receives a grant under this section shall submit to the Secretary an evaluation of the operations and activities carried out under the grant that includes—

''(1) a description of the health status outcomes of children assisted under the grant;

''(2) an assessment of the utilization of asthma-related health care services as a result of activities carried out under the grant;

''(3) the collection, analysis, and reporting of asthma data according to guidelines prescribed by the Director of the Centers for Disease Control and Prevention; and

''(4) such other information as the Secretary may require.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 502. TECHNICAL AND CONFORMING AMENDMENTS.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended—

(1) in part L, by redesignating section 399D as section 399A;

(2) in part M—

(A) by redesignating sections 399H through 399L as sections 399B through 399F, respectively;

(B) in section 399B (as so redesignated), in subsection (e)—

(i) by striking ''section 399K(b)'' and inserting ''subsection (b) of section 399E''; and

(ii) by striking ''section 399C'' and inserting ''such section'';

(C) in section 399E (as so redesignated), in subsection (c), by striking ''section 399H(a)'' and inserting ''section 399B(a)''; and

(D) in section 399F (as so redesignated)—

(i) in subsection (a), by striking ''section 399I'' and inserting ''section 399C'';

(ii) in subsection (a), by striking ''subsection 399J'' and inserting ''section 399D''; and

(iii) in subsection (b), by striking ''subsection 399K'' and inserting ''section 399E'';

(3) in part N, by redesignating section 399F as section 399G; and

(4) in part O—

(A) by redesignating sections 399G through 399J as sections 399H through 399K, respectively;

(B) in section 399H (as so redesignated), in subsection (b), by striking ''section 399H'' and inserting ''section 399I'';

(C) in section 399J (as so redesignated), in subsection (b), by striking ''section 399G(d)'' and inserting ''section 399H(d)''; and

(D) in section 399K (as so redesignated), by striking ''section 399G(d)(1)'' and inserting ''section 399H(d)(1)''.

Subtitle B—Prevention Activities

SEC. 511. PREVENTIVE HEALTH AND HEALTH SERVICES BLOCK GRANT; SYSTEMS FOR REDUCING ASTHMA-RELATED ILLNESSES THROUGH INTEGRATED PEST MANAGEMENT.

Section 1904(a)(1) of the Public Health Service Act (42 U.S.C. 300w–3(a)(1)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively;

(2) by adding a period at the end of subparagraph (G) (as so redesignated);

(3) by inserting after subparagraph (D), the following:

''(E) The establishment, operation, and coordination of effective and cost-efficient systems to reduce the prevalence of illness due to asthma and asthma-related illnesses, especially among children, by reducing the level of exposure to cockroach allergen or other known asthma triggers through the use of integrated pest management, as applied to cockroaches or other known allergens. Amounts expended for such systems may include the costs of building maintenance and the costs of programs to promote community participation in the carrying out at such sites of integrated pest management, as applied to cockroaches or other known allergens. For purposes of this subparagraph, the term 'integrated pest management' means an approach to the management of pests in public facilities that combines biological, cultural, physical, and chemical tools in a way that minimizes economic, health, and environmental risks.'';

(4) in subparagraph (F) (as so redesignated), by striking ''subparagraphs (A) through (D)'' and inserting ''subparagraphs (A) through (E)''; and

(5) in subparagraph (G) (as so redesignated), by striking ''subparagraphs (A) through (E)'' and inserting ''subparagraphs (A) through (F)''.

Subtitle C—Coordination of Federal Activities

SEC. 521. COORDINATION THROUGH NATIONAL INSTITUTES OF HEALTH.

Subpart 2 of part C of title IV of the Public Health Service Act (42 U.S.C. 285b et seq.) is amended by inserting after section 424A the following section:

''COORDINATION OF FEDERAL ASTHMA ACTIVITIES

''SEC. 424B (a) IN GENERAL.—The Director of Institute shall, through the National Asthma Education Prevention Program Coordinating Committee—

''(1) identify all Federal programs that carry out asthma-related activities;

''(2) develop, in consultation with appropriate Federal agencies and professional and voluntary health organizations, a Federal plan for responding to asthma; and

''(3) not later than 12 months after the date of the enactment of the Children's Health Act of 2000, submit recommendations to the appropriate committees of the Congress on ways to strengthen and improve the coordination of asthma-related activities of the Federal Government.

''(b) REPRESENTATION OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—A representative of the Department of Housing and Urban Development shall be included on the National Asthma Education Prevention Program Coordinating Committee for the purpose of performing the tasks described in subsection (a).

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle D—Compilation of Data

SEC. 531. COMPILATION OF DATA BY CENTERS FOR DISEASE CONTROL AND PREVENTION.

Part B of title III of the Public Health Service Act, as amended by section 401 of this Act, is amended by inserting after section 317H the following section:

''COMPILATION OF DATA ON ASTHMA

''SEC. 317I. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

''(1) conduct local asthma surveillance activities to collect data on the prevalence and severity of asthma and the quality of asthma management;

''(2) compile and annually publish data on the prevalence of children suffering from asthma in each State; and

''(3) to the extent practicable, compile and publish data on the childhood mortality rate associated with asthma nationally.

''(b) SURVEILLANCE ACTIVITIES.—The Director of the Centers for Disease Control and Prevention, acting through the representative of the Director on the National Asthma Education Prevention Program Coordinating Committee, shall, in carrying out subsection (a), provide an update on surveillance activities at each Committee meeting.

''(c) COLLABORATIVE EFFORTS.—The activities described in subsection (a)(1) may be conducted in collaboration with eligible entities awarded a grant under section 399L.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE VI—BIRTH DEFECTS PREVENTION ACTIVITIES

Subtitle A—Folic Acid Promotion

SEC. 601. PROGRAM REGARDING EFFECTS OF FOLIC ACID IN PREVENTION OF BIRTH DEFECTS.

Part B of title III of the Public Health Service Act, as amended by section 531 of this Act, is amended by inserting after section 317I the following section:

''EFFECTS OF FOLIC ACID IN PREVENTION OF BIRTH DEFECTS

''SEC. 317J. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall expand and intensify programs (directly or through grants or contracts) for the following purposes:

''(1) To provide education and training for health professionals and the general public for purposes of explaining the effects of folic acid in preventing birth defects and for purposes of encouraging each woman of reproductive capacity (whether or not planning a pregnancy) to consume on a daily basis a dietary supplement that provides an appropriate level of folic acid.

''(2) To conduct research with respect to such education and training, including identifying effective strategies for increasing the rate of consumption of folic acid by women of reproductive capacity.

''(3) To conduct research to increase the understanding of the effects of folic acid in preventing birth defects, including understanding with respect to cleft lip, cleft palate, and heart defects.

''(4) To provide for appropriate epidemiological activities regarding folic acid and birth defects, including epidemiological activities regarding neural tube defects.

''(b) CONSULTATIONS WITH STATES AND PRIVATE ENTITIES.—In carrying out subsection (a), the Secretary shall consult with the States and with other appropriate public or private entities, including national nonprofit private organizations, health professionals, and providers of health insurance and health plans.

''(c) TECHNICAL ASSISTANCE.—The Secretary may (directly or through grants or contracts) provide technical assistance to public and nonprofit private entities in carrying out the activities described in subsection (a).

''(d) EVALUATIONS.—The Secretary shall (directly or through grants or contracts) provide for the evaluation of activities under subsection (a) in order to determine the extent to which such activities have been effective in carrying out the purposes of the program under such subsection, including the effects on various demographic populations. Methods of evaluation under the preceding sentence may include surveys of knowledge and attitudes on the consumption of folic acid and on blood folate levels. Such methods may include complete and timely monitoring of infants who are born with neural tube defects.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—National Center on Birth Defects and Developmental Disabilities

SEC. 611. NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES.

Section 317C of the Public Health Service Act (42 U.S.C. 247b–4) is amended—

(1) by striking the heading for the section and inserting the following:

''NATIONAL CENTER ON BIRTH DEFECTS AND DEVELOPMENTAL DISABILITIES'';

(2) by striking ''SEC. 317C. (a)'' and all that follows through the end of subsection (a) and inserting the following:

''SEC. 317C. (a) IN GENERAL.—

''(1) NATIONAL CENTER.—There is established within the Centers for Disease Control and Prevention a center to be known as the National Center on Birth Defects and Developmental Disabilities (referred to in this section as the 'Center'), which shall be headed by a director appointed by the Director of the Centers for Disease Control and Prevention.

''(2) GENERAL DUTIES.—The Secretary shall carry out programs—

(A) to collect, analyze, and make available data on birth defects and developmental disabilities (in a manner that facilitates compliance with subsection (d)(2)), including data on the causes of such defects and disabilities and on the incidence and prevalence of such defects and disabilities;

(B) to operate regional centers for the conduct of applied epidemiological research on the prevention of such defects and disabilities; and

(C) to provide information and education to the public on the prevention of such defects and disabilities.

''(3) FOLIC ACID.—The Secretary shall carry out section 317J through the Center.

''(4) CERTAIN PROGRAMS.—

''(A) TRANSFERS.—All programs and functions described in subparagraph (B) are transferred to the Center, effective upon the expiration of the 180-day period beginning on the date of the enactment of the Children's Health Act of 2000.

''(B) RELEVANT PROGRAMS.—The programs and functions described in this subparagraph are all programs and functions that—

''(i) relate to birth defects; folic acid; cerebral palsy; mental retardation; child development; newborn screening; autism; fragile X syndrome; fetal alcohol syndrome; pediatric genetic disorders; disability prevention; or other relevant diseases, disorders, or conditions as determined the Secretary; and

''(ii) were carried out through the National Center for Environmental Health as of the day before the date of the enactment of the Act referred to in subparagraph (A).

''(C) RELATED TRANSFERS.—Personnel employed in connection with the programs and functions specified in subparagraph (B), and amounts available for carrying out the programs and functions, are transferred to the Center, effective upon the expiration of the 180-day period beginning on the date of the enactment of the Act referred to in subparagraph (A). Such transfer of amounts does not affect the period of availability of the amounts, or the availability of the amounts with respect to the purposes for which the amounts may be expended.''; and

(3) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''(a)(1)'' and inserting ''(a)(2)(A)''.

TITLE VII—EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING HEARING LOSS IN INFANTS

SEC. 701. PURPOSES.

The purposes of this title are to clarify the authority within the Public Health Service Act to authorize statewide newborn and infant hearing screening, evaluation and intervention programs and systems, technical assistance, a national applied research program, and interagency and private sector collaboration for policy development, in order to assist the States in making progress toward the following goals:

(1) All babies born in hospitals in the United States and its territories should have a hearing screening before leaving the birthing facility. Babies born in other countries and residing in the United States via immigration or adoption should have a hearing screening as early as possible.

(2) All babies who are not born in hospitals in the United States and its territories should have a hearing screening within the first 3 months of life.

(3) Appropriate audiologic and medical evaluations should be conducted by 3 months for all newborns and infants suspected of having hearing loss to allow appropriate referral and provisions for audiologic rehabilitation, medical and early intervention before the age of 6 months.

(4) All newborn and infant hearing screening programs and systems should include a component for audiologic rehabilitation, medical and early intervention options that ensures linkage to any new and existing state-wide systems of intervention and rehabilitative services for newborns and infants with hearing loss.

(5) Public policy in regard to newborn and infant hearing screening and intervention should be based on applied research and the recognition that newborns, infants, toddlers, and children who are deaf or hard-of-hearing have unique language, learning, and communication needs, and should be the result of consultation with pertinent public and private sectors.

SEC. 702. PROGRAMS OF HEALTH RESOURCES AND SERVICES ADMINISTRATION, CENTERS FOR DISEASE CONTROL AND PREVENTION, AND NATIONAL INSTITUTES OF HEALTH.

Part P of title III of the Public Health Service Act, as added by section 501 of this Act, is amended by adding at the end the following section:

"SEC. 399M. EARLY DETECTION, DIAGNOSIS, AND TREATMENT REGARDING HEARING LOSS IN INFANTS.

''(a) STATEWIDE NEWBORN AND INFANT HEARING SCREENING, EVALUATION AND INTERVENTION PROGRAMS AND SYSTEMS.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall make awards of grants or cooperative agreements to develop statewide newborn and infant hearing screening, evaluation and intervention programs and systems for the following purposes:

''(1) To develop and monitor the efficacy of state-wide newborn and infant hearing screening, evaluation and intervention programs and systems. Early intervention includes referral to schools and agencies, including community, consumer, and parent-based agencies and organizations and other programs mandated by part C of the Individuals with Disabilities Education Act, which offer programs specifically designed to meet the unique language and communication needs of deaf and hard of hearing newborns, infants, toddlers, and children.

''(2) To collect data on statewide newborn and infant hearing screening, evaluation and intervention programs and systems that can be used for applied research, program evaluation and policy development.

''(b) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH.—

''(1) CENTERS FOR DISEASE CONTROL AND PREVENTION.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall make awards of grants or cooperative agreements to provide technical assistance to State agencies to complement an intramural program and to conduct applied research related to newborn and infant hearing screening, evaluation and intervention programs and systems. The program shall develop standardized procedures for data management and program effectiveness and costs, such as—

''(A) to ensure quality monitoring of newborn and infant hearing loss screening, evaluation, and intervention programs and systems;

''(B) to provide technical assistance on data collection and management;

''(C) to study the costs and effectiveness of newborn and infant hearing screening, evaluation and intervention programs and systems conducted by State-based programs in order to answer issues of importance to state and national policymakers;

''(D) to identify the causes and risk factors for congenital hearing loss;

''(E) to study the effectiveness of newborn and infant hearing screening, audiologic and medical evaluations and intervention programs and systems by assessing the health, intellectual and social developmental, cognitive, and language status of these children at school age; and

''(F) to promote the sharing of data regarding early hearing loss with State-based birth defects

and developmental disabilities monitoring programs for the purpose of identifying previously unknown causes of hearing loss.

''(2) NATIONAL INSTITUTES OF HEALTH.—The Director of the National Institutes of Health, acting through the Director of the National Institute on Deafness and Other Communication Disorders, shall for purposes of this section, continue a program of research and development on the efficacy of new screening techniques and technology, including clinical studies of screening methods, studies on efficacy of intervention, and related research.

''(c) COORDINATION AND COLLABORATION.—

''(1) IN GENERAL.—In carrying out programs under this section, the Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, and the Director of the National Institutes of Health shall collaborate and consult with other Federal agencies; State and local agencies, including those responsible for early intervention services pursuant to title XIX of the Social Security Act (Medicaid Early and Periodic Screening, Diagnosis and Treatment Program); title XXI of the Social Security Act (State Children's Health Insurance Program); title V of the Social Security Act (Maternal and Child Health Block Grant Program); and part C of the Individuals with Disabilities Education Act; consumer groups of and that serve individuals who are deaf and hard-of-hearing and their families; appropriate national medical and other health and education specialty organizations; persons who are deaf and hard-of-hearing and their families; other qualified professional personnel who are proficient in deaf or hard-of-hearing children's language and who possess the specialized knowledge, skills, and attributes needed to serve deaf and hard-of-hearing newborns, infants, toddlers, children, and their families; third-party payers and managed care organizations; and related commercial industries.

''(2) POLICY DEVELOPMENT.—The Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, and the Director of the National Institutes of Health shall coordinate and collaborate on recommendations for policy development at the Federal and State levels and with the private sector, including consumer, medical and other health and education professional-based organizations, with respect to newborn and infant hearing screening, evaluation and intervention programs and systems.

''(3) STATE EARLY DETECTION, DIAGNOSIS, AND INTERVENTION PROGRAMS AND SYSTEMS; DATA COLLECTION.—The Administrator of the Health Resources and Services Administration and the Director of the Centers for Disease Control and Prevention shall coordinate and collaborate in assisting States to establish newborn and infant hearing screening, evaluation and intervention programs and systems under subsection (a) and to develop a data collection system under subsection (b).

''(d) RULE OF CONSTRUCTION; RELIGIOUS ACCOMMODATION.—Nothing in this section shall be construed to preempt or prohibit any State law, including State laws which do not require the screening for hearing loss of newborn infants or young children of parents who object to the screening on the grounds that such screening conflicts with the parents' religious beliefs.

''(e) DEFINITIONS.—For purposes of this section:

''(1) The term 'audiologic evaluation' refers to procedures to assess the status of the auditory system; to establish the site of the auditory disorder; the type and degree of hearing loss, and the potential effects of hearing loss on communication; and to identify appropriate treatment and referral options. Referral options should include linkage to State coordinating agencies under part C of the Individuals with Disabilities Education Act or other appropriate agencies, medical evaluation, hearing aid/sensory aid assessment, audiologic rehabilitation treatment, national and local consumer, self-help, parent, and education organizations, and other family-centered services.

''(2) The terms 'audiologic rehabilitation' and 'audiologic intervention' refer to procedures, techniques, and technologies to facilitate the receptive and expressive communication abilities of a child with hearing loss.

''(3) The term 'early intervention' refers to providing appropriate services for the child with hearing loss, including nonmedical services, and ensuring that families of the child are provided comprehensive, consumer-oriented information about the full range of family support, training, information services, communication options and are given the opportunity to consider the full range of educational and program placements and options for their child.

''(4) The term 'medical evaluation by a physician' refers to key components including history, examination, and medical decision making focused on symptomatic and related body systems for the purpose of diagnosing the etiology of hearing loss and related physical conditions, and for identifying appropriate treatment and referral options.

''(5) The term 'medical intervention' refers to the process by which a physician provides medical diagnosis and direction for medical and/or surgical treatment options of hearing loss and/or related medical disorder associated with hearing loss.

''(6) The term 'newborn and infant hearing screening' refers to objective physiologic procedures to detect possible hearing loss and to identify newborns and infants who, after rescreening, require further audiologic and medical evaluations.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) STATEWIDE NEWBORN AND INFANT HEARING SCREENING, EVALUATION AND INTERVENTION PROGRAMS AND SYSTEMS.—For the purpose of carrying out subsection (a), there are authorized to be appropriated to the Health Resources and Services Administration such sums as may be necessary for fiscal year 2002.

''(2) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH; CENTERS FOR DISEASE CONTROL AND PREVENTION.—For the purpose of carrying out subsection (b)(1), there are authorized to be appropriated to the Centers for Disease Control and Prevention such sums as may be necessary for fiscal year 2002.

''(3) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH; NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS.—For the purpose of carrying out subsection (b)(2), there are authorized to be appropriated to the National Institute on Deafness and Other Communication Disorders such sums as may be necessary for fiscal year 2002.''.

TITLE VIII—CHILDREN AND EPILEPSY

SEC. 801. NATIONAL PUBLIC HEALTH CAMPAIGN ON EPILEPSY; SEIZURE DISORDER DEMONSTRATION PROJECTS IN MEDICALLY UNDERSERVED AREAS.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b) is amended by adding at the end the following section:

''SEC. 330E. EPILEPSY; SEIZURE DISORDER.

''(a) NATIONAL PUBLIC HEALTH CAMPAIGN.—

''(1) IN GENERAL.—The Secretary shall develop and implement public health surveillance, education, research, and intervention strategies to improve the lives of persons with epilepsy, with a particular emphasis on children. Such projects may be carried out by the Secretary directly and through awards of grants or contracts to public or nonprofit private entities. The Secretary may directly or through such awards provide technical assistance with respect to the planning, development, and operation of such projects.

''(2) CERTAIN ACTIVITIES.—Activities under paragraph (1) shall include—

''(A) expanding current surveillance activities through existing monitoring systems and improving registries that maintain data on individuals with epilepsy, including children;

''(B) enhancing research activities on the diagnosis, treatment, and management of epilepsy;

''(C) implementing public and professional information and education programs regarding epilepsy, including initiatives which promote effective management of the disease through children's programs which are targeted to parents, schools, daycare providers, patients;

''(D) undertaking educational efforts with the media, providers of health care, schools and others regarding stigmas and secondary disabilities related to epilepsy and seizures, and its effects on youth;

''(E) utilizing and expanding partnerships with organizations with experience addressing the health and related needs of people with disabilities; and

''(F) other activities the Secretary deems appropriate.

''(3) COORDINATION OF ACTIVITIES.—The Secretary shall ensure that activities under this subsection are coordinated as appropriate with other agencies of the Public Health Service that carry out activities regarding epilepsy and seizure.

''(b) SEIZURE DISORDER; DEMONSTRATION PROJECTS IN MEDICALLY UNDERSERVED AREAS.—

''(1) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, may make grants for the purpose of carrying out demonstration projects to improve access to health and other services regarding seizures to encourage early detection and treatment in children and others residing in medically underserved areas.

''(2) APPLICATION FOR GRANT.—A grant may not be awarded under paragraph (1) unless an application therefore is submitted to the Secretary and the Secretary approves such application. Such application shall be submitted in such form and manner and shall contain such information as the Secretary may prescribe.

''(c) DEFINITIONS.—For purposes of this section:

''(1) The term ''epilepsy'' refers to a chronic and serious neurological condition characterized by excessive electrical discharges in the brain causing recurring seizures affecting all life activities. The Secretary may revise the definition of such term to the extent the Secretary determines necessary.

''(2) The term ''medically underserved'' has the meaning applicable under section 799B(6).

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE IX—SAFE MOTHERHOOD; INFANT HEALTH PROMOTION

Subtitle A—Safe Motherhood Prevention Research

SEC. 901. PREVENTION RESEARCH AND OTHER ACTIVITIES.

Part B of title III of the Public Health Service Act, as amended by section 601 of this Act, is amended by inserting after section 317J the following section:

''SAFE MOTHERHOOD

''SEC. 317K. (a) SURVEILLANCE.—

''(1) PURPOSE.—The purpose of this subsection is to develop surveillance systems at the local, State, and national level to better understand the burden of maternal complications and mortality and to decrease the disparities among population at risk of death and complications from pregnancy.

''(2) ACTIVITIES.—For the purpose described in paragraph (1), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, may carry out the following activities:

''(A) The Secretary may establish and implement a national surveillance program to identify

and promote the investigation of deaths and severe complications that occur during pregnancy.

''(B) The Secretary may expand the Pregnancy Risk Assessment Monitoring System to provide surveillance and collect data in each State.

''(C) The Secretary may expand the Maternal and Child Health Epidemiology Program to provide technical support, financial assistance, or the time-limited assignment of senior epidemiologists to maternal and child health programs in each State.

''(b) PREVENTION RESEARCH.—

''(1) PURPOSE.—The purpose of this subsection is to provide the Secretary with the authority to further expand research concerning risk factors, prevention strategies, and the roles of the family, health care providers and the community in safe motherhood.

''(2) RESEARCH.—The Secretary may carry out activities to expand research relating to—

''(A) encouraging preconception counseling, especially for at risk populations such as diabetics;

''(B) the identification of critical components of prenatal delivery and postpartum care;

''(C) the identification of outreach and support services, such as folic acid education, that are available for pregnant women;

''(D) the identification of women who are at high risk for complications;

''(E) preventing preterm delivery;

''(F) preventing urinary tract infections;

''(G) preventing unnecessary caesarean sections;

''(H) an examination of the higher rates of maternal mortality among African American women;

''(I) an examination of the relationship between domestic violence and maternal complications and mortality;

''(J) preventing and reducing adverse health consequences that may result from smoking, alcohol and illegal drug use before, during and after pregnancy;

''(K) preventing infections that cause maternal and infant complications; and

''(L) other areas determined appropriate by the Secretary.

''(c) PREVENTION PROGRAMS.—

''(1) IN GENERAL.—The Secretary may carry out activities to promote safe motherhood, including—

''(A) public education campaigns on healthy pregnancies and the building of partnerships with outside organizations concerned about safe motherhood;

''(B) education programs for physicians, nurses and other health care providers; and

''(C) activities to promote community support services for pregnant women.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—Pregnant Women and Infants Health Promotion

SEC. 911. PROGRAMS REGARDING PRENATAL AND POSTNATAL HEALTH.

Part B of title III of the Public Health Service Act, as amended by section 901 of this Act, is amended by inserting after section 317K the following section:

''PRENATAL AND POSTNATAL HEALTH

''SEC. 317L. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out programs—

''(1) to collect, analyze, and make available data on prenatal smoking, alcohol and illegal drug use, including data on the implications of such activities and on the incidence and prevalence of such activities and their implications;

''(2) to conduct applied epidemiological research on the prevention of prenatal and postnatal smoking, alcohol and illegal drug use;

''(3) to support, conduct, and evaluate the effectiveness of educational and cessation programs; and

''(4) to provide information and education to the public on the prevention and implications of prenatal and postnatal smoking, alcohol and illegal drug use.

''(b) GRANTS.—In carrying out subsection (a), the Secretary may award grants to and enter into contracts with States, local governments, scientific and academic institutions, Federally qualified health centers, and other public and nonprofit entities, and may provide technical and consultative assistance to such entities.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE X— PEDIATRIC RESEARCH INITIATIVE

SEC. 1001. ESTABLISHMENT OF PEDIATRIC RESEARCH INITIATIVE.

Part B of title IV of the Public Health Service Act, as amended by section 101 of this Act, is amended by adding at the end the following:

''PEDIATRIC RESEARCH INITIATIVE

''SEC. 409D. (a) ESTABLISHMENT.—The Secretary shall establish within the Office of the Director of NIH a Pediatric Research Initiative (referred to in this section as the 'Initiative') to conduct and support research that is directly related to diseases, disorders, and other conditions in children. The Initiative shall be headed by the Director of NIH.

''(b) PURPOSE.—The purpose of the Initiative is to provide funds to enable the Director of NIH—

''(1) to increase support for pediatric biomedical research within the National Institutes of Health to realize the expanding opportunities for advancement in scientific investigations and care for children;

''(2) to enhance collaborative efforts among the Institutes to conduct and support multidisciplinary research in the areas that the Director deems most promising; and

''(3) in coordination with the Food and Drug Administration, to increase the development of adequate pediatric clinical trials and pediatric use information to promote the safer and more effective use of prescription drugs in the pediatric population.

''(c) DUTIES.—In carrying out subsection (b), the Director of NIH shall—

''(1) consult with the Director of the National Institute of Child Health and Human Development and the other national research institutes, in considering their requests for new or expanded pediatric research efforts, and consult with the Administrator of the Health Resources and Services Administration and other advisors as the Director determines to be appropriate;

''(2) have broad discretion in the allocation of any Initiative assistance among the Institutes, among types of grants, and between basic and clinical research so long as the assistance is directly related to the illnesses and conditions of children; and

''(3) be responsible for the oversight of any newly appropriated Initiative funds and annually report to Congress and the public on the extent of the total funds obligated to conduct or support pediatric research across the National Institutes of Health, including the specific support and research awards allocated through the Initiative.

''(d) AUTHORIZATION.—For the purpose of carrying out this section, there are authorized to be appropriated $50,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 through 2005.

''(e) TRANSFER OF FUNDS.—The Director of NIH may transfer amounts appropriated under this section to any of the Institutes for a fiscal year to carry out the purposes of the Initiative under this section.''.

SEC. 1002. INVESTMENT IN TOMORROW'S PEDIATRIC RESEARCHERS.

(a) IN GENERAL.—Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 921 of this Act, is amended by adding at the end the following:

''INVESTMENT IN TOMORROW'S PEDIATRIC RESEARCHERS

''SEC. 452G. (a) ENHANCED SUPPORT.—In order to ensure the future supply of researchers dedicated to the care and research needs of children, the Director of the Institute, after consultation with the Administrator of the Health Resources and Services Administration, shall support activities to provide for—

''(1) an increase in the number and size of institutional training grants to institutions supporting pediatric training; and

''(2) an increase in the number of career development awards for health professionals who intend to build careers in pediatric basic and clinical research.

''(b) AUTHORIZATION.—For the purpose of carrying out subsection (a), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

(b) PEDIATRIC RESEARCH LOAN REPAYMENT PROGRAM.—Part G of title IV of the Public Health Service Act (42 U.S.C. 288 et seq.) is amended by inserting after section 487E the following section:

''PEDIATRIC RESEARCH LOAN REPAYMENT PROGRAM

''SEC. 487F. (a) IN GENERAL.—The Secretary, in consultation with the Director of NIH, may establish a pediatric research loan repayment program. Through such program—

''(1) the Secretary shall enter into contracts with qualified health professionals under which such professionals will agree to conduct pediatric research, in consideration of the Federal government agreeing to repay, for each year of such service, not more than $35,000 of the principal and interest of the educational loans of such professionals; and

''(2) the Secretary shall, for the purpose of providing reimbursements for tax liability resulting from payments made under paragraph (1) on behalf of an individual, make payments, in addition to payments under such paragraph, to the individual in an amount equal to 39 percent of the total amount of loan repayments made for the taxable year involved.

''(b) APPLICATION OF OTHER PROVISIONS.—The provisions of sections 338B, 338C, and 338E shall, except as inconsistent with paragraph (1), apply to the program established under such paragraph to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established under subpart III of part D of title III.

''(c) FUNDING.—

''(1) IN GENERAL.—For the purpose of carrying out this section with respect to a national research institute the Secretary may reserve, from amounts appropriated for such institute for the fiscal year involved, such amounts as the Secretary determines to be appropriate.

''(2) AVAILABILITY OF FUNDS.—Amounts made available to carry out this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which such amounts were made available.''.

SEC. 1003. REVIEW OF REGULATIONS.

(a) REVIEW.—By not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall conduct a review of the regulations under subpart D of part 46 of title 45, Code of Federal Regulations, consider any modifications necessary to ensure the adequate and appropriate protection of children participating in research, and report the findings of the Secretary to Congress.

(b) AREAS OF REVIEW.—In conducting the review under subsection (a), the Secretary of Health and Human Services shall consider—

(1) the appropriateness of the regulations for children of differing ages and maturity levels, including legal status;

(2) the definition of ''minimal risk'' for a healthy child or for a child with an illness;

(3) the definitions of ''assent'' and ''permission'' for child clinical research participants and their parents or guardians and of ''adequate provisions'' for soliciting assent or permission in research as such definitions relate to the process of obtaining the agreement of children participating in research and the parents or guardians of such children;

(4) the definitions of ''direct benefit to the individual subjects'' and ''generalizable knowledge about the subject's disorder or condition'';

(5) whether payment (financial or otherwise) may be provided to a child or his or her parent or guardian for the participation of the child in research, and if so, the amount and type given;

(6) the expectations of child research participants and their parent or guardian for the direct benefits of the child's research involvement;

(7) safeguards for research involving children conducted in emergency situations with a waiver of informed assent;

(8) parent and child notification in instances in which the regulations have not been complied with;

(9) compliance with the regulations in effect on the date of enactment of this Act, the monitoring of such compliance, and enforcement actions for violations of such regulations; and

(10) the appropriateness of current practices for recruiting children for participation in research.

(c) CONSULTATION.—In conducting the review under subsection (a), the Secretary of Health and Human Services shall consult broadly with experts in the field, including pediatric pharmacologists, pediatricians, pediatric professional societies, bioethics experts, clinical investigators, institutional review boards, industry experts, appropriate Federal agencies, and children who have participated in research studies and the parents, guardians, or families of such children.

(d) CONSIDERATION OF ADDITIONAL PROVISIONS.—In conducting the review under subsection (a), the Secretary of Health and Human Services shall consider and, not later than 6 months after the date of enactment of this Act, report to Congress concerning—

(1) whether the Secretary should establish data and safety monitoring boards or other mechanisms to review adverse events associated with research involving children; and

(2) whether the institutional review board oversight of clinical trials involving children is adequate to protect children.

SEC. 1004. LONG-TERM CHILD DEVELOPMENT STUDY.

(a) PURPOSE.—It is the purpose of this section to authorize the National Institute of Child Health and Human Development to conduct a national longitudinal study of environmental influences (including physical, chemical, biological, and psychosocial) on children's health and development.

(b) IN GENERAL.—The Director of the National Institute of Child Health and Human Development shall establish a consortium of representatives from appropriate Federal agencies (including the Centers for Disease Control and Prevention, the Environmental Protection Agency) to—

(1) plan, develop, and implement a prospective cohort study, from birth to adulthood, to evaluate the effects of both chronic and intermittent exposures on child health and human development; and

(2) investigate basic mechanisms of developmental disorders and environmental factors, both risk and protective, that influence health and developmental processes.

(c) REQUIREMENT.—The study under subsection (b) shall—

(1) incorporate behavioral, emotional, educational, and contextual consequences to enable a complete assessment of the physical, chemical, biological and psychosocial environmental influences on children's well-being;

(2) gather data on environmental influences and outcomes on diverse populations of children, which may include the consideration of prenatal exposures;

(3) consider health disparities among children which may include the consideration of prenatal exposures.

(d) REPORT.—Beginning not later than 3 years after the date of enactment of this Act, and periodically thereafter for the duration of the study under this section, the Director of the National Institute of Child Health and Human Development shall prepare and submit to the appropriate committees of Congress a report on the implementation and findings made under the planning and feasibility study conducted under this section.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $18,000,000 for fiscal year 2001, and such sums as may be necessary for each the fiscal years 2002 through 2005.

TITLE XI—CHILDHOOD MALIGNANCIES

SEC. 1101. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION AND NATIONAL INSTITUTES OF HEALTH.

Part P of title III of the Public Health Service Act, as amended by section 702 of this Act, is amended by adding at the end the following section:

''SEC. 399N. CHILDHOOD MALIGNANCIES.

''(a) IN GENERAL.—The Secretary, acting as appropriate through the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health, shall study environmental and other risk factors for childhood cancers (including skeletal malignancies, leukemias, malignant tumors of the central nervous system, lymphomas, soft tissue sarcomas, and other malignant neoplasms) and carry out projects to improve outcomes among children with childhood cancers and resultant secondary conditions, including limb loss, anemia, rehabilitation, and palliative care. Such projects shall be carried out by the Secretary directly and through awards of grants or contracts.

''(b) CERTAIN ACTIVITIES.—Activities under subsection (a) include—

''(1) the expansion of current demographic data collection and population surveillance efforts to include childhood cancers nationally;

''(2) the development of a uniform reporting system under which treating physicians, hospitals, clinics, and states report the diagnosis of childhood cancers, including relevant associated epidemiological data; and

''(3) support for the National Limb Loss Information Center to address, in part, the primary and secondary needs of persons who experience childhood cancers in order to prevent or minimize the disabling nature of these cancers.

''(c) COORDINATION OF ACTIVITIES.—The Secretary shall assure that activities under this section are coordinated as appropriate with other agencies of the Public Health Service that carry out activities focused on childhood cancers and limb loss.

''(d) DEFINITION.—For purposes of this section, the term 'childhood cancer' refers to a spectrum of different malignancies that vary by histology, site of disease, origin, race, sex, and age. The Secretary may for purposes of this section revise the definition of such term to the extent determined by the Secretary to be appropriate.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XII—ADOPTION AWARENESS

Subtitle A—Infant Adoption Awareness

SEC. 1201. GRANTS REGARDING INFANT ADOPTION AWARENESS.

Subpart I of part D of title III of the Public Health Service Act, as amended by section 801 of this Act, is amended by adding at the end the following section:

''SEC. 330F. CERTAIN SERVICES FOR PREGNANT WOMEN.

''(a) INFANT ADOPTION AWARENESS.—

''(1) IN GENERAL.—The Secretary shall make grants to national, regional, or local adoption organizations for the purpose of developing and implementing programs to train the designated staff of eligible health centers in providing adoption information and referrals to pregnant women on an equal basis with all other courses of action included in nondirective counseling to pregnant women.

''(2) BEST-PRACTICES GUIDELINES.—

''(A) IN GENERAL.—A condition for the receipt of a grant under paragraph (1) is that the adoption organization involved agree that, in providing training under such paragraph, the organization will follow the guidelines developed under subparagraph (B).

''(B) PROCESS FOR DEVELOPMENT OF GUIDELINES.—

''(i) IN GENERAL.—The Secretary shall establish and supervise a process described in clause (ii) in which the participants are—

''(I) an appropriate number and variety of adoption organizations that, as a group, have expertise in all models of adoption practice and that represent all members of the adoption triad (birth mother, infant, and adoptive parent); and

''(II) affected public health entities.

''(ii) DESCRIPTION OF PROCESS.—The process referred to in clause (i) is a process in which the participants described in such clause collaborate to develop best-practices guidelines on the provision of adoption information and referrals to pregnant women on an equal basis with all other courses of action included in nondirective counseling to pregnant women.

''(iii) DATE CERTAIN FOR DEVELOPMENT.—The Secretary shall ensure that the guidelines described in clause (ii) are developed not later than 180 days after the date of the enactment of the Children's Health Act of 2000.

''(C) RELATION TO AUTHORITY FOR GRANTS.—The Secretary may not make any grant under paragraph (1) before the date on which the guidelines under subparagraph (B) are developed.

''(3) USE OF GRANT.—

''(A) IN GENERAL.—With respect to a grant under paragraph (1)—

''(i) an adoption organization may expend the grant to carry out the programs directly or through grants to or contracts with other adoption organizations;

''(ii) the purposes for which the adoption organization expends the grant may include the development of a training curriculum, consistent with the guidelines developed under paragraph (2)(B); and

''(iii) a condition for the receipt of the grant is that the adoption organization agree that, in providing training for the designated staff of eligible health centers, such organization will make reasonable efforts to ensure that the individuals who provide the training are individuals who are knowledgeable in all elements of the adoption process and are experienced in providing adoption information and referrals in the geographic areas in which the eligible health centers are located, and that the designated staff receive the training in such areas.

''(B) RULE OF CONSTRUCTION REGARDING TRAINING OF TRAINERS.—With respect to individuals who under a grant under paragraph (1) provide training for the designated staff of eligible health centers (referred to in this subparagraph as 'trainers'), subparagraph (A)(iii) may not be construed as establishing any limitation

regarding the geographic area in which the trainers receive instruction in being such trainers. A trainer may receive such instruction in a different geographic area than the area in which the trainer trains (or will train) the designated staff of eligible health centers.

''(4) ADOPTION ORGANIZATIONS; ELIGIBLE HEALTH CENTERS; OTHER DEFINITIONS.—For purposes of this section:

''(A) The term 'adoption organization' means a national, regional, or local organization—

''(i) among whose primary purposes are adoption;

''(ii) that is knowledgeable in all elements of the adoption process and on providing adoption information and referrals to pregnant women; and

''(iii) that is a nonprofit private entity.

''(B) The term 'designated staff', with respect to an eligible health center, means staff of the center who provide pregnancy or adoption information and referrals (or will provide such information and referrals after receiving training under a grant under paragraph (1)).

''(C) The term 'eligible health centers' means public and nonprofit private entities that provide health services to pregnant women.

''(5) TRAINING FOR CERTAIN ELIGIBLE HEALTH CENTERS.—A condition for the receipt of a grant under paragraph (1) is that the adoption organization involved agree to make reasonable efforts to ensure that the eligible health centers with respect to which training under the grant is provided include—

''(A) eligible health centers that receive grants under section 1001 (relating to voluntary family planning projects);

''(B) eligible health centers that receive grants under section 330 (relating to community health centers, migrant health centers, and centers regarding homeless individuals and residents of public housing); and

''(C) eligible health centers that receive grants under this Act for the provision of services in schools.

''(6) PARTICIPATION OF CERTAIN ELIGIBLE HEALTH CLINICS.—In the case of eligible health centers that receive grants under section 330 or 1001:

''(A) Within a reasonable period after the Secretary begins making grants under paragraph (1), the Secretary shall provide eligible health centers with complete information about the training available from organizations receiving grants under such paragraph. The Secretary shall make reasonable efforts to encourage eligible health centers to arrange for designated staff to participate in such training. Such efforts shall affirm Federal requirements, if any, that the eligible health center provide nondirective counseling to pregnant women.

''(B) All costs of such centers in obtaining the training shall be reimbursed by the organization that provides the training, using grants under paragraph (1).

''(C) Not later than one year after the date of the enactment of the Children's Health Act of 2000, the Secretary shall submit to the appropriate committees of the Congress a report evaluating the extent to which adoption information and referral, upon request, are provided by eligible health centers. Within a reasonable time after training under this section is initiated, the Secretary shall submit to the appropriate committees of the Congress a report evaluating the extent to which adoption information and referral, upon request, are provided by eligible health centers in order to determine the effectiveness of such training and the extent to which such training complies with subsection (a)(1). In preparing the reports required by this subparagraph, the Secretary shall in no respect interpret the provisions of this section to allow any interference in the provider-patient relationship, any breach of patient confidentiality, or any monitoring or auditing of the counseling process or patient records which breaches patient confidentiality or reveals patient identity. The reports required by this subparagraph shall be conducted by the Secretary acting through the Administrator of the Health Resources and Services Administration and in collaboration with the Director of the Agency for Healthcare Research and Quality.

''(b) APPLICATION FOR GRANT.—The Secretary may make a grant under subsection (a) only if an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

Subtitle B—Special Needs Adoption Awareness

SEC. 1211. SPECIAL NEEDS ADOPTION PROGRAMS; PUBLIC AWARENESS CAMPAIGN AND OTHER ACTIVITIES.

Subpart I of part D of title III of the Public Health Service Act, as amended by section 1201 of this Act, is amended by adding at the end the following section:

''SEC. 330G. SPECIAL NEEDS ADOPTION PROGRAMS; PUBLIC AWARENESS CAMPAIGN AND OTHER ACTIVITIES.

''(a) SPECIAL NEEDS ADOPTION AWARENESS CAMPAIGN.—

''(1) IN GENERAL.—The Secretary shall, through making grants to nonprofit private entities, provide for the planning, development, and carrying out of a national campaign to provide information to the public regarding the adoption of children with special needs.

''(2) INPUT ON PLANNING AND DEVELOPMENT.—In providing for the planning and development of the national campaign under paragraph (1), the Secretary shall provide for input from a number and variety of adoption organizations throughout the States in order that the full national diversity of interests among adoption organizations is represented in the planning and development of the campaign.

''(3) CERTAIN FEATURES.—With respect to the national campaign under paragraph (1):

''(A) The campaign shall be directed at various populations, taking into account as appropriate differences among geographic regions, and shall be carried out in the language and cultural context that is most appropriate to the population involved.

''(B) The means through which the campaign may be carried out include—

''(i) placing public service announcements on television, radio, and billboards; and

''(ii) providing information through means that the Secretary determines will reach individuals who are most likely to adopt children with special needs.

''(C) The campaign shall provide information on the subsidies and supports that are available to individuals regarding the adoption of children with special needs.

''(D) The Secretary may provide that the placement of public service announcements, and the dissemination of brochures and other materials, is subject to review by the Secretary.

''(4) MATCHING REQUIREMENT.—

''(A) IN GENERAL.—With respect to the costs of the activities to be carried out by an entity pursuant to paragraph (1), a condition for the receipt of a grant under such paragraph is that the entity agree to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than 25 percent of such costs.

''(B) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions under subparagraph (A) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.

''(b) NATIONAL RESOURCES PROGRAM.—The Secretary shall (directly or through grant or contract) carry out a program that, through toll-free telecommunications, makes available to the public information regarding the adoption of children with special needs. Such information shall include the following:

''(1) A list of national, State, and regional organizations that provide services regarding such adoptions, including exchanges and other information on communicating with the organizations. The list shall represent the full national diversity of adoption organizations.

''(2) Information beneficial to individuals who adopt such children, including lists of support groups for adoptive parents and other postadoptive services.

''(c) OTHER PROGRAMS.—With respect to the adoption of children with special needs, the Secretary shall make grants—

''(1) to provide assistance to support groups for adoptive parents, adopted children, and siblings of adopted children; and

''(2) to carry out studies to identify—

''(A) the barriers to completion of the adoption process; and

''(B) those components that lead to favorable long-term outcomes for families that adopt children with special needs.

''(d) APPLICATION FOR GRANT.—The Secretary may make an award of a grant or contract under this section only if an application for the award is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this section.

''(e) FUNDING.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XIII—TRAUMATIC BRAIN INJURY

SEC. 1301. PROGRAMS OF CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) IN GENERAL.—Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the implementation of a national education and awareness campaign regarding such injury (in conjunction with the program of the Secretary regarding health-status goals for 2010, commonly referred to as Healthy People 2010), including—

''(A) the national dissemination of information on—

''(i) incidence and prevalence; and

''(ii) information relating to traumatic brain injury and the sequelae of secondary conditions arising from traumatic brain injury upon discharge from hospitals and trauma centers; and

''(B) the provision of information in primary care settings, including emergency rooms and trauma centers, concerning the availability of State level services and resources.'';

(2) in subsection (d)—

(A) in the second sentence, by striking ''anoxia due to near drowning.'' and inserting ''anoxia due to trauma.''; and

(B) in the third sentence, by inserting before the period the following: '', after consultation with States and other appropriate public or nonprofit private entities''.

(b) NATIONAL REGISTRY.—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 393A the following section:

''NATIONAL PROGRAM FOR TRAUMATIC BRAIN INJURY REGISTRIES

''SEC. 393B. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for

Disease Control and Prevention, may make grants to States or their designees to operate the State's traumatic brain injury registry, and to academic institutions to conduct applied research that will support the development of such registries, to collect data concerning—

''(1) demographic information about each traumatic brain injury;

''(2) information about the circumstances surrounding the injury event associated with each traumatic brain injury;

''(3) administrative information about the source of the collected information, dates of hospitalization and treatment, and the date of injury; and

''(4) information characterizing the clinical aspects of the traumatic brain injury, including the severity of the injury, outcomes of the injury, the types of treatments received, and the types of services utilized.''.

SEC. 1302. STUDY AND MONITOR INCIDENCE AND PREVALENCE.

Section 4 of Public Law 104–166 (42 U.S.C. 300d–61 note) is amended—

(1) in subsection (a)(1)(A)—

(A) by striking clause (i) and inserting the following:

''(i)(I) determine the incidence and prevalence of traumatic brain injury in all age groups in the general population of the United States, including institutional settings; and

''(II) determine appropriate methodological strategies to obtain data on the incidence and prevalence of mild traumatic brain injury and report to Congress concerning such within 18 months of the date of enactment of the Children's Health Act of 2000; and''; and

(B) in clause (ii), by striking '', if the Secretary determines that such a system is appropriate'';

(2) in subsection (a)(1)(B)(i), by inserting '', including return to work or school and community participation,'' after ''functioning''; and

(3) in subsection (d), to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 1303. PROGRAMS OF NATIONAL INSTITUTES OF HEALTH.

(a) INTERAGENCY PROGRAM.—Section 1261(d)(4) of the Public Health Service Act (42 U.S.C. 300d–61(d)(4)) is amended—

(1) in subparagraph (A), by striking ''degree of injury'' and inserting ''degree of brain injury'';

(2) in subparagraph (B), by striking ''acute injury'' and inserting ''acute brain injury''; and

(3) in subparagraph (D), by striking ''injury treatment'' and inserting ''brain injury treatment''.

(b) DEFINITION.—Section 1261(h)(4) of the Public Health Service Act (42 U.S.C. 300d–61(h)(4)) is amended—

(1) in the second sentence, by striking ''anoxia due to near drowning.'' and inserting ''anoxia due to trauma.''; and

(2) in the third sentence, by inserting before the period the following: '', after consultation with States and other appropriate public or nonprofit private entities''.

(c) RESEARCH ON COGNITIVE AND NEUROBEHAVIORAL DISORDERS ARISING FROM TRAUMATIC BRAIN INJURY.—Section 1261(d)(4) of the Public Health Service Act (42 U.S.C. 300d–61(d)(4)) is amended—

(1) in subparagraph (C), by striking ''and'' after the semicolon at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) carrying out subparagraphs (A) through (D) with respect to cognitive disorders and neurobehavioral consequences arising from traumatic brain injury, including the development, modification, and evaluation of therapies and programs of rehabilitation toward reaching or restoring normal capabilities in areas such as reading, comprehension, speech, reasoning, and deduction.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 1261 of the Public Health Service Act (42 U.S.C. 300d–61) is amended by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 1304. PROGRAMS OF HEALTH RESOURCES AND SERVICES ADMINISTRATION.

Section 1252 of the Public Health Service Act (42 U.S.C. 300d–51) is amended—

*(1) in the section heading by striking ''**DEMONSTRATION**'';*

(2) in subsection (a), by striking ''demonstration'';

(3) in subsection (b)(3)—

(A) in subparagraph (A)(iv), by striking ''representing traumatic brain injury survivors'' and inserting ''representing individuals with traumatic brain injury''; and

(B) in subparagraph (B), by striking ''who are survivors of'' and inserting ''with'';

(4) in subsection (c)—

(A) in paragraph (1), by striking '', in cash,''; and

(B) in paragraph (2), by amending the paragraph to read as follows:

''(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.'';

(5) by redesignating subsections (e) through (h) as subsections (g) through (j), respectively; and

(6) by inserting after subsection (d) the following subsections:

''(e) CONTINUATION OF PREVIOUSLY AWARDED DEMONSTRATION PROJECTS.—A State that received a grant under this section prior to the date of the enactment of the Children's Health Act of 2000 may compete for new project grants under this section after such date of enactment.

''(f) USE OF STATE GRANTS.—

''(1) COMMUNITY SERVICES AND SUPPORTS.—A State shall (directly or through awards of contracts to nonprofit private entities) use amounts received under a grant under this section for the following:

''(A) To develop, change, or enhance community-based service delivery systems that include timely access to comprehensive appropriate services and supports. Such service and supports—

''(i) shall promote full participation by individuals with brain injury and their families in decision making regarding the services and supports; and

''(ii) shall be designed for children and other individuals with traumatic brain injury.

''(B) To focus on outreach to underserved and inappropriately served individuals, such as individuals in institutional settings, individuals with low socioeconomic resources, individuals in rural communities, and individuals in culturally and linguistically diverse communities.

''(C) To award contracts to nonprofit entities for consumer or family service access training, consumer support, peer mentoring, and parent to parent programs.

''(D) To develop individual and family service coordination or case management systems.

''(E) To support other needs identified by the advisory board under subsection (b) for the State involved.

''(2) BEST PRACTICES.—

''(A) IN GENERAL.—State services and supports provided under a grant under this section shall reflect the best practices in the field of traumatic brain injury, shall be in compliance with title II of the Americans with Disabilities Act of 1990, and shall be supported by quality assurance measures as well as state-of-the-art health care and integrated community supports, regardless of the severity of injury.

''(B) DEMONSTRATION BY STATE AGENCY.—The State agency responsible for administering amounts received under a grant under this section shall demonstrate that it has obtained knowledge and expertise of traumatic brain injury and the unique needs associated with traumatic brain injury.

''(3) STATE CAPACITY BUILDING.—A State may use amounts received under a grant under this section to—

''(A) educate consumers and families;

''(B) train professionals in public and private sector financing (such as third party payers, State agencies, community-based providers, schools, and educators);

''(C) develop or improve case management or service coordination systems;

''(D) develop best practices in areas such as family or consumer support, return to work, housing or supportive living personal assistance services, assistive technology and devices, behavioral health services, substance abuse services, and traumatic brain injury treatment and rehabilitation;

''(E) tailor existing State systems to provide accommodations to the needs of individuals with brain injury (including systems administered by the State departments responsible for health, mental health, labor/employment, education, mental retardation/developmental disorders, transportation, and correctional systems);

''(F) improve data sets coordinated across systems and other needs identified by a State plan supported by its advisory council; and

''(G) develop capacity within targeted communities.'';

(5) in subsection (g) (as so redesignated), by striking ''agencies of the Public Health Service'' and inserting ''Federal agencies'';

(6) in subsection (i) (as redesignated by paragraph (3))—

(A) in the second sentence, by striking ''anoxia due to near drowning.'' and inserting ''anoxia due to trauma.''; and

(B) in the third sentence, by inserting before the period the following: '', after consultation with States and other appropriate public or nonprofit private entities''; and

(7) in subsection (j) (as so redesignated), by amending the subsection to read as follows:

''(j) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 1305. STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.

Part E of title XII of the Public Health Service Act (42 U.S.C. 300d–51 et seq.) is amended by adding at the end the following:

''SEC. 1253. STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.

''(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration (referred to in this section as the 'Administrator'), shall make grants to protection and advocacy systems for the purpose of enabling such systems to provide services to individuals with traumatic brain injury.

''(b) SERVICES PROVIDED.—Services provided under this section may include the provision of—

''(1) information, referrals, and advice;

''(2) individual and family advocacy;

''(3) legal representation; and

''(4) specific assistance in self-advocacy.

''(c) APPLICATION.—To be eligible to receive a grant under this section, a protection and advocacy system shall submit an application to the Administrator at such time, in such form and manner, and accompanied by such information

and assurances as the Administrator may require.

''(d) APPROPRIATIONS LESS THAN $2,700,000.—

''(1) IN GENERAL.—With respect to any fiscal year in which the amount appropriated under subsection (i) to carry out this section is less than $2,700,000, the Administrator shall make grants from such amount to individual protection and advocacy systems within States to enable such systems to plan for, develop outreach strategies for, and carry out services authorized under this section for individuals with traumatic brain injury.

''(2) AMOUNT.—The amount of each grant provided under paragraph (1) shall be determined as set forth in paragraphs (2) and (3) of subsection (e).

''(e) APPROPRIATIONS OF $2,700,000 OR MORE.—

''(1) POPULATION BASIS.—Except as provided in paragraph (2), with respect to each fiscal year in which the amount appropriated under subsection (i) to carry out this section is $2,700,000 or more, the Administrator shall make a grant to a protection and advocacy system within each State.

''(2) AMOUNT.—The amount of a grant provided to a system under paragraph (1) shall be equal to an amount bearing the same ratio to the total amount appropriated for the fiscal year involved under subsection (i) as the population of the State in which the grantee is located bears to the population of all States.

''(3) MINIMUMS.—Subject to the availability of appropriations, the amount of a grant a protection and advocacy system under paragraph (1) for a fiscal year shall—

''(A) in the case of a protection and advocacy system located in American Samoa, Guam, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands, and the protection and advocacy system serving the American Indian consortium, not be less than $20,000; and

''(B) in the case of a protection and advocacy system in a State not described in subparagraph (A), not be less than $50,000.

''(4) INFLATION ADJUSTMENT.—For each fiscal year in which the total amount appropriated under subsection (i) to carry out this section is $5,000,000 or more, and such appropriated amount exceeds the total amount appropriated to carry out this section in the preceding fiscal year, the Administrator shall increase each of the minimum grants amount described in subparagraphs (A) and (B) of paragraph (3) by a percentage equal to the percentage increase in the total amount appropriated under subsection (i) to carry out this section between the preceding fiscal year and the fiscal year involved.

''(f) CARRYOVER.—Any amount paid to a protection and advocacy system that serves a State or the American Indian consortium for a fiscal year under this section that remains unobligated at the end of such fiscal year shall remain available to such system for obligation during the next fiscal year for the purposes for which such amount was originally provided.

''(g) DIRECT PAYMENT.—Notwithstanding any other provision of law, the Administrator shall pay directly to any protection and advocacy system that complies with the provisions of this section, the total amount of the grant for such system, unless the system provides otherwise for such payment.

''(h) ANNUAL REPORT.—Each protection and advocacy system that receives a payment under this section shall submit an annual report to the Administrator concerning the services provided to individuals with traumatic brain injury by such system.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2001, and such sums as may be necessary for each the fiscal years 2002 through 2005.

''(j) DEFINITIONS.—In this section:

''(1) AMERICAN INDIAN CONSORTIUM.—The term 'American Indian consortium' means a consortium established under part C of the Developmental Disabilities Assistance Bill of Rights Act (42 U.S.C. 6042 et seq.).

''(2) PROTECTION AND ADVOCACY SYSTEM.—The term 'protection and advocacy system' means a protection and advocacy system established under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6042 et seq.).

''(3) STATE.—The term 'State', unless otherwise specified, means the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.''.

SEC. 1306. AUTHORIZATION OF APPROPRIATIONS FOR CERTAIN PROGRAMS.

Section 394A of the Public Health Service Act (42 U.S.C. 280b–3) is amended by striking ''and'' after ''1994'' and by inserting before the period the following: '', and such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XIV—CHILD CARE SAFETY AND HEALTH GRANTS

SEC. 1401. DEFINITIONS.

In this title:

(1) CHILD WITH A DISABILITY; INFANT OR TODDLER WITH A DISABILITY.—The terms ''child with a disability'' and ''infant or toddler with a disability'' have the meanings given the terms in sections 602 and 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1401 and 1431).

(2) ELIGIBLE CHILD CARE PROVIDER.—The term ''eligible child care provider'' means a provider of child care services for compensation, including a provider of care for a school-age child during non-school hours, that—

(A) is licensed, regulated, registered, or otherwise legally operating, under State and local law; and

(B) satisfies the State and local requirements, applicable to the child care services the provider provides.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(4) STATE.—The term ''State'' means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 1402. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $200,000,000 for fiscal year 2001, and such sums as may be necessary for each subsequent fiscal year.

SEC. 1403. PROGRAMS.

The Secretary shall make allotments to eligible States under section 1404. The Secretary shall make the allotments to enable the States to establish programs to improve the health and safety of children receiving child care outside the home, by preventing illnesses and injuries associated with that care and promoting the health and well-being of children receiving that care.

SEC. 1404. AMOUNTS RESERVED; ALLOTMENTS.

(a) AMOUNTS RESERVED.—The Secretary shall reserve not more than ½ of 1 percent of the amount appropriated under section 1402 for each fiscal year to make allotments to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands to be allotted in accordance with their respective needs.

(b) STATE ALLOTMENTS.—

(1) GENERAL RULE.—From the amounts appropriated under section 1402 for each fiscal year and remaining after reservations are made under subsection (a), the Secretary shall allot to each State an amount equal to the sum of—

(A) an amount that bears the same ratio to 50 percent of such remainder as the product of the young child factor of the State and the allotment percentage of the State bears to the sum of the corresponding products for all States; and

(B) an amount that bears the same ratio to 50 percent of such remainder as the product of the school lunch factor of the State and the allotment percentage of the State bears to the sum of the corresponding products for all States.

(2) YOUNG CHILD FACTOR.—In this subsection, the term ''young child factor'' means the ratio of the number of children under 5 years of age in a State to the number of such children in all States, as provided by the most recent annual estimates of population in the States by the Census Bureau of the Department of Commerce.

(3) SCHOOL LUNCH FACTOR.—In this subsection, the term ''school lunch factor'' means the ratio of the number of children who are receiving free or reduced price lunches under the school lunch program established under the National School Lunch Act (42 U.S.C. 1751 et seq.) in the State to the number of such children in all States, as determined annually by the Department of Agriculture.

(4) ALLOTMENT PERCENTAGE.—

(A) IN GENERAL.—For purposes of this subsection, the allotment percentage for a State shall be determined by dividing the per capita income of all individuals in the United States, by the per capita income of all individuals in the State.

(B) LIMITATIONS.—If an allotment percentage determined under subparagraph (A) for a State—

(i) is more than 1.2 percent, the allotment percentage of the State shall be considered to be 1.2 percent; and

(ii) is less than 0.8 percent, the allotment percentage of the State shall be considered to be 0.8 percent.

(C) PER CAPITA INCOME.—For purposes of subparagraph (A), per capita income shall be—

(i) determined at 2-year intervals;

(ii) applied for the 2-year period beginning on October 1 of the first fiscal year beginning after the date such determination is made; and

(iii) equal to the average of the annual per capita incomes for the most recent period of 3 consecutive years for which satisfactory data are available from the Department of Commerce on the date such determination is made.

(c) DATA AND INFORMATION.—The Secretary shall obtain from each appropriate Federal agency, the most recent data and information necessary to determine the allotments provided for in subsection (b).

(d) DEFINITION.—In this section, the term ''State'' includes only the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 1405. STATE APPLICATIONS.

To be eligible to receive an allotment under section 1404, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall contain information assessing the needs of the State with regard to child care health and safety, the goals to be achieved through the program carried out by the State under this title, and the measures to be used to assess the progress made by the State toward achieving the goals.

SEC. 1406. USE OF FUNDS.

(a) IN GENERAL.—A State that receives an allotment under section 1404 shall use the funds made available through the allotment to carry out 2 or more activities consisting of—

(1) providing training and education to eligible child care providers on preventing injuries and illnesses in children, and promoting health-related practices;

(2) strengthening licensing, regulation, or registration standards for eligible child care providers;

(3) assisting eligible child care providers in meeting licensing, regulation, or registration standards, including rehabilitating the facilities of the providers, in order to bring the facilities into compliance with the standards;

(4) enforcing licensing, regulation, or registration standards for eligible child care providers, including holding increased unannounced inspections of the facilities of those providers;

(5) providing health consultants to provide advice to eligible child care providers;

(6) assisting eligible child care providers in enhancing the ability of the providers to serve children with disabilities and infants and toddlers with disabilities;

(7) conducting criminal background checks for eligible child care providers and other individuals who have contact with children in the facilities of the providers;

(8) providing information to parents on what factors to consider in choosing a safe and healthy child care setting; or

(9) assisting in improving the safety of transportation practices for children enrolled in child care programs with eligible child care providers.

(b) SUPPLEMENT, NOT SUPPLANT.—Funds appropriated pursuant to the authority of this title shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide services for eligible individuals.

SEC. 1407. REPORTS.

Each State that receives an allotment under section 1404 shall annually prepare and submit to the Secretary a report that describes—

(1) the activities carried out with funds made available through the allotment; and

(2) the progress made by the State toward achieving the goals described in the application submitted by the State under section 1405.

TITLE XV—HEALTHY START INITIATIVE

SEC. 1501. CONTINUATION OF HEALTHY START PROGRAM.

Subpart I of part D of title III of the Public Health Service Act, as amended by section 1211 of this Act, is amended by adding at the end the following section:

"SEC. 330H. HEALTHY START FOR INFANTS.

''(a) IN GENERAL.—

''(1) CONTINUATION AND EXPANSION OF PROGRAM.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, Maternal and Child Health Bureau, shall under authority of this section continue in effect the Healthy Start Initiative and may, during fiscal year 2001 and subsequent years, carry out such program on a national basis.

''(2) DEFINITION.—For purposes of paragraph (1), the term 'Healthy Start Initiative' is a reference to the program that, as an initiative to reduce the rate of infant mortality and improve perinatal outcomes, makes grants for project areas with high annual rates of infant mortality and that, prior to the effective date of this section, was a demonstration program carried out under section 301.

''(3) ADDITIONAL GRANTS.— Effective upon increased funding beyond fiscal year 1999 for such Initiative, additional grants may be made to States to assist communities with technical assistance, replication of successful projects, and State policy formation to reduce infant and maternal mortality and morbidity.

''(b) REQUIREMENTS FOR MAKING GRANTS.—In making grants under subsection (a), the Secretary shall require that applicants (in addition to meeting all eligibility criteria established by the Secretary) establish, for project areas under such subsection, community-based consortia of individuals and organizations (including agencies responsible for administering block grant programs under title V of the Social Security Act, consumers of project services, public health departments, hospitals, health centers under section 330, and other significant sources of health care services) that are appropriate for participation in projects under subsection (a).

''(c) COORDINATION.—Recipients of grants under subsection (a) shall coordinate their services and activities with the State agency or agencies that administer block grant programs under title V of the Social Security Act in order to promote cooperation, integration, and dissemination of information with Statewide systems and with other community services funded under the Maternal and Child Health Block Grant.

''(d) RULE OF CONSTRUCTION.—Except to the extent inconsistent with this section, this section may not be construed as affecting the authority of the Secretary to make modifications in the program carried out under subsection (a).

''(e) ADDITIONAL SERVICES FOR AT-RISK PREGNANT WOMEN AND INFANTS.—

''(1) IN GENERAL.—The Secretary may make grants to conduct and support research and to provide additional health care services for pregnant women and infants, including grants to increase access to prenatal care, genetic counseling, ultrasound services, and fetal or other surgery.

''(2) ELIGIBLE PROJECT AREA.—The Secretary may make a grant under paragraph (1) only if the geographic area in which services under the grant will be provided is a geographic area in which a project under subsection (a) is being carried out, and if the Secretary determines that the grant will add to or expand the level of health services available in such area to pregnant women and infants.

''(3) EVALUATION BY GENERAL ACCOUNTING OFFICE.—

''(A) IN GENERAL.—During fiscal year 2004, the Comptroller General of the United States shall conduct an evaluation of activities under grants under paragraph (1) in order to determine whether the activities have been effective in serving the needs of pregnant women with respect to services described in such paragraph. The evaluation shall include an analysis of whether such activities have been effective in reducing the disparity in health status between the general population and individuals who are members of racial or ethnic minority groups. Not later than January 10, 2004, the Comptroller General shall submit to the Committee on Commerce in the House of Representatives, and to the Committee on Health, Education, Labor, and Pensions in the Senate, a report describing the findings of the evaluation.

''(B) RELATION TO GRANTS REGARDING ADDITIONAL SERVICES FOR AT-RISK PREGNANT WOMEN AND INFANTS.—Before the date on which the evaluation under subparagraph (A) is submitted in accordance with such subparagraph—

''(i) the Secretary shall ensure that there are not more than five grantees under paragraph (1); and

''(ii) an entity is not eligible to receive grants under such paragraph unless the entity has substantial experience in providing the health services described in such paragraph.

''(f) FUNDING.—

''(1) GENERAL PROGRAM.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section (other than subsection (e)), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(B) ALLOCATIONS.—

''(i) PROGRAM ADMINISTRATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve up to 5 percent for coordination, dissemination, technical assistance, and data activities that are determined by the Secretary to be appropriate for carrying out the program under this section.

''(ii) EVALUATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary may reserve up to 1 percent for evaluations of projects carried out under subsection (a). Each such evaluation shall include a determination of whether such projects have been effective in reducing the disparity in health status between the general population and individuals who are members of racial or ethnic minority groups.

''(2) ADDITIONAL SERVICES FOR AT-RISK PREGNANT WOMEN AND INFANTS.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out subsection (e), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

''(B) ALLOCATION FOR COMMUNITY-BASED MOBILE HEALTH UNITS.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary shall make available not less than 10 percent for providing services under subsection (e) (including ultrasound services) through visits by mobile units to communities that are eligible for services under subsection (a).''.

TITLE XVI—ORAL HEALTH PROMOTION AND DISEASE PREVENTION

SEC. 1601. IDENTIFICATION OF INTERVENTIONS THAT REDUCE THE BURDEN AND TRANSMISSION OF ORAL, DENTAL, AND CRANIOFACIAL DISEASES IN HIGH RISK POPULATIONS; DEVELOPMENT OF APPROACHES FOR PEDIATRIC ORAL AND CRANIOFACIAL ASSESSMENT.

(a) IN GENERAL.—The Secretary of Health and Human Services, through the Maternal and Child Health Bureau, the Indian Health Service, and in consultation with the National Institutes of Health and the Centers for Disease Control and Prevention, shall—

(1) support community-based research that is designed to improve understanding of the etiology, pathogenesis, diagnosis, prevention, and treatment of pediatric oral, dental, craniofacial diseases and conditions and their sequelae in high risk populations;

(2) support demonstrations of preventive interventions in high risk populations including nutrition, parenting, and feeding techniques; and

(3) develop clinical approaches to assess individual patients for the risk of pediatric dental disease.

(b) COMPLIANCE WITH STATE PRACTICE LAWS.—Treatment and other services shall be provided pursuant to this section by licensed dental health professionals in accordance with State practice and licensing laws.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each the fiscal years 2001 through 2005.

SEC. 1602. ORAL HEALTH PROMOTION AND DISEASE PREVENTION.

Part B of title III of the Public Health Service Act, as amended by section 911 of this Act, is amended by inserting after section 317L the following section:

''ORAL HEALTH PROMOTION AND DISEASE PREVENTION

''SEC. 317M. (a) GRANTS TO INCREASE RESOURCES FOR COMMUNITY WATER FLUORIDATION.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may make grants to States and Indian tribes for the purpose of increasing the resources available for community water fluoridation.

''(2) USE OF FUNDS.—A State shall use amounts provided under a grant under paragraph (1)—

''(A) to purchase fluoridation equipment;

''(B) to train fluoridation engineers;

''(C) to develop educational materials on the benefits of fluoridation; or

''(D) to support the infrastructure necessary to monitor and maintain the quality of water fluoridation.

''(b) COMMUNITY WATER FLUORIDATION.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in collaboration with the Director of the Indian Health Service, shall establish a demonstration project that is designed to assist rural water systems in successfully implementing the water fluoridation guidelines of the Centers for Disease Control and Prevention that are entitled ''Engineering

and Administrative Recommendations for Water Fluoridation, 1995'' (referred to in this subsection as the 'EARWF').

''(2) REQUIREMENTS.—

''(A) COLLABORATION.—In collaborating under paragraph (1), the Directors referred to in such paragraph shall ensure that technical assistance and training are provided to tribal programs located in each of the 12 areas of the Indian Health Service. The Director of the Indian Health Service shall provide coordination and administrative support to tribes under this section.

''(B) GENERAL USE OF FUNDS.—Amounts made available under paragraph (1) shall be used to assist small water systems in improving the effectiveness of water fluoridation and to meet the recommendations of the EARWF.

''(C) FLUORIDATION SPECIALISTS.—

''(i) IN GENERAL.—In carrying out this subsection, the Secretary shall provide for the establishment of fluoridation specialist engineering positions in each of the Dental Clinical and Preventive Support Centers through which technical assistance and training will be provided to tribal water operators, tribal utility operators and other Indian Health Service personnel working directly with fluoridation projects.

''(ii) LIAISON.—A fluoridation specialist shall serve as the principal technical liaison between the Indian Health Service and the Centers for Disease Control and Prevention with respect to engineering and fluoridation issues.

''(iii) CDC.—The Director of the Centers for Disease Control and Prevention shall appoint individuals to serve as the fluoridation specialists.

''(D) IMPLEMENTATION.—The project established under this subsection shall be planned, implemented and evaluated over the 5-year period beginning on the date on which funds are appropriated under this section and shall be designed to serve as a model for improving the effectiveness of water fluoridation systems of small rural communities.

''(3) EVALUATION.—In conducting the ongoing evaluation as provided for in paragraph (2)(D), the Secretary shall ensure that such evaluation includes—

''(A) the measurement of changes in water fluoridation compliance levels resulting from assistance provided under this section;

''(B) the identification of the administrative, technical and operational challenges that are unique to the fluoridation of small water systems;

''(C) the development of a practical model that may be easily utilized by other tribal, state, county or local governments in improving the quality of water fluoridation with emphasis on small water systems; and

''(D) the measurement of any increased percentage of Native Americans or Alaskan Natives who receive the benefits of optimally fluoridated water.

''(c) SCHOOL-BASED DENTAL SEALANT PROGRAM.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in collaboration with the Administrator of the Health Resources and Services Administration, may award grants to States and Indian tribes to provide for the development of school-based dental sealant programs to improve the access of children to sealants.

''(2) USE OF FUNDS.—A State shall use amounts received under a grant under paragraph (1) to provide funds to eligible school-based entities or to public elementary or secondary schools to enable such entities or schools to provide children with access to dental care and dental sealant services. Such services shall be provided by licensed dental health professionals in accordance with State practice licensing laws.

''(3) ELIGIBILITY.—To be eligible to receive funds under paragraph (1), an entity shall—

''(A) prepare and submit to the State an application at such time, in such manner and containing such information as the state may require; and

''(B) be a public elementary or secondary school—

''(i) that is located in an urban area in which and more than 50 percent of the student population is participating in federal or state free or reduced meal programs; or

''(ii) that is located in a rural area and, with respect to the school district in which the school is located, the district involved has a median income that is at or below 235 percent of the poverty line, as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

''(d) DEFINITIONS.—For purposes of this section, the term 'Indian tribe' means an Indian tribe or tribal organization as defined in section 4(b) and section 4(c) of the Indian Self-Determination and Education Assistance Act.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

SEC. 1603. COORDINATED PROGRAM TO IMPROVE PEDIATRIC ORAL HEALTH.

Part B of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by adding at the end the following:

''COORDINATED PROGRAM TO IMPROVE PEDIATRIC ORAL HEALTH

''SEC. 320A. (a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a program to fund innovative oral health activities that improve the oral health of children under 6 years of age who are eligible for services provided under a Federal health program, to increase the utilization of dental services by such children, and to decrease the incidence of early childhood and baby bottle tooth decay.

''(b) GRANTS.—The Secretary shall award grants to or enter into contracts with public or private nonprofit schools of dentistry or accredited dental training institutions or programs, community dental programs, and programs operated by the Indian Health Service (including federally recognized Indian tribes that receive medical services from the Indian Health Service, urban Indian health programs funded under title V of the Indian Health Care Improvement Act, and tribes that contract with the Indian Health Service pursuant to the Indian Self-Determination and Education Assistance Act) to enable such schools, institutions, and programs to develop programs of oral health promotion, to increase training of oral health services providers in accordance with State practice laws, or to increase the utilization of dental services by eligible children.

''(c) DISTRIBUTION.—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure an equitable national geographic distribution of the grants, including areas of the United States where the incidence of early childhood caries is highest.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each the fiscal years 2001 through 2005.''.

TITLE XVII—VACCINE-RELATED PROGRAMS

Subtitle A—Vaccine Compensation Program

SEC. 1701. CONTENT OF PETITIONS.

(a) IN GENERAL.—Section 2111(c)(1)(D) of the Public Health Service Act (42 U.S.C. 300aa–11(c)(1)(D)) is amended by striking ''and'' at the end and inserting ''or (iii) suffered such illness, disability, injury, or condition from the vaccine which resulted in inpatient hospitalization and surgical intervention, and''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect upon the date of the enactment of this Act, including with respect to petitions under section 2111 of the Public Health Service Act that are pending on such date.

Subtitle B—Childhood Immunizations

SEC. 1711. CHILDHOOD IMMUNIZATIONS.

Section 317(j)(1) of the Public Health Service Act (42 U.S.C. 247b(j)(1)) is amended in the first sentence by striking ''1998'' and all that follows and inserting ''1998 through 2005.''.

TITLE XVIII—HEPATITIS C

SEC. 1801. SURVEILLANCE AND EDUCATION REGARDING HEPATITIS C.

Part B of title III of the Public Health Service Act, as amended by section 1602 of this Act, is amended by inserting after section 317M the following section:

''SURVEILLANCE AND EDUCATION REGARDING HEPATITIS C VIRUS

''SEC. 317N. (a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may (directly and through grants to public and nonprofit private entities) provide for programs to carry out the following:

''(1) To cooperate with the States in implementing a national system to determine the incidence of hepatitis C virus infection (in this section referred to as 'HCV infection') and to assist the States in determining the prevalence of such infection, including the reporting of chronic HCV cases.

''(2) To identify, counsel, and offer testing to individuals who are at risk of HCV infection as a result of receiving blood transfusions prior to July 1992, or as a result of other risk factors.

''(3) To provide appropriate referrals for counseling, testing, and medical treatment of individuals identified under paragraph (2) and to ensure, to the extent practicable, the provision of appropriate follow-up services.

''(4) To develop and disseminate public information and education programs for the detection and control of HCV infection, with priority given to high risk populations as determined by the Secretary.

''(5) To improve the education, training, and skills of health professionals in the detection and control of HCV infection, with priority given to pediatricians and other primary care physicians, and obstetricians and gynecologists.

''(b) LABORATORY PROCEDURES.—The Secretary may (directly and through grants to public and nonprofit private entities) carry out programs to provide for improvements in the quality of clinical-laboratory procedures regarding hepatitis C, including reducing variability in laboratory results on hepatitis C antibody and PCR testing.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XIX—NIH INITIATIVE ON AUTOIMMUNE DISEASES

SEC. 1901. AUTOIMMUNE DISEASES; INITIATIVE THROUGH DIRECTOR OF NATIONAL INSTITUTES OF HEALTH.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.), as amended by section 1001 of this Act, is amended by adding at the end the following:

''SEC. 409E. AUTOIMMUNE DISEASES.

''(a) EXPANSION, INTENSIFICATION, AND COORDINATION OF ACTIVITIES.—

''(1) IN GENERAL.—The Director of NIH shall expand, intensify, and coordinate research and other activities of the National Institutes of Health with respect to autoimmune diseases.

''(2) ALLOCATIONS BY DIRECTOR OF NIH.—With respect to amounts appropriated to carry out this section for a fiscal year, the Director of NIH shall allocate the amounts among the national research institutes that are carrying out paragraph (1).

''(3) DEFINITION.—The term 'autoimmune disease' includes, for purposes of this section such diseases or disorders with evidence of autoimmune pathogensis as the Secretary determines to be appropriate.

''(b) COORDINATING COMMITTEE.—

''(1) IN GENERAL.—The Secretary shall ensure that the Autoimmune Diseases Coordinating Committee (referred to in this section as the 'Coordinating Committee') coordinates activities across the National Institutes and with other Federal health programs and activities relating to such diseases.

''(2) COMPOSITION.—The Coordinating Committee shall be composed of the directors or their designees of each of the national research institutes involved in research with respect to autoimmune diseases and representatives of all other Federal departments and agencies whose programs involve health functions or responsibilities relevant to such diseases, including the Centers for Disease Control and Prevention and the Food and Drug Administration.

''(3) CHAIR.—

''(A) IN GENERAL.—With respect to autoimmune diseases, the Chair of the Committee shall serve as the principal advisor to the Secretary, the Assistant Secretary for Health, and the Director of NIH, and shall provide advice to the Director of the Centers for Disease Control and Prevention, the Commissioner of Food and Drugs, and other relevant agencies.

''(B) DIRECTOR OF NIH.—The Chair of the Committee shall be directly responsible to the Director of NIH.

''(c) PLAN FOR NIH ACTIVITIES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Coordinating Committee shall develop a plan for conducting and supporting research and education on autoimmune diseases through the national research institutes and shall periodically review and revise the plan. The plan shall—

''(A) provide for a broad range of research and education activities relating to biomedical, psychosocial, and rehabilitative issues, including studies of the disproportionate impact of such diseases on women;

''(B) identify priorities among the programs and activities of the National Institutes of Health regarding such diseases; and

''(C) reflect input from a broad range of scientists, patients, and advocacy groups.

''(2) CERTAIN ELEMENTS OF PLAN.—The plan under paragraph (1) shall, with respect to autoimmune diseases, provide for the following as appropriate:

''(A) Research to determine the reasons underlying the incidence and prevalence of the diseases.

''(B) Basic research concerning the etiology and causes of the diseases.

''(C) Epidemiological studies to address the frequency and natural history of the diseases, including any differences among the sexes and among racial and ethnic groups.

''(D) The development of improved screening techniques.

''(E) Clinical research for the development and evaluation of new treatments, including new biological agents.

''(F) Information and education programs for health care professionals and the public.

''(3) IMPLEMENTATION OF PLAN.—The Director of NIH shall ensure that programs and activities of the National Institutes of Health regarding autoimmune diseases are implemented in accordance with the plan under paragraph (1).

''(d) REPORTS TO CONGRESS.—The Coordinating Committee under subsection (b)(1) shall biennially submit to the Committee on Commerce of the House of Representatives, and the Committee on Health, Education, Labor and Pensions of the Senate, a report that describes the research, education, and other activities on autoimmune diseases being conducted or supported through the national research institutes, and that in addition includes the following:

''(1) The plan under subsection (c)(1) (or revisions to the plan, as the case may be).

''(2) Provisions specifying the amounts expended by the National Institutes of Health with respect to each of the autoimmune diseases included in the plan.

''(3) Provisions identifying particular projects or types of projects that should in the future be considered by the national research institutes or other entities in the field of research on autoimmune diseases.

''(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005. The authorization of appropriations established in the preceding sentence is in addition to any other authorization of appropriations that is available for conducting or supporting through the National Institutes of Health research and other activities with respect to autoimmune diseases.''.

TITLE XX—GRADUATE MEDICAL EDUCATION PROGRAMS IN CHILDREN'S HOSPITALS

SEC. 2001. PROVISIONS TO REVISE AND EXTEND PROGRAM.

(a) PAYMENTS.—Section 340E(a) of the Public Health Service Act (42 U.S.C. 256e(a)) is amended—

(1) by striking ''and 2001'' and inserting ''through 2005''; and

(2) by adding at the end the following: ''The Secretary shall promulgate regulations pursuant to the rulemaking requirements of title 5, United States Code, which shall govern payments made under this subpart.''.

(b) UPDATING RATES.—Section 340E(c)(2)(F) of the Public Health Service Act (42 U.S.C. 256e(c)(2)(F)) is amended by striking ''hospital's cost reporting period that begins during fiscal year 2000'' and inserting ''Federal fiscal year for which payments are made''.

(c) RESIDENT COUNT FOR INTERIM PAYMENTS.—Section 340E(e)(1) of the Public Health Service Act (42 U.S.C. 256e(e)(1)) is amended by adding at the end the following: ''Such interim payments to each individual hospital shall be based on the number of residents reported in the hospital's most recently filed medicare cost report prior to the application date for the Federal fiscal year for which the interim payment amounts are established. In the case of a hospital that does not report residents on a medicare cost report, such interim payments shall be based on the number of residents trained during the hospital's most recently completed medicare cost report filing period.''.

(d) WITHHOLDING.—Section 340E(e)(2) of the Public Health Service Act (42 U.S.C. 256e(e)(2)) is amended—

(1) by adding ''and indirect'' after ''direct'';

(2) by adding at the end the following: ''The Secretary shall withhold up to 25 percent from each interim installment for direct and indirect graduate medical education paid under paragraph (1) as necessary to ensure a hospital will not be overpaid on an interim basis.''.

(e) RECONCILIATION.—Section 340E(e)(3) of the Public Health Service Act (42 U.S.C. 256e(e)(3)) is amended to read as follows:

''(3) RECONCILIATION.—Prior to the end of each fiscal year, the Secretary shall determine any changes to the number of residents reported by a hospital in the application of the hospital for the current fiscal year to determine the final amount payable to the hospital for the current fiscal year for both direct expense and indirect expense amounts. Based on such determination, the Secretary shall recoup any overpayments made to pay any balance due to the extent possible. The final amount so determined shall be considered a final intermediary determination for the purposes of section 1878 of the Social Security Act and shall be subject to administrative and judicial review under that section in the same manner as the amount of payment under section 1186(d) of such Act is subject to review under such section.''.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 340E(f) of the Public Health Service Act (42 U.S.C. 256e(f)) is amended—

(1) in paragraph (1)(A)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) for each of the fiscal years 2002 through 2005, such sums as may be necessary.''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(C) for each of the fiscal years 2002 through 2005, such sums as may be necessary.''.

(g) DEFINITION OF CHILDREN'S HOSPITAL.—Section 340E(g)(2) of the Public Health Service Act (42 U.S.C. 256e(g)(2)) is amended by striking ''described in'' and all that follows and inserting the following: ''with a medicare payment agreement and which is excluded from the medicare inpatient prospective payment system pursuant to section 1886(d)(1)(B)(iii) of the Social Security Act and its accompanying regulations.''.

TITLE XXI—SPECIAL NEEDS OF CHILDREN REGARDING ORGAN TRANSPLANTATION

SEC. 2101. ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK; AMENDMENTS REGARDING NEEDS OF CHILDREN.

(a) IN GENERAL.—Section 372(b)(2) of the Public Health Service Act (42 U.S.C. 274(b)(2)) is amended—

(1) in subparagraph (J), by striking ''and'' at the end;

(2) in each of subparagraphs (K) and (L), by striking the period and inserting a comma; and

(3) by adding at the end the following subparagraphs:

''(M) recognize the differences in health and in organ transplantation issues between children and adults throughout the system and adopt criteria, polices, and procedures that address the unique health care needs of children,

''(N) carry out studies and demonstration projects for the purpose of improving procedures for organ donation procurement and allocation, including but not limited to projects to examine and attempt to increase transplantation among populations with special needs, including children and individuals who are members of racial or ethnic minority groups, and among populations with limited access to transportation, and

''(O) provide that for purposes of this paragraph, the term 'children' refers to individuals who are under the age of 18.''.

(b) STUDY REGARDING IMMUNOSUPPRESSIVE DRUGS.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this subsection as the ''Secretary'') shall provide for a study to determine the costs of immunosuppressive drugs that are provided to children pursuant to organ transplants and to determine the extent to which health plans and health insurance cover such costs. The Secretary may carry out the study directly or through a grant to the Institute of Medicine (or other public or nonprofit private entity).

(2) RECOMMENDATIONS REGARDING CERTAIN ISSUES.—The Secretary shall ensure that, in addition to making determinations under paragraph (1), the study under such paragraph makes recommendations regarding the following issues:

(A) The costs of immunosuppressive drugs that are provided to children pursuant to organ transplants and to determine the extent to which health plans, health insurance and government programs cover such costs.

(B) The extent of denial of organs to be released for transplant by coroners and medical examiners.

(C) The special growth and developmental issues that children have pre- and post- organ transplantation.

(D) Other issues that are particular to the special health and transplantation needs of children.

(3) REPORT.—The Secretary shall ensure that, not later than December 31, 2001, the study under paragraph (1) is completed and a report describing the findings of the study is submitted to the Congress.

TITLE XXII—MUSCULAR DYSTROPHY RESEARCH

SEC. 2201. MUSCULAR DYSTROPHY RESEARCH.

Part B of title IV of the Public Health Service Act, as amended by section 1901 of this Act, is amended by adding at the end the following:

''MUSCULAR DYSTROPHY RESEARCH

''SEC. 409F. (a) COORDINATION OF ACTIVITIES.—The Director of NIH shall expand and increase coordination in the activities of the National Institutes of Health with respect to research on muscular dystrophies, including Duchenne muscular dystrophy.

''(b) ADMINISTRATION OF PROGRAM; COLLABORATION AMONG AGENCIES.—The Director of NIH shall carry out this section through the appropriate institutes, including the National Institute of Neurological Disorders and Stroke and in collaboration with any other agencies that the Director determines appropriate.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of the fiscal years 2001 through 2005. Amounts appropriated under this subsection shall be in addition to any other amounts appropriated for such purpose.''.

TITLE XXIII—CHILDREN AND TOURETTE SYNDROME AWARENESS

SEC. 2301. GRANTS REGARDING TOURETTE SYNDROME.

Part A of title XI of the Public Health Service Act is amended by adding at the end the following section:

''TOURETTE SYNDROME

''SEC. 1108. (a) IN GENERAL.—The Secretary shall develop and implement outreach programs to educate the public, health care providers, educators and community based organizations about the etiology, symptoms, diagnosis and treatment of Tourette Syndrome, with a particular emphasis on children with Tourette Syndrome. Such programs may be carried out by the Secretary directly and through awards of grants or contracts to public or nonprofit private entities.

''(b) CERTAIN ACTIVITIES.—Activities under subsection (a) shall include—

''(1) the production and translation of educational materials, including public service announcements;

''(2) the development of training material for health care providers, educators and community based organizations; and

''(3) outreach efforts directed at the misdiagnosis and underdiagnosis of Tourette Syndrome in children and in minority groups.

''(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XXIV—CHILDHOOD OBESITY PREVENTION

SEC. 2401. PROGRAMS OPERATED THROUGH THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Title III of the Public Health Service Act (42 U.S.C. 241 et seq.), as amended by section 1101 of this Act, is amended by adding at the end the following part:

''PART Q—PROGRAMS TO IMPROVE THE HEALTH OF CHILDREN

''SEC. 399W. GRANTS TO PROMOTE CHILDHOOD NUTRITION AND PHYSICAL ACTIVITY.

''(a) IN GENERAL.—The Secretary, acting though the Director of the Centers for Disease Control and Prevention, shall award competitive grants to States and political subdivisions of States for the development and implementation of State and community-based intervention programs to promote good nutrition and physical activity in children and adolescents.

''(b) ELIGIBILITY.—To be eligible to receive a grant under this section a State or political subdivision of a State shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including a plan that describes—

''(1) how the applicant proposes to develop a comprehensive program of school- and community-based approaches to encourage and promote good nutrition and appropriate levels of physical activity with respect to children or adolescents in local communities;

''(2) the manner in which the applicant shall coordinate with appropriate State and local authorities, such as State and local school departments, State departments of health, chronic disease directors, State directors of programs under section 17 of the Child Nutrition Act of 1966, 5-a-day coordinators, governors councils for physical activity and good nutrition, and State and local parks and recreation departments; and

''(3) the manner in which the applicant will evaluate the effectiveness of the program carried out under this section.

''(c) USE OF FUNDS.—A State or political subdivision of a State shall use amount received under a grant under this section to—

''(1) develop, implement, disseminate, and evaluate school- and community-based strategies in States to reduce inactivity and improve dietary choices among children and adolescents;

''(2) expand opportunities for physical activity programs in school- and community-based settings; and

''(3) develop, implement, and evaluate programs that promote good eating habits and physical activity including opportunities for children with cognitive and physical disabilities.

''(d) TECHNICAL ASSISTANCE.—The Secretary may set-aside an amount not to exceed 10 percent of the amount appropriated for a fiscal year under subsection (h) to permit the Director of the Centers for Disease Control and Prevention to—

''(1) provide States and political subdivisions of States with technical support in the development and implementation of programs under this section; and

''(2) disseminate information about effective strategies and interventions in preventing and treating obesity through the promotion of good nutrition and physical activity.

''(e) LIMITATION ON ADMINISTRATIVE COSTS.—Not to exceed 10 percent of the amount of a grant awarded to the State or political subdivision under subsection (a) for a fiscal year may be used by the State or political subdivision for administrative expenses.

''(f) TERM.—A grant awarded under subsection (a) shall be for a term of 3 years.

''(g) DEFINITION.—In this section, the term 'children and adolescents' means individuals who do not exceed 18 years of age.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.

''SEC. 399X. APPLIED RESEARCH PROGRAM.

''(a) IN GENERAL.—The Secretary, acting through the Centers for Disease Control and Prevention and in consultation with the Director of the National Institutes of Health, shall—

''(1) conduct research to better understand the relationship between physical activity, diet, and health and factors that influence health-related behaviors;

''(2) develop and evaluate strategies for the prevention and treatment of obesity to be used in community-based interventions and by health professionals;

''(3) develop and evaluate strategies for the prevention and treatment of eating disorders, such as anorexia and bulimia;

''(4) conduct research to establish the prevalence, consequences, and costs of childhood obesity and its effects in adulthood;

''(5) identify behaviors and risk factors that contribute to obesity;

''(6) evaluate materials and programs to provide nutrition education to parents and teachers of children in child care or pre-school and the food service staff of such child care and pre-school entities; and

''(7) evaluate materials and programs that are designed to educate and encourage physical activity in child care and pre-school facilities.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.

''SEC. 399Y. EDUCATION CAMPAIGN.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, and in collaboration with national, State, and local partners, physical activity organizations, nutrition experts, and health professional organizations, shall develop a national public campaign to promote and educate children and their parents concerning—

''(1) the health risks associated with obesity, inactivity, and poor nutrition;

''(2) ways in which to incorporate physical activity into daily living; and

''(3) the benefits of good nutrition and strategies to improve eating habits.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.

''SEC. 399Z. HEALTH PROFESSIONAL EDUCATION AND TRAINING.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, in collaboration with the Administrator of the Health Resources and Services Administration and the heads of other agencies, and in consultation with appropriate health professional associations, shall develop and carry out a program to educate and train health professionals in effective strategies to—

''(1) better identify and assess patients with obesity or an eating disorder or patients at-risk of becoming obese or developing an eating disorder;

''(2) counsel, refer, or treat patients with obesity or an eating disorder; and

''(3) educate patients and their families about effective strategies to improve dietary habits and establish appropriate levels of physical activity.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

TITLE XXV—EARLY DETECTION AND TREATMENT REGARDING CHILDHOOD LEAD POISONING

SEC. 2501. CENTERS FOR DISEASE CONTROL AND PREVENTION EFFORTS TO COMBAT CHILDHOOD LEAD POISONING.

(a) REQUIREMENTS FOR LEAD POISONING PREVENTION GRANTEES.—Section 317A of the Public Health Service Act (42 U.S.C. 247b–1) is amended—

(1) in subsection (d)—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

''(7) Assurances satisfactory to the Secretary that the applicant will ensure complete and consistent reporting of all blood lead test results

from laboratories and health care providers to State and local health departments in accordance with guidelines of the Centers for Disease Control and Prevention for standardized reporting as described in subsection (m).''; and

(2) in subsection (j)(2)—

(A) in subparagraph (F) by striking ''(E)'' and inserting ''(F)'';

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following:

''(F) The number of grantees that have established systems to ensure mandatory reporting of all blood lead tests from laboratories and health care providers to State and local health departments.''.

(b) GUIDELINES FOR STANDARDIZED REPORTING.—Section 317A of the Public Health Service Act (42 U.S.C. 247b–1) is amended by adding at the end the following:

''(m) GUIDELINES FOR STANDARDIZED REPORTING.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall develop national guidelines for the uniform reporting of all blood lead test results to State and local health departments.''.

(c) DEVELOPMENT AND IMPLEMENTATION OF EFFECTIVE DATA MANAGEMENT BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.—

(1) IN GENERAL.—The Director of the Centers for Disease Control and Prevention shall—

(A) assist with the improvement of data linkages between State and local health departments and between State health departments and the Centers for Disease Control and Prevention;

(B) assist States with the development of flexible, comprehensive State-based data management systems for the surveillance of children with lead poisoning that have the capacity to contribute to a national data set;

(C) assist with the improvement of the ability of State-based data management systems and federally-funded means-tested public benefit programs (including the special supplemental food program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) and the early head start program under section 645A of the Head Start Act (42 U.S.C. 9840a(h)) to respond to ad hoc inquiries and generate progress reports regarding the lead blood level screening of children enrolled in those programs;

(D) assist States with the establishment of a capacity for assessing how many children enrolled in the medicaid, WIC, early head start, and other federally-funded means-tested public benefit programs are being screened for lead poisoning at age-appropriate intervals;

(E) use data obtained as result of activities under this section to formulate or revise existing lead blood screening and case management policies; and

(F) establish performance measures for evaluating State and local implementation of the requirements and improvements described in subparagraphs (A) through (E).

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary for each the fiscal years 2001 through 2005.

(3) EFFECTIVE DATE.—This subsection takes effect on the date of enactment of this Act.

SEC. 2502. GRANTS FOR LEAD POISONING RELATED ACTIVITIES.

(a) IN GENERAL.—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.), as amended by section 1801 of this Act, is amended by inserting after section 317N the following section:

''GRANTS FOR LEAD POISONING RELATED ACTIVITIES

''SEC. 317O. (a) AUTHORITY TO MAKE GRANTS.—

''(1) IN GENERAL.—The Secretary shall make grants to States to support public health activities in States and localities where data suggests that at least 5 percent of preschool-age children have an elevated blood lead level through—

''(A) effective, ongoing outreach and community education targeted to families most likely to be at risk for lead poisoning;

''(B) individual family education activities that are designed to reduce ongoing exposures to lead for children with elevated blood lead levels, including through home visits and coordination with other programs designed to identify and treat children at risk for lead poisoning; and

''(C) the development, coordination and implementation of community-based approaches for comprehensive lead poisoning prevention from surveillance to lead hazard control.

''(2) STATE MATCH.—A State is not eligible for a grant under this section unless the State agrees to expend (through State or local funds) $1 for every $2 provided under the grant to carry out the activities described in paragraph (1).

''(3) APPLICATION.—To be eligible to receive a grant under this section, a State shall submit an application to the Secretary in such form and manner and containing such information as the Secretary may require.

''(b) COORDINATION WITH OTHER CHILDREN'S PROGRAMS.—A State shall identify in the application for a grant under this section how the State will coordinate operations and activities under the grant with—

''(1) other programs operated in the State that serve children with elevated blood lead levels, including any such programs operated under titles V, XIX, or XXI of the Social Security Act; and

''(2) one or more of the following—

''(A) the child welfare and foster care and adoption assistance programs under parts B and E of title IV of such Act;

''(B) the head start program established under the Head Start Act (42 U.S.C. 9831 et seq.);

''(C) the program of assistance under the special supplemental nutrition program for women, infants and children (WIC) under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

''(D) local public and private elementary or secondary schools; or

''(E) public housing agencies, as defined in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).

''(c) PERFORMANCE MEASURES.—The Secretary shall establish needs indicators and performance measures to evaluate the activities carried out under grants awarded under this section. Such indicators shall be commensurate with national measures of maternal and child health programs and shall be developed in consultation with the Director of the Centers for Disease Control and Prevention.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.''.

(b) CONFORMING AMENDMENT.—Section 340D(c)(1) of the Public Health Service Act (42 U.S.C. 256d(c)(1)) is amended by striking ''317E'' and inserting ''317F''.

SEC. 2503. TRAINING AND REPORTS BY THE HEALTH RESOURCES AND SERVICES ADMINISTRATION.

(a) TRAINING.—The Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration and in collaboration with the Administrator of the Health Care Financing Administration and the Director of the Centers for Disease Control and Prevention, shall conduct education and training programs for physicians and other health care providers regarding childhood lead poisoning, current screening and treatment recommendations and requirements, and the scientific, medical, and public health basis for those policies.

(b) REPORT.—The Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, annually shall report to Congress on the number of children who received services through health centers established under section 330 of the Public Health Service Act (42 U.S.C. 254b) and received a blood lead screening test during the prior fiscal year, noting the percentage that such children represent as compared to all children who received services through such health centers.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each the fiscal years 2001 through 2005.

SEC. 2504. SCREENINGS, REFERRALS, AND EDUCATION REGARDING LEAD POISONING.

Section 317A(l)(1) of the Public Health Service Act (42 U.S.C. 247b–1(l)(1)) is amended by striking ''1994'' and all that follows and inserting ''1994 through 2005.''.

TITLE XXVI—SCREENING FOR HERITABLE DISORDERS

SEC. 2601. PROGRAM TO IMPROVE THE ABILITY OF STATES TO PROVIDE NEWBORN AND CHILD SCREENING FOR HERITABLE DISORDERS.

Part A of title XI of the Public Health Service Act, as amended by section 2301 of this Act, is amended by adding at the end the following:

''SEC. 1109. IMPROVED NEWBORN AND CHILD SCREENING FOR HERITABLE DISORDERS.

''(a) IN GENERAL.—The Secretary shall award grants to eligible entities to enhance, improve or expand the ability of State and local public health agencies to provide screening, counseling or health care services to newborns and children having or at risk for heritable disorders.

''(b) USE OF FUNDS.—Amounts provided under a grant awarded under subsection (a) shall be used to—

''(1) establish, expand, or improve systems or programs to provide screening, counseling, testing or specialty services for newborns and children at risk for heritable disorders;

''(2) establish, expand, or improve programs or services to reduce mortality or morbidity from heritable disorders;

''(3) establish, expand, or improve systems or programs to provide information and counseling on available therapies for newborns and children with heritable disorders;

''(4) improve the access of medically underserved populations to screening, counseling, testing and specialty services for newborns and children having or at risk for heritable disorders; or

''(5) conduct such other activities as may be necessary to enable newborns and children having or at risk for heritable disorders to receive screening, counseling, testing or specialty services, regardless of income, race, color, religion, sex, national origin, age, or disability.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under subsection (a) an entity shall—

''(1) be a State or political subdivision of a State, or a consortium of 2 or more States or political subdivisions of States; and

''(2) prepare and submit to the Secretary an application that includes—

''(A) a plan to use amounts awarded under the grant to meet specific health status goals and objectives relative to heritable disorders, including attention to needs of medically underserved populations;

''(B) a plan for the collection of outcome data or other methods of evaluating the degree to which amounts awarded under this grant will be used to achieve the goals and objectives identified under subparagraph (A);

''(C) a plan for monitoring and ensuring the quality of services provided under the grant;

''(D) an assurance that amounts awarded under the grant will be used only to implement the approved plan for the State;

''(E) an assurance that the provision of services under the plan is coordinated with services

provided under programs implemented in the State under titles V, XVIII, XIX, XX, or XXI of the Social Security Act (subject to Federal regulations applicable to such programs) so that the coverage of services under such titles is not substantially diminished by the use of granted funds; and

''(F) such other information determined by the Secretary to be necessary.

''(d) LIMITATION.—An eligible entity may not use amounts received under this section to—

''(1) provide cash payments to or on behalf of affected individuals;

''(2) provide inpatient services;

''(3) purchase land or make capital improvements to property; or

''(4) provide for proprietary research or training.

''(e) VOLUNTARY PARTICIPATION.—The participation by any individual in any program or portion thereof established or operated with funds received under this section shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, another Federal or State program.

''(f) SUPPLEMENT NOT SUPPLANT.—Funds appropriated under this section shall be used to supplement and not supplant other Federal, State, and local public funds provided for activities of the type described in this section.

''(g) PUBLICATION.

''(1) IN GENERAL.—An application submitted under subsection (c)(2) shall be made public by the State in such a manner as to facilitate comment from any person, including through hearings and other methods used to facilitate comments from the public.

''(2) COMMENTS.—Comments received by the State after the publication described in paragraph (1) shall be addressed in the application submitted under subsection (c)(2).

''(h) TECHNICAL ASSISTANCE.—The Secretary shall provide to entities receiving grants under subsection (a) such technical assistance as may be necessary to ensure the quality of programs conducted under this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2005.

''SEC. 1110. EVALUATING THE EFFECTIVENESS OF NEWBORN AND CHILD SCREENING PROGRAMS.

''(a) IN GENERAL.—The Secretary shall award grants to eligible entities to provide for the conduct of demonstration programs to evaluate the effectiveness of screening, counseling or health care services in reducing the morbidity and mortality caused by heritable disorders in newborns and children.

''(b) DEMONSTRATION PROGRAMS.—A demonstration program conducted under a grant under this section shall be designed to evaluate and assess, within the jurisdiction of the entity receiving such grant—

''(1) the effectiveness of screening, counseling, testing or specialty services for newborns and children at risk for heritable disorders in reducing the morbidity and mortality associated with such disorders;

''(2) the effectiveness of screening, counseling, testing or specialty services in accurately and reliably diagnosing heritable disorders in newborns and children; or

''(3) the availability of screening, counseling, testing or specialty services for newborns and children at risk for heritable disorders.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under subsection (a) an entity shall be a State or political subdivision of a State, or a consortium of 2 or more States or political subdivisions of States.

''SEC. 1111. ADVISORY COMMITTEE ON HERITABLE DISORDERS IN NEWBORNS AND CHILDREN.

''(a) ESTABLISHMENT.—The Secretary shall establish an advisory committee to be known as the 'Advisory Committee on Heritable Disorders in Newborns and Children' (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—The Advisory Committee shall—

''(1) provide advice and recommendations to the Secretary concerning grants and projects awarded or funded under section 1109;

''(2) provide technical information to the Secretary for the development of policies and priorities for the administration of grants under section 1109; and

''(3) provide such recommendations, advice or information as may be necessary to enhance, expand or improve the ability of the Secretary to reduce the mortality or morbidity from heritable disorders.

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—The Secretary shall appoint not to exceed 15 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

''(2) REQUIRED MEMBERS.—The Secretary shall appoint to the Advisory Committee under paragraph (1)—

''(A) the Administrator of the Health Resources and Services Administration;

''(B) the Director of the Centers for Disease Control and Prevention;

''(C) the Director of the National Institutes of Health;

''(D) the Director of the Agency for Healthcare Research and Quality;

''(E) medical, technical, or scientific professionals with special expertise in heritable disorders, or in providing screening, counseling, testing or specialty services for newborns and children at risk for heritable disorders;

''(F) members of the public having special expertise about or concern with heritable disorders; and

''(G) representatives from such Federal agencies, public health constituencies, and medical professional societies as determined to be necessary by the Secretary, to fulfill the duties of the Advisory Committee, as established under subsection (b).''.

TITLE XXVII—PEDIATRIC RESEARCH PROTECTIONS

SEC. 2701. REQUIREMENT FOR ADDITIONAL PROTECTIONS FOR CHILDREN INVOLVED IN RESEARCH.

Notwithstanding any other provision of law, not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall require that all research involving children that is conducted, supported, or regulated by the Department of Health and Human Services be in compliance with subpart D of part 45 of title 46, Code of Federal Regulations.

TITLE XXVIII—MISCELLANEOUS PROVISIONS

SEC. 2801. REPORT REGARDING RESEARCH ON RARE DISEASES IN CHILDREN.

Not later than 180 days after the date of the enactment of this Act, the Director of the National Institutes of Health shall submit to the Congress a report on—

(1) the activities that, during fiscal year 2000, were conducted and supported by such Institutes with respect to rare diseases in children, including Friedreich's ataxia and Hutchinson-Gilford progeria syndrome; and

(2) the activities that are planned to be conducted and supported by such Institutes with respect to such diseases during the fiscal years 2001 through 2005.

SEC. 2802. STUDY ON METABOLIC DISORDERS.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the ''Secretary'') shall, in consultation with relevant experts or through the Institute of Medicine, study issues related to treatment of PKU and other metabolic disorders for children, adolescents, and adults, and mechanisms to assure access to effective treatment, including special diets, for children and others with PKU and other metabolic disorders. Such mechanisms shall be evidence-based and reflect the best scientific knowledge regarding effective treatment and prevention of disease progression.

(b) DISSEMINATION OF RESULTS.—Upon completion of the study referred to in subsection (a), the Secretary shall disseminate and otherwise make available the results of the study to interested groups and organizations, including insurance commissioners, employers, private insurers, health care professionals, State and local public health agencies, and State agencies that carry out the medicaid program under title XIX of the Social Security Act or the State children's health insurance program under title XXI of such Act.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2001 through 2003.

TITLE XXIX—EFFECTIVE DATE

SEC. 2901. EFFECTIVE DATE.

This division and the amendments made by this division take effect October 1, 2000, or upon the date of the enactment of this Act, whichever occurs later.

DIVISION B—YOUTH DRUG AND MENTAL HEALTH SERVICES

SEC. 3001. SHORT TITLE.

This division may be cited as the ''Youth Drug and Mental Health Services Act''.

TITLE XXXI—PROVISIONS RELATING TO SERVICES FOR CHILDREN AND ADOLESCENTS

SEC. 3101. CHILDREN AND VIOLENCE.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

''PART G—PROJECTS FOR CHILDREN AND VIOLENCE

''SEC. 581. CHILDREN AND VIOLENCE.

''(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Education and the Attorney General, shall carry out directly or through grants, contracts or cooperative agreements with public entities a program to assist local communities in developing ways to assist children in dealing with violence.

''(b) ACTIVITIES.—Under the program under subsection (a), the Secretary may—

''(1) provide financial support to enable local communities to implement programs to foster the health and development of children;

''(2) provide technical assistance to local communities with respect to the development of programs described in paragraph (1);

''(3) provide assistance to local communities in the development of policies to address violence when and if it occurs;

''(4) assist in the creation of community partnerships among law enforcement, education systems and mental health and substance abuse service systems; and

''(5) establish mechanisms for children and adolescents to report incidents of violence or plans by other children or adolescents to commit violence.

''(c) REQUIREMENTS.—An application for a grant, contract or cooperative agreement under subsection (a) shall demonstrate that—

''(1) the applicant will use amounts received to create a partnership described in subsection (b)(4) to address issues of violence in schools;

''(2) the activities carried out by the applicant will provide a comprehensive method for addressing violence, that will include—

''(A) security;

''(B) educational reform;

''(C) the review and updating of school policies;

''(D) alcohol and drug abuse prevention and early intervention services;

''(E) mental health prevention and treatment services; and

''(F) early childhood development and psychosocial services; and

''(3) the applicant will use amounts received only for the services described in subparagraphs (D), (E), and (F) of paragraph (2).

''(d) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) will be distributed equitably among the regions of the country and among urban and rural areas.

''(e) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient may not exceed 5 years.

''(f) EVALUATION.—The Secretary shall conduct an evaluation of each project carried out under this section and shall disseminate the results of such evaluations to appropriate public and private entities.

''(g) INFORMATION AND EDUCATION.—The Secretary shall establish comprehensive information and education programs to disseminate the findings of the knowledge development and application under this section to the general public and to health care professionals.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $100,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.

''SEC. 582. GRANTS TO ADDRESS THE PROBLEMS OF PERSONS WHO EXPERIENCE VIOLENCE RELATED STRESS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts or cooperative agreements to public and nonprofit private entities, as well as to Indian tribes and tribal organizations, for the purpose of developing programs focusing on the behavioral and biological aspects of psychological trauma response and for developing knowledge with regard to evidence-based practices for treating psychiatric disorders of children and youth resulting from witnessing or experiencing a traumatic event.

''(b) PRIORITIES.—In awarding grants, contracts or cooperative agreements under subsection (a) related to the development of knowledge on evidence-based practices for treating disorders associated with psychological trauma, the Secretary shall give priority to mental health agencies and programs that have established clinical and basic research experience in the field of trauma-related mental disorders.

''(c) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that grants, contracts or cooperative agreements under subsection (a) with respect to centers of excellence are distributed equitably among the regions of the country and among urban and rural areas.

''(d) EVALUATION.—The Secretary, as part of the application process, shall require that each applicant for a grant, contract or cooperative agreement under subsection (a) submit a plan for the rigorous evaluation of the activities funded under the grant, contract or agreement, including both process and outcomes evaluation, and the submission of an evaluation at the end of the project period.

''(e) DURATION OF AWARDS.—With respect to a grant, contract or cooperative agreement under subsection (a), the period during which payments under such an award will be made to the recipient may not exceed 5 years. Such grants, contracts or agreements may be renewed.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $50,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

SEC. 3102. EMERGENCY RESPONSE.

Section 501 of the Public Health Service Act (42 U.S.C. 290aa) is amended—

(1) by redesignating subsection (m) as subsection (o);

(2) by inserting after subsection (l) the following:

''(m) EMERGENCY RESPONSE.—

''(1) IN GENERAL.—Notwithstanding section 504 and except as provided in paragraph (2), the Secretary may use not to exceed 2.5 percent of all amounts appropriated under this title for a fiscal year to make noncompetitive grants, contracts or cooperative agreements to public entities to enable such entities to address emergency substance abuse or mental health needs in local communities.

''(2) EXCEPTIONS.—Amounts appropriated under part C shall not be subject to paragraph (1).

''(3) EMERGENCIES.—The Secretary shall establish criteria for determining that a substance abuse or mental health emergency exists and publish such criteria in the Federal Register prior to providing funds under this subsection.

''(n) LIMITATION ON THE USE OF CERTAIN INFORMATION.—No information, if an establishment or person supplying the information or described in it is identifiable, obtained in the course of activities undertaken or supported under section 505 may be used for any purpose other than the purpose for which it was supplied unless such establishment or person has consented (as determined under regulations of the Secretary) to its use for such other purpose. Such information may not be published or released in other form if the person who supplied the information or who is described in it is identifiable unless such person has consented (as determined under regulations of the Secretary) to its publication or release in other form.''; and

(3) in subsection (o) (as so redesignated), by striking ''1993'' and all that follows through the period and inserting ''2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3103. HIGH RISK YOUTH REAUTHORIZATION.

Section 517(h) of the Public Health Service Act (42 U.S.C. 290bb–23(h)) is amended by striking ''$70,000,000'' and all that follows through ''1994'' and inserting ''such sums as may be necessary for each of the fiscal years 2001 through 2003''.

SEC. 3104. SUBSTANCE ABUSE TREATMENT SERVICES FOR CHILDREN AND ADOLESCENTS.

(a) SUBSTANCE ABUSE TREATMENT SERVICES.—Subpart 1 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb et seq.) is amended by adding at the end the following:

''SEC. 514. SUBSTANCE ABUSE TREATMENT SERVICES FOR CHILDREN AND ADOLESCENTS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to public and private nonprofit entities, including Native Alaskan entities and Indian tribes and tribal organizations, for the purpose of providing substance abuse treatment services for children and adolescents.

''(b) PRIORITY.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall give priority to applicants who propose to—

''(1) apply evidenced-based and cost effective methods for the treatment of substance abuse among children and adolescents;

''(2) coordinate the provision of treatment services with other social service agencies in the community, including educational, juvenile justice, child welfare, and mental health agencies;

''(3) provide a continuum of integrated treatment services, including case management, for children and adolescents with substance abuse disorders and their families;

''(4) provide treatment that is gender-specific and culturally appropriate;

''(5) involve and work with families of children and adolescents receiving treatment;

''(6) provide aftercare services for children and adolescents and their families after completion of substance abuse treatment; and

''(7) address the relationship between substance abuse and violence.

''(c) DURATION OF GRANTS.—The Secretary shall award grants, contracts, or cooperative agreements under subsection (a) for periods not to exceed 5 fiscal years.

''(d) APPLICATION.—An entity desiring a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(e) EVALUATION.—An entity that receives a grant, contract, or cooperative agreement under subsection (a) shall submit, in the application for such grant, contract, or cooperative agreement, a plan for the evaluation of any project undertaken with funds provided under this section. Such entity shall provide the Secretary with periodic evaluations of the progress of such project and such evaluation at the completion of such project as the Secretary determines to be appropriate.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $40,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.

''SEC. 514A. EARLY INTERVENTION SERVICES FOR CHILDREN AND ADOLESCENTS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to public and private nonprofit entities, including local educational agencies (as defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801)), for the purpose of providing early intervention substance abuse services for children and adolescents.

''(b) PRIORITY.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall give priority to applicants who demonstrate an ability to—

''(1) screen for and assess substance use and abuse by children and adolescents;

''(2) make appropriate referrals for children and adolescents who are in need of treatment for substance abuse;

''(3) provide early intervention services, including counseling and ancillary services, that are designed to meet the developmental needs of children and adolescents who are at risk for substance abuse; and

''(4) develop networks with the educational, juvenile justice, social services, and other agencies and organizations in the State or local community involved that will work to identify children and adolescents who are in need of substance abuse treatment services.

''(c) CONDITION.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall ensure that such grants, contracts, or cooperative agreements are allocated, subject to the availability of qualified applicants, among the principal geographic regions of the United States, to Indian tribes and tribal organizations, and to urban and rural areas.

''(d) DURATION OF GRANTS.—The Secretary shall award grants, contracts, or cooperative agreements under subsection (a) for periods not to exceed 5 fiscal years.

''(e) APPLICATION.—An entity desiring a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(f) EVALUATION.—An entity that receives a grant, contract, or cooperative agreement under subsection (a) shall submit, in the application for such grant, contract, or cooperative agreement, a plan for the evaluation of any project undertaken with funds provided under this section. Such entity shall provide the Secretary with periodic evaluations of the progress of such project and such evaluation at the completion of such project as the Secretary determines to be appropriate.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry

out this section, $20,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.''.

(b) YOUTH INTERAGENCY CENTERS.—Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.) is amended by adding the following:

''SEC. 520C. YOUTH INTERAGENCY RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE CENTERS.

''(a) PROGRAM AUTHORIZED.—The Secretary, acting through the Administrator of the Substance Abuse and Mental Health Services Administration, and in consultation with the Administrator of the Office of Juvenile Justice and Delinquency Prevention, the Director of the Bureau of Justice Assistance and the Director of the National Institutes of Health, shall award grants or contracts to public or nonprofit private entities to establish not more than 4 research, training, and technical assistance centers to carry out the activities described in subsection (c).

''(b) APPLICATION.—A public or private nonprofit entity desiring a grant or contract under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(c) AUTHORIZED ACTIVITIES.—A center established under a grant or contract under subsection (a) shall—

''(1) provide training with respect to state-of-the-art mental health and justice-related services and successful mental health and substance abuse-justice collaborations that focus on children and adolescents, to public policymakers, law enforcement administrators, public defenders, police, probation officers, judges, parole officials, jail administrators and mental health and substance abuse providers and administrators;

''(2) engage in research and evaluations concerning State and local justice and mental health systems, including system redesign initiatives, and disseminate information concerning the results of such evaluations;

''(3) provide direct technical assistance, including assistance provided through toll-free telephone numbers, concerning issues such as how to accommodate individuals who are being processed through the courts under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), what types of mental health or substance abuse service approaches are effective within the judicial system, and how community-based mental health or substance abuse services can be more effective, including relevant regional, ethnic, and gender-related considerations; and

''(4) provide information, training, and technical assistance to State and local governmental officials to enhance the capacity of such officials to provide appropriate services relating to mental health or substance abuse.

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $4,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.''.

(c) PREVENTION OF ABUSE AND ADDICTION.—Subpart 2 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–21 et seq.) is amended by adding the following:

''SEC. 519E. PREVENTION OF METHAMPHETAMINE AND INHALANT ABUSE AND ADDICTION.

''(a) GRANTS.—The Director of the Center for Substance Abuse Prevention (referred to in this section as the 'Director') may make grants to and enter into contracts and cooperative agreements with public and nonprofit private entities to enable such entities—

''(1) to carry out school-based programs concerning the dangers of methamphetamine or inhalant abuse and addiction, using methods that are effective and evidence-based, including initiatives that give students the responsibility to create their own anti-drug abuse education programs for their schools; and

''(2) to carry out community-based methamphetamine or inhalant abuse and addiction prevention programs that are effective and evidence-based.

''(b) USE OF FUNDS.—Amounts made available under a grant, contract or cooperative agreement under subsection (a) shall be used for planning, establishing, or administering methamphetamine or inhalant prevention programs in accordance with subsection (c).

''(c) PREVENTION PROGRAMS AND ACTIVITIES.—

''(1) IN GENERAL.—Amounts provided under this section may be used—

''(A) to carry out school-based programs that are focused on those districts with high or increasing rates of methamphetamine or inhalant abuse and addiction and targeted at populations which are most at risk to start methamphetamine or inhalant abuse;

''(B) to carry out community-based prevention programs that are focused on those populations within the community that are most at-risk for methamphetamine or inhalant abuse and addiction;

''(C) to assist local government entities to conduct appropriate methamphetamine or inhalant prevention activities;

''(D) to train and educate State and local law enforcement officials, prevention and education officials, members of community anti-drug coalitions and parents on the signs of methamphetamine or inhalant abuse and addiction and the options for treatment and prevention;

''(E) for planning, administration, and educational activities related to the prevention of methamphetamine or inhalant abuse and addiction;

''(F) for the monitoring and evaluation of methamphetamine or inhalant prevention activities, and reporting and disseminating resulting information to the public; and

''(G) for targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies.

''(2) PRIORITY.—The Director shall give priority in making grants under this section to rural and urban areas that are experiencing a high rate or rapid increases in methamphetamine or inhalant abuse and addiction.

''(d) ANALYSES AND EVALUATION.—

''(1) IN GENERAL.—Up to $500,000 of the amount available in each fiscal year to carry out this section shall be made available to the Director, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for methamphetamine or inhalant abuse and addiction and the development of appropriate strategies for disseminating information about and implementing these programs.

''(2) ANNUAL REPORTS.—The Director shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Commerce and Committee on Appropriations of the House of Representatives, an annual report with the results of the analyses and evaluation under paragraph (1).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a), $10,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

SEC. 3105. COMPREHENSIVE COMMUNITY SERVICES FOR CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCE.

(a) MATCHING FUNDS.—Section 561(c)(1)(D) of the Public Health Service Act (42 U.S.C. 290ff(c)(1)(D)) is amended by striking ''fifth'' and inserting ''fifth and sixth''.

(b) FLEXIBILITY FOR INDIAN TRIBES AND TERRITORIES.—Section 562 of the Public Health Service Act (42 U.S.C. 290ff–1) is amended by adding at the end the following:

''(g) WAIVERS.—The Secretary may waive 1 or more of the requirements of subsection (c) for a public entity that is an Indian Tribe or tribal organization, or American Samoa, Guam, the Marshall Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, or the United States Virgin Islands if the Secretary determines, after peer review, that the system of care is family-centered and uses the least restrictive environment that is clinically appropriate.''.

(c) DURATION OF GRANTS.—Section 565(a) of the Public Health Service Act (42 U.S.C. 290ff–4(a)) is amended by striking ''5 fiscal'' and inserting ''6 fiscal''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 565(f)(1) of the Public Health Service Act (42 U.S.C. 290ff–4(f)(1)) is amended by striking ''1993'' and all that follows and inserting ''2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

(e) CURRENT GRANTEES.—

(1) IN GENERAL.—Entities with active grants under section 561 of the Public Health Service Act (42 U.S.C. 290ff) on the date of enactment of this Act shall be eligible to receive a 6th year of funding under the grant in an amount not to exceed the amount that such grantee received in the 5th year of funding under such grant. Such 6th year may be funded without requiring peer and Advisory Council review as required under section 504 of such Act (42 U.S.C. 290aa–3).

(2) LIMITATION.—Paragraph (1) shall apply with respect to a grantee only if the grantee agrees to comply with the provisions of section 561 as amended by subsection (a).

SEC. 3106. SERVICES FOR CHILDREN OF SUBSTANCE ABUSERS.

(a) ADMINISTRATION AND ACTIVITIES.—

(1) ADMINISTRATION.—Section 399D(a) of the Public Health Service Act (42 U.S.C. 280d(a)(1)) is amended—

(A) in paragraph (1), by striking ''Administrator'' and all that follows through ''Administration'' and insert ''Administrator of the Substance Abuse and Mental Health Services Administration''; and

(B) in paragraph (2), by striking ''Administrator of the Substance Abuse and Mental Health Services Administration'' and inserting ''Administrator of the Health Resources and Services Administration''.

(2) ACTIVITIES.—Section 399D(a)(1) of the Public Health Service Act (42 U.S.C. 280d(a)(1)) is amended—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period and inserting the following: ''through youth service agencies, family social services, child care providers, Head Start, schools and after-school programs, early childhood development programs, community-based family resource and support centers, the criminal justice system, health, substance abuse and mental health providers through screenings conducted during regular childhood examinations and other examinations, self and family member referrals, substance abuse treatment services, and other providers of services to children and families; and''; and

(C) by adding at the end the following:

''(D) to provide education and training to health, substance abuse and mental health professionals, and other providers of services to children and families through youth service agencies, family social services, child care, Head Start, schools and after-school programs, early childhood development programs, community-based family resource and support centers, the criminal justice system, and other providers of services to children and families.''.

(3) IDENTIFICATION OF CERTAIN CHILDREN.—Section 399D(a)(3)(A) of the Public Health Service Act (42 U.S.C. 280d(a)(3)(A)) is amended—

(A) in clause (i), by striking ''(i) the entity'' and inserting ''(i)(I) the entity'';

(B) in clause (ii)—

(i) by striking ''(ii) the entity'' and inserting ''(II) the entity''; and

(ii) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(ii) the entity will identify children who may be eligible for medical assistance under a State program under title XIX or XXI of the Social Security Act.''.

(b) SERVICES FOR CHILDREN.—Section 399D(b) of the Public Health Service Act (42 U.S.C. 280d(b)) is amended—

(1) in paragraph (1), by inserting ''alcohol and drug,'' after ''psychological,'';

(2) by striking paragraph (5) and inserting the following:

''(5) Developmentally and age-appropriate drug and alcohol early intervention, treatment and prevention services.''; and

(3) by inserting after paragraph (8), the following:

''Services shall be provided under paragraphs (2) through (8) by a public health nurse, social worker, or similar professional, or by a trained worker from the community who is supervised by a professional, or by an entity, where the professional or entity provides assurances that the professional or entity is licensed or certified by the State if required and is complying with applicable licensure or certification requirements.''.

(c) SERVICES FOR AFFECTED FAMILIES.—Section 399D(c) of the Public Health Service Act (42 U.S.C. 280d(c)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting before the colon the following: '', or by an entity, where the professional or entity provides assurances that the professional or entity is licensed or certified by the State if required and is complying with applicable licensure or certification requirements''; and

(B) by adding at the end the following:

''(D) Aggressive outreach to family members with substance abuse problems.

''(E) Inclusion of consumer in the development, implementation, and monitoring of Family Services Plan.'';

(2) in paragraph (2)—

(A) by striking subparagraph (A) and inserting the following:

''(A) Alcohol and drug treatment services, including screening and assessment, diagnosis, detoxification, individual, group and family counseling, relapse prevention, pharmacotherapy treatment, after-care services, and case management.'';

(B) in subparagraph (C), by striking '', including educational and career planning'' and inserting ''and counseling on the human immunodeficiency virus and acquired immune deficiency syndrome'';

(C) in subparagraph (D), by striking ''conflict and''; and

(D) in subparagraph (E), by striking ''Remedial'' and inserting ''Career planning and''; and

(3) in paragraph (3)(D), by inserting ''which include child abuse and neglect prevention techniques'' before the period.

(d) ELIGIBLE ENTITIES.—Section 399D(d) of the Public Health Service Act (42 U.S.C. 280d(d)) is amended—

(1) by striking the matter preceding paragraph (1) and inserting:

''(d) ELIGIBLE ENTITIES.—The Secretary shall distribute the grants through the following types of entities:'';

(2) in paragraph (1), by striking ''drug treatment'' and inserting ''drug early intervention, prevention or treatment; and

(3) in paragraph (2)—

(A) in subparagraph (A), by striking ''; and'' and inserting ''; or''; and

(B) in subparagraph (B), by inserting ''or pediatric health or mental health providers and family mental health providers'' before the period.

(e) SUBMISSION OF INFORMATION.—Section 399D(h) of the Public Health Service Act (42 U.S.C. 280d(h)) is amended—

(1) in paragraph (2)—

(A) by inserting ''including maternal and child health'' before ''mental'';

(B) by striking ''treatment programs''; and

(C) by striking ''and the State agency responsible for administering public maternal and child health services'' and inserting '', the State agency responsible for administering alcohol and drug programs, the State lead agency, and the State Interagency Coordinating Council under part H of the Individuals with Disabilities Education Act; and''; and

(2) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(f) REPORTS TO THE SECRETARY.—Section 399D(i)(6) of the Public Health Service Act (42 U.S.C. 280d(i)(6)) is amended—

(1) in subparagraph (B), by adding ''and'' at the end; and

(2) by striking subparagraphs (C), (D), and (E) and inserting the following:

''(C) the number of case workers or other professionals trained to identify and address substance abuse issues.''.

(g) EVALUATIONS.—Section 399D(l) of the Public Health Service Act (42 U.S.C. 280d(l)) is amended—

(1) in paragraph (3), by adding ''and'' at the end;

(2) in paragraph (4), by striking the semicolon and inserting the following: '', including increased participation in work or employment-related activities and decreased participation in welfare programs.''; and

(3) by striking paragraphs (5) and (6).

(h) REPORT TO CONGRESS.—Section 399D(m) of the Public Health Service Act (42 U.S.C. 280d(m)) is amended—

(1) in paragraph (2), by adding ''and'' at the end;

(2) in paragraph (3)—

(A) in subparagraph (A), by adding ''and'' at the end;

(B) in subparagraph (B), by striking the semicolon and inserting a period; and

(C) by striking subparagraphs (C), (D), and (E); and

(3) by striking paragraphs (4) and (5).

(i) DATA COLLECTION.—Section 399D(n) of the Public Health Service Act (42 U.S.C. 280d(n)) is amended by adding at the end the following: ''The periodic report shall include a quantitative estimate of the prevalence of alcohol and drug problems in families involved in the child welfare system, the barriers to treatment and prevention services facing these families, and policy recommendations for removing the identified barriers, including training for child welfare workers.''.

(j) DEFINITION.—Section 399D(o)(2)(B) of the Public Health Service Act (42 U.S.C. 280d(o)(2)(B)) is amended by striking ''dangerous''.

(k) AUTHORIZATION OF APPROPRIATIONS.—Section 399D(p) of the Public Health Service Act (42 U.S.C. 280d(p)) is amended to read as follows:

''(p) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $50,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

(l) GRANTS FOR TRAINING AND CONFORMING AMENDMENTS.—Section 399D of the Public Health Service Act (42 U.S.C. 280d) is amended—

(1) by striking subsection (f);

(2) by striking subsection (k);

(3) by redesignating subsections (d), (e), (g), (h), (i), (j), (l), (m), (n), (o), and (p) as subsections (e) through (o), respectively;

(4) by inserting after subsection (c), the following:

''(d) TRAINING FOR PROVIDERS OF SERVICES TO CHILDREN AND FAMILIES.—The Secretary may make a grant under subsection (a) for the training of health, substance abuse and mental health professionals and other providers of services to children and families through youth service agencies, family social services, child care providers, Head Start, schools and after-school programs, early childhood development programs, community-based family resource centers, the criminal justice system, and other providers of services to children and families. Such training shall be to assist professionals in recognizing the drug and alcohol problems of their clients and to enhance their skills in identifying and understanding the nature of substance abuse, and obtaining substance abuse early intervention, prevention and treatment resources.'';

(5) in subsection (k)(2) (as so redesignated), by striking ''(h)'' and inserting ''(i)''; and

(6) in paragraphs (3)(E) and (5) of subsection (m) (as so redesignated), by striking ''(d)'' and inserting ''(e)''.

(m) TRANSFER AND REDESIGNATION.—Section 399D of the Public Health Service Act (42 U.S.C. 280d), as amended by this section—

(1) is transferred to title V;

(2) is redesignated as section 519; and

(3) is inserted after section 518.

(n) CONFORMING AMENDMENT.—Title III of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by striking the heading of part L.

SEC. 3107. SERVICES FOR YOUTH OFFENDERS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3104(b), is further amended by adding at the end the following:

''SEC. 520D. SERVICES FOR YOUTH OFFENDERS.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Center for Mental Health Services, and in consultation with the Director of the Center for Substance Abuse Treatment, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, and the Director of the Special Education Programs, shall award grants on a competitive basis to State or local juvenile justice agencies to enable such agencies to provide aftercare services for youth offenders who have been discharged from facilities in the juvenile or criminal justice system and have serious emotional disturbances or are at risk of developing such disturbances.

''(b) USE OF FUNDS.—A State or local juvenile justice agency receiving a grant under subsection (a) shall use the amounts provided under the grant—

''(1) to develop a plan describing the manner in which the agency will provide services for each youth offender who has a serious emotional disturbance and has been detained or incarcerated in facilities within the juvenile or criminal justice system;

''(2) to provide a network of core or aftercare services or access to such services for each youth offender, including diagnostic and evaluation services, substance abuse treatment services, outpatient mental health care services, medication management services, intensive home-based therapy, intensive day treatment services, respite care, and therapeutic foster care;

''(3) to establish a program that coordinates with other State and local agencies providing recreational, social, educational, vocational, or operational services for youth, to enable the agency receiving a grant under this section to provide community-based system of care services for each youth offender that addresses the special needs of the youth and helps the youth access all of the aforementioned services; and

''(4) using not more than 20 percent of funds received, to provide planning and transition services as described in paragraph (3) for youth offenders while such youth are incarcerated or detained.

''(c) APPLICATION.—A State or local juvenile justice agency that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(d) REPORT.—Not later than 3 years after the date of enactment of this section and annually

thereafter, the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce of the House of Representatives, a report that describes the services provided pursuant to this section.

''(e) DEFINITIONS.—In this section:

''(1) SERIOUS EMOTIONAL DISTURBANCE.—The term 'serious emotional disturbance' with respect to a youth offender means an offender who currently, or at any time within the 1-year period ending on the day on which services are sought under this section, has a diagnosable mental, behavioral, or emotional disorder that functionally impairs the offender's life by substantially limiting the offender's role in family, school, or community activities, and interfering with the offender's ability to achieve or maintain 1 or more developmentally-appropriate social, behavior, cognitive, communicative, or adaptive skills.

''(2) COMMUNITY-BASED SYSTEM OF CARE.—The term 'community-based system of care' means the provision of services for the youth offender by various State or local agencies that in an interagency fashion or operating as a network addresses the recreational, social, educational, vocational, mental health, substance abuse, and operational needs of the youth offender.

''(3) YOUTH OFFENDER.—The term 'youth offender' means an individual who is 21 years of age or younger who has been discharged from a State or local juvenile or criminal justice system, except that if the individual is between the ages of 18 and 21 years, such individual has had contact with the State or local juvenile or criminal justice system prior to attaining 18 years of age and is under the jurisdiction of such a system at the time services are sought.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $40,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

SEC. 3108. GRANTS FOR STRENGTHENING FAMILIES THROUGH COMMUNITY PARTNERSHIPS.

Subpart 2 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–21 et seq) is amended by adding at the end the following:

''SEC. 519A. GRANTS FOR STRENGTHENING FAMILIES.

''(a) PROGRAM AUTHORIZED.—The Secretary, acting through the Director of the Prevention Center, may make grants to public and nonprofit private entities to develop and implement model substance abuse prevention programs to provide early intervention and substance abuse prevention services for individuals of high-risk families and the communities in which such individuals reside.

''(b) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to applicants that—

''(1) have proven experience in preventing substance abuse by individuals of high-risk families and reducing substance abuse in communities of such individuals;

''(2) have demonstrated the capacity to implement community-based partnership initiatives that are sensitive to the diverse backgrounds of individuals of high-risk families and the communities of such individuals;

''(3) have experience in providing technical assistance to support substance abuse prevention programs that are community-based;

''(4) have demonstrated the capacity to implement research-based substance abuse prevention strategies; and

''(5) have implemented programs that involve families, residents, community agencies, and institutions in the implementation and design of such programs.

''(c) DURATION OF GRANTS.—The Secretary shall award grants under subsection (a) for a period not to exceed 5 years.

''(d) USE OF FUNDS.—An applicant that is awarded a grant under subsection (a) shall—

''(1) in the first fiscal year that such funds are received under the grant, use such funds to develop a model substance abuse prevention program; and

''(2) in the fiscal year following the first fiscal year that such funds are received, use such funds to implement the program developed under paragraph (1) to provide early intervention and substance abuse prevention services to—

''(A) strengthen the environment of children of high risk families by targeting interventions at the families of such children and the communities in which such children reside;

''(B) strengthen protective factors, such as—

''(i) positive adult role models;

''(ii) messages that oppose substance abuse;

''(iii) community actions designed to reduce accessibility to and use of illegal substances; and

''(iv) willingness of individuals of families in which substance abuse occurs to seek treatment for substance abuse;

''(C) reduce family and community risks, such as family violence, alcohol or drug abuse, crime, and other behaviors that may effect healthy child development and increase the likelihood of substance abuse; and

''(D) build collaborative and formal partnerships between community agencies, institutions, and businesses to ensure that comprehensive high quality services are provided, such as early childhood education, health care, family support programs, parent education programs, and home visits for infants.

''(e) APPLICATION.—To be eligible to receive a grant under subsection (a), an applicant shall prepare and submit to the Secretary an application that—

''(1) describes a model substance abuse prevention program that such applicant will establish;

''(2) describes the manner in which the services described in subsection (d)(2) will be provided; and

''(3) describe in as much detail as possible the results that the entity expects to achieve in implementing such a program.

''(f) MATCHING FUNDING.—The Secretary may not make a grant to a entity under subsection (a) unless that entity agrees that, with respect to the costs to be incurred by the entity in carrying out the program for which the grant was awarded, the entity will make available non-Federal contributions in an amount that is not less than 40 percent of the amount provided under the grant.

''(g) REPORT TO SECRETARY.—An applicant that is awarded a grant under subsection (a) shall prepare and submit to the Secretary a report in such form and containing such information as the Secretary may require, including an assessment of the efficacy of the model substance abuse prevention program implemented by the applicant and the short, intermediate, and long term results of such program.

''(h) EVALUATIONS.—The Secretary shall conduct evaluations, based in part on the reports submitted under subsection (g), to determine the effectiveness of the programs funded under subsection (a) in reducing substance use in high-risk families and in making communities in which such families reside in stronger. The Secretary shall submit such evaluations to the appropriate committees of Congress.

''(i) HIGH-RISK FAMILIES.—In this section, the term 'high-risk family' means a family in which the individuals of such family are at a significant risk of using or abusing alcohol or any illegal substance.

''(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $3,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3109. PROGRAMS TO REDUCE UNDERAGE DRINKING.

Subpart 2 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–21 et seq), as amended by section 3108, is further amended by adding at the end the following:

''SEC. 519B. PROGRAMS TO REDUCE UNDERAGE DRINKING.

''(a) IN GENERAL.—The Secretary shall make awards of grants, cooperative agreements, or contracts to public and nonprofit private entities, including Indian tribes and tribal organizations, to enable such entities to develop plans for and to carry out school-based (including institutions of higher education) and community-based programs for the prevention of alcoholic-beverage consumption by individuals who have not attained the legal drinking age.

''(b) ELIGIBILITY REQUIREMENTS.—To be eligible to receive an award under subsection (a), an entity shall provide any assurances to the Secretary which the Secretary may require, including that the entity will—

''(1) annually report to the Secretary on the effectiveness of the prevention approaches implemented by the entity;

''(2) use science based and age appropriate approaches; and

''(3) involve local public health officials and community prevention program staff in the planning and implementation of the program.

''(c) EVALUATION.—The Secretary shall evaluate each project under subsection (a) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(d) GEOGRAPHICAL DISTRIBUTION.—The Secretary shall ensure that awards will be distributed equitably among the regions of the country and among urban and rural areas.

''(e) DURATION OF AWARD.—With respect to an award under subsection (a), the period during which payments under such award are made to the recipient may not exceed 5 years. The preceding sentence may not be construed as establishing a limitation on the number of awards under such subsection that may be made to the recipient.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $25,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3110. SERVICES FOR INDIVIDUALS WITH FETAL ALCOHOL SYNDROME.

Subpart 2 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–21 et seq), as amended by sections 3108 and 3109, is further amended by adding at the end the following:

''SEC. 519C. SERVICES FOR INDIVIDUALS WITH FETAL ALCOHOL SYNDROME.

''(a) IN GENERAL.—The Secretary shall make awards of grants, cooperative agreements, or contracts to public and nonprofit private entities, including Indian tribes and tribal organizations, to provide services to individuals diagnosed with fetal alcohol syndrome or alcohol-related birth defects.

''(b) USE OF FUNDS.—An award under subsection (a) may, subject to subsection (d), be used to—

''(1) screen and test individuals to determine the type and level of services needed;

''(2) develop a comprehensive plan for providing services to the individual;

''(3) provide mental health counseling;

''(4) provide substance abuse prevention services and treatment, if needed;

''(5) coordinate services with other social programs including social services, justice system, educational services, health services, mental health and substance abuse services, financial assistance programs, vocational services and housing assistance programs;

''(6) provide vocational services;

''(7) provide health counseling;

''(8) provide housing assistance;

''(9) parenting skills training;

''(10) overall case management;

''(11) supportive services for families of individuals with Fetal Alcohol Syndrome; and

''(12) provide other services and programs, to the extent authorized by the Secretary after consideration of recommendations made by the National Task Force on Fetal Alcohol Syndrome.

''(c) REQUIREMENTS.—To be eligible to receive an award under subsection (a), an applicant shall—

''(1) demonstrate that the program will be part of a coordinated, comprehensive system of care for such individuals;

''(2) demonstrate an established communication with other social programs in the community including social services, justice system, financial assistance programs, health services, educational services, mental health and substance abuse services, vocational services and housing assistance services;

''(3) show a history of working with individuals with fetal alcohol syndrome or alcohol-related birth defects;

''(4) provide assurance that the services will be provided in a culturally and linguistically appropriate manner; and

''(5) provide assurance that at the end of the 5-year award period, other mechanisms will be identified to meet the needs of the individuals and families served under such award.

''(d) RELATIONSHIP TO PAYMENTS UNDER OTHER PROGRAMS.—An award may be made under subsection (a) only if the applicant involved agrees that the award will not be expended to pay the expenses of providing any service under this section to an individual to the extent that payment has been made, or can reasonably be expected to be made, with respect to such expenses—

''(1) under any State compensation program, under an insurance policy, or under any Federal or State health benefits program; or

''(2) by an entity that provides health services on a prepaid basis.

''(e) DURATION OF AWARDS.—With respect to an award under subsection (a), the period during which payments under such award are made to the recipient may not exceed 5 years.

''(f) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(g) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $25,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.

''(2) ALLOCATION.—Of the amounts appropriated under paragraph (1) for a fiscal year, not less than $300,000 shall, for purposes relating to fetal alcohol syndrome and alcohol-related birth defects, be made available for collaborative, coordinated interagency efforts with the National Institute on Alcohol Abuse and Alcoholism, the National Institute on Child Health and Human Development, the Health Resources and Services Administration, the Agency for Healthcare Research and Quality, the Centers for Disease Control and Prevention, the Department of Education, and the Department of Justice.

''SEC. 519D. CENTERS OF EXCELLENCE ON SERVICES FOR INDIVIDUALS WITH FETAL ALCOHOL SYNDROME AND ALCOHOL-RELATED BIRTH DEFECTS AND TREATMENT FOR INDIVIDUALS WITH SUCH CONDITIONS AND THEIR FAMILIES.

''(a) IN GENERAL.—The Secretary shall make awards of grants, cooperative agreements, or contracts to public or nonprofit private entities for the purposes of establishing not more than 4 centers of excellence to study techniques for the prevention of fetal alcohol syndrome and alcohol-related birth defects and adaptations of innovative clinical interventions and service delivery improvements for the provision of comprehensive services to individuals with fetal alcohol syndrome or alcohol-related birth defects and their families and for providing training on such conditions.

''(b) USE OF FUNDS.—An award under subsection (a) may be used to—

''(1) study adaptations of innovative clinical interventions and service delivery improvements strategies for children and adults with fetal alcohol syndrome or alcohol-related birth defects and their families;

''(2) identify communities which have an exemplary comprehensive system of care for such individuals so that they can provide technical assistance to other communities attempting to set up such a system of care;

''(3) provide technical assistance to communities who do not have a comprehensive system of care for such individuals and their families;

''(4) train community leaders, mental health and substance abuse professionals, families, law enforcement personnel, judges, health professionals, persons working in financial assistance programs, social service personnel, child welfare professionals, and other service providers on the implications of fetal alcohol syndrome and alcohol-related birth defects, the early identification of and referral for such conditions;

''(5) develop innovative techniques for preventing alcohol use by women in child bearing years;

''(6) perform other functions, to the extent authorized by the Secretary after consideration of recommendations made by the National Task Force on Fetal Alcohol Syndrome.

''(c) REPORT.—

''(1) IN GENERAL.—A recipient of an award under subsection (a) shall at the end of the period of funding report to the Secretary on any innovative techniques that have been discovered for preventing alcohol use among women of child bearing years.

''(2) DISSEMINATION OF FINDINGS.—The Secretary shall upon receiving a report under paragraph (1) disseminate the findings to appropriate public and private entities.

''(d) DURATION OF AWARDS.—With respect to an award under subsection (a), the period during which payments under such award are made to the recipient may not exceed 5 years.

''(e) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated $5,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3111. SUICIDE PREVENTION.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq), as amended by section 3107, is further amended by adding at the end the following:

''SEC. 520E. SUICIDE PREVENTION FOR CHILDREN AND ADOLESCENTS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to States, political subdivisions of States, Indian tribes, tribal organizations, public organizations, or private nonprofit organizations to establish programs to reduce suicide deaths in the United States among children and adolescents.

''(b) COLLABORATION.—In carrying out subsection (a), the Secretary shall ensure that activities under this section are coordinated among the Substance Abuse and Mental Health Services Administration, the relevant institutes at the National Institutes of Health, the Centers for Disease Control and Prevention, the Health Resources and Services Administration, and the Administration on Children and Families.

''(c) REQUIREMENTS.—A State, political subdivision of a State, Indian tribe, tribal organization, public organization, or private nonprofit organization desiring a grant, contract, or cooperative agreement under this section shall demonstrate that the suicide prevention program such entity proposes will—

''(1) provide for the timely assessment, treatment, or referral for mental health or substance abuse services of children and adolescents at risk for suicide;

''(2) be based on best evidence-based, suicide prevention practices and strategies that are adapted to the local community;

''(3) integrate its suicide prevention program into the existing health care system in the community including primary health care, mental health services, and substance abuse services;

''(4) be integrated into other systems in the community that address the needs of children and adolescents including the educational system, juvenile justice system, welfare and child protection systems, and community youth support organizations;

''(5) use primary prevention methods to educate and raise awareness in the local community by disseminating evidence-based information about suicide prevention;

''(6) include suicide prevention, mental health, and related information and services for the families and friends of those who completed suicide, as needed;

''(7) provide linguistically appropriate and culturally competent services, as needed;

''(8) provide a plan for the evaluation of outcomes and activities at the local level, according to standards established by the Secretary, and agree to participate in a national evaluation; and

''(9) ensure that staff used in the program are trained in suicide prevention and that professionals involved in the system of care have received training in identifying persons at risk of suicide.

''(d) USE OF FUNDS.—Amounts provided under grants, contracts, or cooperative agreements under subsection (a) shall be used to supplement and not supplant other Federal, State, and local public funds that are expended to provide services for eligible individuals.

''(e) CONDITION.—An applicant for a grant, contract, or cooperative agreement under subsection (a) shall demonstrate to the Secretary that the applicant has the support of the local community and relevant public health officials.

''(f) SPECIAL POPULATIONS.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall ensure that such awards are made in a manner that will focus on the needs of communities or groups that experience high or rapidly rising rates of suicide.

''(g) APPLICATION.—A State, political subdivision of a State, Indian tribe, tribal organization, public organization, or private nonprofit organization receiving a grant, contract, or cooperative agreement under subsection (a) shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such application shall include a plan for the rigorous evaluation of activities funded under the grant, contract, or cooperative agreement, including a process and outcome evaluation.

''(h) DISTRIBUTION OF AWARDS.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall ensure that such awards are distributed among the geographical regions of the United States and between urban and rural settings.

''(i) EVALUATION.—A State, political subdivision of a State, Indian tribe, tribal organization, public organization, or private nonprofit organization receiving a grant, contract, or cooperative agreement under subsection (a) shall prepare and submit to the Secretary at the end of the program period, an evaluation of all activities funded under this section.

''(j) DISSEMINATION AND EDUCATION.—The Secretary shall ensure that findings derived

from activities carried out under this section are disseminated to State, county and local governmental agencies and public and private nonprofit organizations active in promoting suicide prevention and family support activities.

''(k) DURATION OF PROJECTS.—With respect to a grant, contract, or cooperative agreement awarded under this section, the period during which payments under such award may be made to the recipient may not exceed 5 years.

''(l) STUDY.—Within 1 year after the date of enactment of this section, the Secretary shall, directly or by grant or contract, initiate a study to assemble and analyze data to identify—

''(1) unique profiles of children under 13 who attempt or complete suicide;

''(2) unique profiles of youths between ages 13 and 21 who attempt or complete suicide; and

''(3) a profile of services which might have been available to these groups and the use of these services by children and youths from paragraphs (1) and (2).

''(m) AUTHORIZATION OF APPROPRIATION.—

''(1) IN GENERAL.—For purposes of carrying out this section, there is authorized to be appropriated $75,000,000 for fiscal year 2001 and such sums as may be necessary for each of the fiscal years 2002 through 2003.

''(2) PROGRAM MANAGEMENT.—In carrying out this section, the Secretary shall use 1 percent of the amount appropriated under paragraph (1) for each fiscal year for managing programs under this section.''.

SEC. 3112. GENERAL PROVISIONS.

(a) DUTIES OF THE CENTER FOR SUBSTANCE ABUSE TREATMENT.—Section 507(b) of the Public Health Service Act (42 U.S.C. 290bb(b)) is amended—

(1) by redesignating paragraphs (2) through (12) as paragraphs (4) through (14), respectively;

(2) by inserting after paragraph (1), the following:

''(2) ensure that emphasis is placed on children and adolescents in the development of treatment programs;

''(3) collaborate with the Attorney General to develop programs to provide substance abuse treatment services to individuals who have had contact with the Justice system, especially adolescents;'';

(3) in paragraph (7) (as so redesignated), by striking ''services, and monitor'' and all that follows through ''1925'' and inserting ''services'';

(4) in paragraph (13) (as so redesignated), by striking ''treatment, including'' and all that follows through ''which shall'' and inserting ''treatment, which shall''; and

(5) in paragraph 14 (as so redesignated), by striking ''paragraph (11)'' and inserting ''paragraph (13)''.

(b) OFFICE FOR SUBSTANCE ABUSE PREVENTION.—Section 515(b) of the Public Health Service Act (42 U.S.C. 290bb–21(b)) is amended—

(1) by redesignating paragraphs (9) and (10) as (10) and (11);

(2) by inserting after paragraph (8), the following:

''(9) collaborate with the Attorney General of the Department of Justice to develop programs to prevent drug abuse among high risk youth;''; and

(3) in paragraph (10) (as so redesignated), by striking ''public concerning'' and inserting ''public, especially adolescent audiences, concerning''.

(c) DUTIES OF THE CENTER FOR MENTAL HEALTH SERVICES.—Section 520(b) of the Public Health Service Act (42 U.S.C. 290bb–3(b)) is amended—

(1) by redesignating paragraphs (3) through (14) as paragraphs (4) through (15), respectively;

(2) by inserting after paragraph (2), the following:

''(3) collaborate with the Department of Education and the Department of Justice to develop programs to assist local communities in addressing violence among children and adolescents;'';

(3) in paragraph (8) (as so redesignated), by striking ''programs authorized'' and all that follows through ''Programs'' and inserting ''programs under part C''; and

(4) in paragraph (9) (as so redesignated), by striking ''program and programs'' and all that follows through ''303'' and inserting ''programs''.

TITLE XXXII—PROVISIONS RELATING TO MENTAL HEALTH

SEC. 3201. PRIORITY MENTAL HEALTH NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

(a) IN GENERAL.—Section 520A of the Public Health Service Act (42 U.S.C. 290bb–32) is amended to read as follows:

''SEC. 520A. PRIORITY MENTAL HEALTH NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

''(a) PROJECTS.—The Secretary shall address priority mental health needs of regional and national significance (as determined under subsection (b)) through the provision of or through assistance for—

''(1) knowledge development and application projects for prevention, treatment, and rehabilitation, and the conduct or support of evaluations of such projects;

''(2) training and technical assistance programs;

''(3) targeted capacity response programs; and

''(4) systems change grants including statewide family network grants and client-oriented and consumer run self-help activities.

The Secretary may carry out the activities described in this subsection directly or through grants or cooperative agreements with States, political subdivisions of States, Indian tribes and tribal organizations, other public or private nonprofit entities.

''(b) PRIORITY MENTAL HEALTH NEEDS.—

''(1) DETERMINATION OF NEEDS.—Priority mental health needs of regional and national significance shall be determined by the Secretary in consultation with States and other interested groups. The Secretary shall meet with the States and interested groups on an annual basis to discuss program priorities.

''(2) SPECIAL CONSIDERATION.—In developing program priorities described in paragraph (1), the Secretary shall give special consideration to promoting the integration of mental health services into primary health care systems.

''(c) REQUIREMENTS.—

''(1) IN GENERAL.—Recipients of grants, contracts, and cooperative agreements under this section shall comply with information and application requirements determined appropriate by the Secretary.

''(2) DURATION OF AWARD.—With respect to a grant, contract, or cooperative agreement awarded under this section, the period during which payments under such award are made to the recipient may not exceed 5 years.

''(3) MATCHING FUNDS.—The Secretary may, for projects carried out under subsection (a), require that entities that apply for grants, contracts, or cooperative agreements under this section provide non-Federal matching funds, as determined appropriate by the Secretary, to ensure the institutional commitment of the entity to the projects funded under the grant, contract, or cooperative agreement. Such non-Federal matching funds may be provided directly or through donations from public or private entities and may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

''(4) MAINTENANCE OF EFFORT.—With respect to activities for which a grant, contract or cooperative agreement is awarded under this section, the Secretary may require that recipients for specific projects under subsection (a) agree to maintain expenditures of non-Federal amounts for such activities at a level that is not less than the level of such expenditures maintained by the entity for the fiscal year preceding the fiscal year for which the entity receives such a grant, contract, or cooperative agreement.

''(d) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a)(1) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(e) INFORMATION AND EDUCATION.—

''(1) IN GENERAL.—The Secretary shall establish information and education programs to disseminate and apply the findings of the knowledge development and application, training, and technical assistance programs, and targeted capacity response programs, under this section to the general public, to health care professionals, and to interested groups. The Secretary shall make every effort to provide linkages between the findings of supported projects and State agencies responsible for carrying out mental health services.

''(2) RURAL AND UNDERSERVED AREAS.—In disseminating information on evidence-based practices in the provision of children's mental health services under this subsection, the Secretary shall ensure that such information is distributed to rural and medically underserved areas.

''(f) AUTHORIZATION OF APPROPRIATION.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section, $300,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.

''(2) DATA INFRASTRUCTURE.—If amounts are not appropriated for a fiscal year to carry out section 1971 with respect to mental health, then the Secretary shall make available, from the amounts appropriated for such fiscal year under paragraph (1), an amount equal to the sum of $6,000,000 and 10 percent of all amounts appropriated for such fiscal year under such paragraph in excess of $100,000,000, to carry out such section 1971.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 303 of the Public Health Service Act (42 U.S.C. 242a) is repealed.

(2) Section 520B of the Public Health Service Act (42 U.S.C. 290bb–33) is repealed.

(3) Section 612 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 290aa–3 note) is repealed.

SEC. 3202. GRANTS FOR THE BENEFIT OF HOMELESS INDIVIDUALS.

Section 506 of the Public Health Service Act (42 U.S.C. 290aa–5) is amended to read as follows:

''SEC. 506. GRANTS FOR THE BENEFIT OF HOMELESS INDIVIDUALS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts and cooperative agreements to community-based public and private nonprofit entities for the purposes of providing mental health and substance abuse services for homeless individuals. In carrying out this section, the Secretary shall consult with the Interagency Council on the Homeless, established under section 201 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11311).

''(b) PREFERENCES.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall give a preference to—

''(1) entities that provide integrated primary health, substance abuse, and mental health services to homeless individuals;

''(2) entities that demonstrate effectiveness in serving runaway, homeless, and street youth;

''(3) entities that have experience in providing substance abuse and mental health services to homeless individuals;

''(4) entities that demonstrate experience in providing housing for individuals in treatment for or in recovery from mental illness or substance abuse; and

''(5) entities that demonstrate effectiveness in serving homeless veterans.

''(c) SERVICES FOR CERTAIN INDIVIDUALS.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall not—

''(1) prohibit the provision of services under such subsection to homeless individuals who are suffering from a substance abuse disorder and are not suffering from a mental health disorder; and

''(2) make payments under subsection (a) to any entity that has a policy of—

''(A) excluding individuals from mental health services due to the existence or suspicion of substance abuse; or

''(B) has a policy of excluding individuals from substance abuse services due to the existence or suspicion of mental illness.

''(d) TERM OF THE AWARDS.—No entity may receive a grant, contract, or cooperative agreement under subsection (a) for more than 5 years.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $50,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

SEC. 3203. PROJECTS FOR ASSISTANCE IN TRANSITION FROM HOMELESSNESS.

(a) WAIVERS FOR TERRITORIES.—Section 522 of the Public Health Service Act (42 U.S.C. 290cc–22) is amended by adding at the end the following:

''(i) WAIVER FOR TERRITORIES.—With respect to the United States Virgin Islands, Guam, American Samoa, Palau, the Marshall Islands, and the Commonwealth of the Northern Mariana Islands, the Secretary may waive the provisions of this part that the Secretary determines to be appropriate.''.

(b) AUTHORIZATION OF APPROPRIATION.—Section 535(a) of the Public Health Service Act (42 U.S.C. 290cc–35(a)) is amended by striking ''1991 through 1994'' and inserting ''2001 through 2003''.

SEC. 3204. COMMUNITY MENTAL HEALTH SERVICES PERFORMANCE PARTNERSHIP BLOCK GRANT.

(a) CRITERIA FOR PLAN.—Section 1912(b) of the Public Health Service Act (42 U.S.C. 300x–2(b)) is amended by striking paragraphs (1) through (12) and inserting the following:

''(1) COMPREHENSIVE COMMUNITY-BASED MENTAL HEALTH SYSTEMS.—The plan provides for an organized community-based system of care for individuals with mental illness and describes available services and resources in a comprehensive system of care, including services for dually diagnosed individuals. The description of the system of care shall include health and mental health services, rehabilitation services, employment services, housing services, educational services, substance abuse services, medical and dental care, and other support services to be provided to individuals with Federal, State and local public and private resources to enable such individuals to function outside of inpatient or residential institutions to the maximum extent of their capabilities, including services to be provided by local school systems under the Individuals with Disabilities Education Act. The plan shall include a separate description of case management services and provide for activities leading to reduction of hospitalization.

''(2) MENTAL HEALTH SYSTEM DATA AND EPIDEMIOLOGY.—The plan contains an estimate of the incidence and prevalence in the State of serious mental illness among adults and serious emotional disturbance among children and presents quantitative targets to be achieved in the implementation of the system described in paragraph (1).

''(3) CHILDREN'S SERVICES.—In the case of children with serious emotional disturbance, the plan—

''(A) subject to subparagraph (B), provides for a system of integrated social services, educational services, juvenile services, and substance abuse services that, together with health and mental health services, will be provided in order for such children to receive care appropriate for their multiple needs (such system to include services provided under the Individuals with Disabilities Education Act);

''(B) provides that the grant under section 1911 for the fiscal year involved will not be expended to provide any service under such system other than comprehensive community mental health services; and

''(C) provides for the establishment of a defined geographic area for the provision of the services of such system.

''(4) TARGETED SERVICES TO RURAL AND HOMELESS POPULATIONS.—The plan describes the State's outreach to and services for individuals who are homeless and how community-based services will be provided to individuals residing in rural areas.

''(5) MANAGEMENT SYSTEMS.—The plan describes the financial resources, staffing and training for mental health providers that is necessary to implement the plan, and provides for the training of providers of emergency health services regarding mental health. The plan further describes the manner in which the State intends to expend the grant under section 1911 for the fiscal year involved.

Except as provided for in paragraph (3), the State plan shall contain the information required under this subsection with respect to both adults with serious mental illness and children with serious emotional disturbance.''.

(b) REVIEW OF PLANNING COUNCIL OF STATE'S REPORT.—Section 1915(a) of the Public Health Service Act (42 U.S.C. 300x–4(a)) is amended—

(1) in paragraph (1), by inserting ''and the report of the State under section 1942(a) concerning the preceding fiscal year'' after ''to the grant''; and

(2) in paragraph (2), by inserting before the period ''and any comments concerning the annual report''.

(c) MAINTENANCE OF EFFORT.—Section 1915(b) of the Public Health Service Act (42 U.S.C. 300x–4(b)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1), the following:

''(2) EXCLUSION OF CERTAIN FUNDS.—The Secretary may exclude from the aggregate State expenditures under subsection (a), funds appropriated to the principle agency for authorized activities which are of a non-recurring nature and for a specific purpose.''.

(d) APPLICATION FOR GRANTS.—Section 1917(a)(1) of the Public Health Service Act (42 U.S.C. 300x–6(a)(1)) is amended to read as follows:

''(1) the plan is received by the Secretary not later than September 1 of the fiscal year prior to the fiscal year for which a State is seeking funds, and the report from the previous fiscal year as required under section 1941 is received by December 1 of the fiscal year of the grant;''.

(e) WAIVERS FOR TERRITORIES.—Section 1917(b) of the Public Health Service Act (42 U.S.C. 300x–6(b)) is amended by striking ''whose allotment under section 1911 for the fiscal year is the amount specified in section 1918(c)(2)(B)'' and inserting in its place ''except Puerto Rico''.

(f) AUTHORIZATION OF APPROPRIATION.—Section 1920 of the Public Health Service Act (42 U.S.C. 300x–9) is amended—

(1) in subsection (a), by striking ''$450,000,000'' and all that follows through the end and inserting ''$450,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''; and

(2) in subsection (b)(2), by striking ''section 505'' and inserting ''sections 505 and 1971''.

SEC. 3205. DETERMINATION OF ALLOTMENT.

Section 1918(b) of the Public Health Service Act (42 U.S.C. 300x–7(b)) is amended to read as follows:

''(b) MINIMUM ALLOTMENTS FOR STATES.—With respect to fiscal year 2000, and subsequent fiscal years, the amount of the allotment of a State under section 1911 shall not be less than the amount the State received under such section for fiscal year 1998.''.

SEC. 3206. PROTECTION AND ADVOCACY FOR MENTALLY ILL INDIVIDUALS ACT OF 1986.

(a) SHORT TITLE.—The first section of the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (Public Law 99–319) is amended to read as follows:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Protection and Advocacy for Individuals with Mental Illness Act'.''.

(b) DEFINITIONS.—Section 102 of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10802) is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting '', except as provided in section 104(d),'' after ''means'';

(B) in subparagraph (B)—

(i) by striking ''(i)'' who'' and inserting ''(i)(I) who'';

(ii) by redesignating clauses (ii) and (iii) as subclauses (II) and (III);

(iii) in subclause (III) (as so redesignated), by striking the period and inserting ''; or''; and

(iv) by adding at the end the following:

''(ii) who satisfies the requirements of subparagraph (A) and lives in a community setting, including their own home.''; and

(2) by adding at the end the following:

''(8) The term 'American Indian consortium' means a consortium established under part C of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6042 et seq.).''.

(c) USE OF ALLOTMENTS.—Section 104 of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10804) is amended by adding at the end the following:

''(d) The definition of 'individual with a mental illness' contained in section 102(4)(B)(iii) shall apply, and thus an eligible system may use its allotment under this title to provide representation to such individuals, only if the total allotment under this title for any fiscal year is $30,000,000 or more, and in such case, an eligible system must give priority to representing persons with mental illness as defined in subparagraphs (A) and (B)(i) of section 102(4).''.

(d) MINIMUM AMOUNT.—Paragraph (2) of section 112(a) of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10822(a)(2)) is amended to read as follows:

''(2)(A) The minimum amount of the allotment of an eligible system shall be the product (rounded to the nearest $100) of the appropriate base amount determined under subparagraph (B) and the factor specified in subparagraph (C).

''(B) For purposes of subparagraph (A), the appropriate base amount—

''(i) for American Samoa, Guam, the Marshall Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, and the Virgin Islands, is $139,300; and

''(ii) for any other State, is $260,000.

''(C) The factor specified in this subparagraph is the ratio of the amount appropriated under section 117 for the fiscal year for which the allotment is being made to the amount appropriated under such section for fiscal year 1995.

''(D) If the total amount appropriated for a fiscal year is at least $25,000,000, the Secretary shall make an allotment in accordance with subparagraph (A) to the eligible system serving the American Indian consortium.''.

(e) TECHNICAL AMENDMENTS.—Section 112(a) of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10822(a)) is amended—

(1) in paragraph (1)(B), by striking ''Trust Territory of the Pacific Islands'' and inserting ''Marshall Islands, the Federated States of Micronesia, the Republic of Palau''; and

(2) by striking paragraph (3).

(f) REAUTHORIZATION.—Section 117 of the Protection and Advocacy for Individuals with Mental Illness Act (as amended by subsection (a)) (42 U.S.C. 10827) is amended by striking ''1995'' and inserting ''2003''.

SEC. 3207. REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN FACILITIES.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

''PART H—REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN FACILITIES

''SEC. 591. REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN FACILITIES.

''(a) IN GENERAL.—A public or private general hospital, nursing facility, intermediate care facility, or other health care facility, that receives support in any form from any program supported in whole or in part with funds appropriated to any Federal department or agency shall protect and promote the rights of each resident of the facility, including the right to be free from physical or mental abuse, corporal punishment, and any restraints or involuntary seclusions imposed for purposes of discipline or convenience.

''(b) REQUIREMENTS.—Restraints and seclusion may only be imposed on a resident of a facility described in subsection (a) if—

''(1) the restraints or seclusion are imposed to ensure the physical safety of the resident, a staff member, or others; and

''(2) the restraints or seclusion are imposed only upon the written order of a physician, or other licensed practitioner permitted by the State and the facility to order such restraint or seclusion, that specifies the duration and circumstances under which the restraints are to be used (except in emergency circumstances specified by the Secretary until such an order could reasonably be obtained).

''(c) CURRENT LAW.—This part shall not be construed to affect or impede any Federal or State law or regulations that provide greater protections than this part regarding seclusion and restraint.

''(d) DEFINITIONS.—In this section:

''(1) RESTRAINTS.—The term 'restraints' means—

''(A) any physical restraint that is a mechanical or personal restriction that immobilizes or reduces the ability of an individual to move his or her arms, legs, or head freely, not including devices, such as orthopedically prescribed devices, surgical dressings or bandages, protective helmets, or any other methods that involves the physical holding of a resident for the purpose of conducting routine physical examinations or tests or to protect the resident from falling out of bed or to permit the resident to participate in activities without the risk of physical harm to the resident (such term does not include a physical escort); and

''(B) a drug or medication that is used as a restraint to control behavior or restrict the resident's freedom of movement that is not a standard treatment for the resident's medical or psychiatric condition.

''(2) SECLUSION.—The term 'seclusion' means a behavior control technique involving locked isolation. Such term does not include a time out.

''(3) PHYSICAL ESCORT.—The term 'physical escort' means the temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a resident who is acting out to walk to a safe location.

''(4) TIME OUT.—The term 'time out' means a behavior management technique that is part of an approved treatment program and may involve the separation of the resident from the group, in a non-locked setting, for the purpose of calming. Time out is not seclusion.

''SEC. 592. REPORTING REQUIREMENT.

''(a) IN GENERAL.— Each facility to which the Protection and Advocacy for Mentally Ill Individuals Act of 1986 applies shall notify the appropriate agency, as determined by the Secretary, of each death that occurs at each such facility while a patient is restrained or in seclusion, of each death occurring within 24 hours after the patient has been removed from restraints and seclusion, or where it is reasonable to assume that a patient's death is a result of such seclusion or restraint. A notification under this section shall include the name of the resident and shall be provided not later than 7 days after the date of the death of the individual involved.

''(b) FACILITY.—In this section, the term 'facility' has the meaning given the term 'facilities' in section 102(3) of the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10802(3)).''.

''SEC. 593. REGULATIONS AND ENFORCEMENT.

''(a) TRAINING.—Not later than 1 year after the date of enactment of this part, the Secretary, after consultation with appropriate State and local protection and advocacy organizations, physicians, facilities, and other health care professionals and patients, shall promulgate regulations that require facilities to which the Protection and Advocacy for Mentally Ill Individuals Act of 1986 (42 U.S.C. 10801 et seq.) applies, to meet the requirements of subsection (b).

''(b) REQUIREMENTS.—The regulations promulgated under subsection (a) shall require that—

''(1) facilities described in subsection (a) ensure that there is an adequate number of qualified professional and supportive staff to evaluate patients, formulate written individualized, comprehensive treatment plans, and to provide active treatment measures;

''(2) appropriate training be provided for the staff of such facilities in the use of restraints and any alternatives to the use of restraints; and

''(3) such facilities provide complete and accurate notification of deaths, as required under section 592(a).

''(c) ENFORCEMENT.—A facility to which this part applies that fails to comply with any requirement of this part, including a failure to provide appropriate training, shall not be eligible for participation in any program supported in whole or in part by funds appropriated to any Federal department or agency.''.

SEC. 3208. REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN NON-MEDICAL, COMMUNITY-BASED FACILITIES FOR CHILDREN AND YOUTH.

Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.), as amended by section 3207, is further amended by adding at the end the following:

''PART I—REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN NON-MEDICAL, COMMUNITY-BASED FACILITIES FOR CHILDREN AND YOUTH

''SEC. 595. REQUIREMENT RELATING TO THE RIGHTS OF RESIDENTS OF CERTAIN NON-MEDICAL, COMMUNITY-BASED FACILITIES FOR CHILDREN AND YOUTH.

''(a) PROTECTION OF RIGHTS.—

''(1) IN GENERAL.—A public or private non-medical, community-based facility for children and youth (as defined in regulations to be promulgated by the Secretary) that receives support in any form from any program supported in whole or in part with funds appropriated under this Act shall protect and promote the rights of each resident of the facility, including the right to be free from physical or mental abuse, corporal punishment, and any restraints or involuntary seclusions imposed for purposes of discipline or convenience.

''(2) NONAPPLICABILITY.—Notwithstanding this part, a facility that provides inpatient psychiatric treatment services for individuals under the age of 21, as authorized and defined in subsections (a)(16) and (h) of section 1905 of the Social Security Act, shall comply with the requirements of part H.

''(3) APPLICABILITY OF MEDICAID PROVISIONS.—A non-medical, community-based facility for children and youth funded under the medicaid program under title XIX of the Social Security Act shall continue to meet all existing requirements for participation in such program that are not affected by this part.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—Physical restraints and seclusion may only be imposed on a resident of a facility described in subsection (a) if—

''(A) the restraints or seclusion are imposed only in emergency circumstances and only to ensure the immediate physical safety of the resident, a staff member, or others and less restrictive interventions have been determined to be ineffective; and

''(B) the restraints or seclusion are imposed only by an individual trained and certified, by a State-recognized body (as defined in regulation promulgated by the Secretary) and pursuant to a process determined appropriate by the State and approved by the Secretary, in the prevention and use of physical restraint and seclusion, including the needs and behaviors of the population served, relationship building, alternatives to restraint and seclusion, de-escalation methods, avoiding power struggles, thresholds for restraints and seclusion, the physiological and psychological impact of restraint and seclusion, monitoring physical signs of distress and obtaining medical assistance, legal issues, position asphyxia, escape and evasion techniques, time limits, the process for obtaining approval for continued restraints, procedures to address problematic restraints, documentation, processing with children, and follow-up with staff, and investigation of injuries and complaints.

''(2) INTERIM PROCEDURES RELATING TO TRAINING AND CERTIFICATION.—

''(A) IN GENERAL.—Until such time as the State develops a process to assure the proper training and certification of facility personnel in the skills and competencies referred in paragraph (1)(B), the facility involved shall develop and implement an interim procedure that meets the requirements of subparagraph (B).

''(B) REQUIREMENTS.—A procedure developed under subparagraph (A) shall—

''(i) ensure that a supervisory or senior staff person with training in restraint and seclusion who is competent to conduct a face-to-face assessment (as defined in regulations promulgated by the Secretary), will assess the mental and physical well-being of the child or youth being restrained or secluded and assure that the restraint or seclusion is being done in a safe manner;

''(ii) ensure that the assessment required under clause (i) take place as soon as practicable, but in no case later than 1 hour after the initiation of the restraint or seclusion; and

''(iii) ensure that the supervisory or senior staff person continues to monitor the situation for the duration of the restraint and seclusion.

''(3) LIMITATIONS.—

''(A) IN GENERAL.—The use of a drug or medication that is used as a restraint to control behavior or restrict the resident's freedom of movement that is not a standard treatment for the resident's medical or psychiatric condition in nonmedical community-based facilities for children and youth described in subsection (a)(1) is prohibited.

''(B) PROHIBITION.—The use of mechanical restraints in non-medical, community-based facilities for children and youth described in subsection (a)(1) is prohibited.

''(C) LIMITATION.—A non-medical, community-based facility for children and youth described in subsection (a)(1) may only use seclusion when a staff member is continuously face-to-face monitoring the resident and when strong licensing or accreditation and internal controls are in place.

''(c) RULE OF CONSTRUCTION.—

''(1) IN GENERAL.—Nothing in this section shall be construed as prohibiting the use of restraints for medical immobilization, adaptive support, or medical protection.

''(2) CURRENT LAW.—This part shall not be construed to affect or impede any Federal or State law or regulations that provide greater protections than this part regarding seclusion and restraint.

''(d) DEFINITIONS.—In this section:

''(1) MECHANICAL RESTRAINT.—The term 'mechanical restraint' means the use of devices as a means of restricting a resident's freedom of movement.

''(2) PHYSICAL ESCORT.—The term 'physical escort' means the temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a resident who is acting out to walk to a safe location.

''(3) PHYSICAL RESTRAINT.—The term 'physical restraint' means a personal restriction that immobilizes or reduces the ability of an individual to move his or her arms, legs, or head freely. Such term does not include a physical escort.

''(4) SECLUSION.—The term 'seclusion' means a behavior control technique involving locked isolation. Such term does not include a time out.

''(5) TIME OUT.—The term 'time out' means a behavior management technique that is part of an approved treatment program and may involve the separation of the resident from the group, in a non-locked setting, for the purpose of calming. Time out is not seclusion.

''SEC. 595A. REPORTING REQUIREMENT.

''Each facility to which this part applies shall notify the appropriate State licensing or regulatory agency, as determined by the Secretary—

''(1) of each death that occurs at each such facility. A notification under this section shall include the name of the resident and shall be provided not later than 24 hours after the time of the individuals death; and

''(2) of the use of seclusion or restraints in accordance with regulations promulgated by the Secretary, in consultation with the States.

''SEC. 595B. REGULATIONS AND ENFORCEMENT.

''(a) TRAINING.—Not later than 6 months after the date of enactment of this part, the Secretary, after consultation with appropriate State, local, public and private protection and advocacy organizations, health care professionals, social workers, facilities, and patients, shall promulgate regulations that—

''(1) require States that license non-medical, community-based residential facilities for children and youth to develop licensing rules and monitoring requirements concerning behavior management practice that will ensure compliance with Federal regulations and to meet the requirements of subsection (b);

''(2) require States to develop and implement such licensing rules and monitoring requirements within 1 year after the promulgation of the regulations referred to in the matter preceding paragraph (1); and

''(3) support the development of national guidelines and standards on the quality, quantity, orientation and training, required under this part, as well as the certification or licensure of those staff responsible for the implementation of behavioral intervention concepts and techniques.

''(b) REQUIREMENTS.—The regulations promulgated under subsection (a) shall require—

''(1) that facilities described in subsection (a) ensure that there is an adequate number of qualified professional and supportive staff to evaluate residents, formulate written individualized, comprehensive treatment plans, and to provide active treatment measures;

''(2) the provision of appropriate training and certification of the staff of such facilities in the prevention and use of physical restraint and seclusion, including the needs and behaviors of the population served, relationship building, alternatives to restraint, de-escalation methods, avoiding power struggles, thresholds for restraints, the physiological impact of restraint and seclusion, monitoring physical signs of distress and obtaining medical assistance, legal issues, position asphyxia, escape and evasion techniques, time limits for the use of restraint and seclusion, the process for obtaining approval for continued restraints and seclusion, procedures to address problematic restraints, documentation, processing with children, and follow-up with staff, and investigation of injuries and complaints; and

''(3) that such facilities provide complete and accurate notification of deaths, as required under section 595A(1).

''(c) ENFORCEMENT.—A State to which this part applies that fails to comply with any requirement of this part, including a failure to provide appropriate training and certification, shall not be eligible for participation in any program supported in whole or in part by funds appropriated under this Act.''.

SEC. 3209. EMERGENCY MENTAL HEALTH CENTERS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3111, is further amended by adding at the end the following:

''SEC. 520F. GRANTS FOR EMERGENCY MENTAL HEALTH CENTERS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall award grants to States, political subdivisions of States, Indian tribes, and tribal organizations to support the designation of hospitals and health centers as Emergency Mental Health Centers.

''(b) HEALTH CENTER.—In this section, the term 'health center' has the meaning given such term in section 330, and includes community health centers and community mental health centers.

''(c) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that such grants awarded under subsection (a) are equitably distributed among the geographical regions of the United States, between urban and rural populations, and between different settings of care including health centers, mental health centers, hospitals, and other psychiatric units or facilities.

''(d) APPLICATION.—A State, political subdivision of a State, Indian tribe, or tribal organization that desires a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a plan for the rigorous evaluation of activities carried out with funds received under this section.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—A State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) shall use funds from such grant to establish or designate hospitals and health centers as Emergency Mental Health Centers.

''(2) EMERGENCY MENTAL HEALTH CENTERS.—Such Emergency Mental Health Centers described in paragraph (1)—

''(A) shall—

''(i) serve as a central receiving point in the community for individuals who may be in need of emergency mental health services;

''(ii) purchase, if needed, any equipment necessary to evaluate, diagnose and stabilize an individual with a mental illness;

''(iii) provide training, if needed, to the medical personnel staffing the Emergency Mental Health Center to evaluate, diagnose, stabilize, and treat an individual with a mental illness; and

''(iv) provide any treatment that is necessary for an individual with a mental illness or a referral for such individual to another facility where such treatment may be received; and

''(B) may establish and train a mobile crisis intervention team to respond to mental health emergencies within the community.

''(f) EVALUATION.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant under subsection (a) shall prepare and submit an evaluation to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including an evaluation of activities carried out with funds received under this section and a process and outcomes evaluation.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $25,000,000 for fiscal year 2001 and such sums as may be necessary for each of the fiscal years 2002 through 2003.''.

SEC. 3210. GRANTS FOR JAIL DIVERSION PROGRAMS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3209, is further amended by adding at the end the following:

''SEC. 520G. GRANTS FOR JAIL DIVERSION PROGRAMS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall make up to 125 grants to States, political subdivisions of States, Indian tribes, and tribal organizations, acting directly or through agreements with other public or nonprofit entities, to develop and implement programs to divert individuals with a mental illness from the criminal justice system to community-based services.

''(b) ADMINISTRATION.—

''(1) CONSULTATION.—The Secretary shall consult with the Attorney General and any other appropriate officials in carrying out this section.

''(2) REGULATORY AUTHORITY.—The Secretary shall issue regulations and guidelines necessary to carry out this section, including methodologies and outcome measures for evaluating programs carried out by States, political subdivisions of States, Indian tribes, and tribal organizations receiving grants under subsection (a).

''(c) APPLICATIONS.—

''(1) IN GENERAL.—To receive a grant under subsection (a), the chief executive of a State, chief executive of a subdivision of a State, Indian tribe or tribal organization shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary shall reasonably require.

''(2) CONTENT.—Such application shall—

''(A) contain an assurance that—

''(i) community-based mental health services will be available for the individuals who are diverted from the criminal justice system, and that such services are based on the best known practices, reflect current research findings, include case management, assertive community treatment, medication management and access, integrated mental health and co-occurring substance abuse treatment, and psychiatric rehabilitation, and will be coordinated with social services, including life skills training, housing placement, vocational training, education job placement, and health care;

''(ii) there has been relevant interagency collaboration between the appropriate criminal justice, mental health, and substance abuse systems; and

''(iii) the Federal support provided will be used to supplement, and not supplant, State, local, Indian tribe, or tribal organization sources of funding that would otherwise be available;

''(B) demonstrate that the diversion program will be integrated with an existing system of care for those with mental illness;

''(C) explain the applicant's inability to fund the program adequately without Federal assistance;

''(D) specify plans for obtaining necessary support and continuing the proposed program following the conclusion of Federal support; and

''(E) describe methodology and outcome measures that will be used in evaluating the program.

''(d) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant under subsection (a) may use funds received under such grant to—

''(1) integrate the diversion program into the existing system of care;

''(2) create or expand community-based mental health and co-occurring mental illness and substance abuse services to accommodate the diversion program;

''(3) train professionals involved in the system of care, and law enforcement officers, attorneys, and judges; and

''(4) provide community outreach and crisis intervention.

''(e) FEDERAL SHARE.—

''(1) IN GENERAL.—The Secretary shall pay to a State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) the Federal share of the cost of activities described in the application.

''(2) FEDERAL SHARE.—The Federal share of a grant made under this section shall not exceed 75 percent of the total cost of the program carried out by the State, political subdivision of a State, Indian tribe, or tribal organization. Such share shall be used for new expenses of the program carried out by such State, political subdivision of a State, Indian tribe, or tribal organization.

''(3) NON-FEDERAL SHARE.—The non-Federal share of payments made under this section may be made in cash or in kind fairly evaluated, including planned equipment or services. The Secretary may waive the requirement of matching contributions.

''(f) GEOGRAPHIC DISTRIBUTION.—The Secretary shall ensure that such grants awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(g) TRAINING AND TECHNICAL ASSISTANCE.—Training and technical assistance may be provided by the Secretary to assist a State, political subdivision of a State, Indian tribe, or tribal organization receiving a grant under subsection (a) in establishing and operating a diversion program.

''(h) EVALUATIONS.—The programs described in subsection (a) shall be evaluated not less than 1 time in every 12-month period using the methodology and outcome measures identified in the grant application.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2003.''.

SEC. 3211. IMPROVING OUTCOMES FOR CHILDREN AND ADOLESCENTS THROUGH SERVICES INTEGRATION BETWEEN CHILD WELFARE AND MENTAL HEALTH SERVICES.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3210, is further amended by adding at the end the following:

''SEC. 520H. IMPROVING OUTCOMES FOR CHILDREN AND ADOLESCENTS THROUGH SERVICES INTEGRATION BETWEEN CHILD WELFARE AND MENTAL HEALTH SERVICES.

''(a) IN GENERAL.—The Secretary shall award grants, contracts or cooperative agreements to States, political subdivisions of States, Indian tribes, and tribal organizations to provide integrated child welfare and mental health services for children and adolescents under 19 years of age in the child welfare system or at risk for becoming part of the system, and parents or caregivers with a mental illness or a mental illness and a co-occurring substance abuse disorder.

''(b) DURATION.—With respect to a grant, contract or cooperative agreement awarded under this section, the period during which payments under such award are made to the recipient may not exceed 5 years.

''(c) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive an award under subsection (a), a State, political subdivision of a State, Indian tribe, or tribal organization shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(2) CONTENT.—An application submitted under paragraph (1) shall—

''(A) describe the program to be funded under the grant, contract or cooperative agreement;

''(B) explain how such program reflects best practices in the provision of child welfare and mental health services; and

''(C) provide assurances that—

''(i) persons providing services under the grant, contract or cooperative agreement are adequately trained to provide such services; and

''(ii) the services will be provided in accordance with subsection (d).

''(d) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, or tribal organization that receives a grant, contract, or cooperative agreement under subsection (a) shall use amounts made available through such grant, contract or cooperative agreement to—

''(1) provide family-centered, comprehensive, and coordinated child welfare and mental health services, including prevention, early intervention and treatment services for children and adolescents, and for their parents or caregivers;

''(2) ensure a single point of access for such coordinated services;

''(3) provide integrated mental health and substance abuse treatment for children, adolescents, and parents or caregivers with a mental illness and a co-occurring substance abuse disorder;

''(4) provide training for the child welfare, mental health and substance abuse professionals who will participate in the program carried out under this section;

''(5) provide technical assistance to child welfare and mental health agencies;

''(6) develop cooperative efforts with other service entities in the community, including education, social services, juvenile justice, and primary health care agencies;

''(7) coordinate services with services provided under the medicaid program and the State Children's Health Insurance Program under titles XIX and XXI of the Social Security Act;

''(8) provide linguistically appropriate and culturally competent services; and

''(9) evaluate the effectiveness and cost-efficiency of the integrated services that measure the level of coordination, outcome measures for parents or caregivers with a mental illness or a mental illness and a co-occurring substance abuse disorder, and outcome measures for children.

''(e) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that grants, contracts, and cooperative agreements awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(f) EVALUATION.—The Secretary shall evaluate each program carried out by a State, political subdivision of a State, Indian tribe, or tribal organization under subsection (a) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2001, and such sums as may be necessary for each of fiscal years 2002 and 2003.''.

SEC. 3212. GRANTS FOR THE INTEGRATED TREATMENT OF SERIOUS MENTAL ILLNESS AND CO-OCCURRING SUBSTANCE ABUSE.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3211, is further amended by adding at the end the following:

''SEC. 520I. GRANTS FOR THE INTEGRATED TREATMENT OF SERIOUS MENTAL ILLNESS AND CO-OCCURRING SUBSTANCE ABUSE.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to States, political subdivisions of States, Indian tribes, tribal organizations, and private nonprofit organizations for the development or expansion of programs to provide integrated treatment services for individuals with a serious mental illness and a co-occurring substance abuse disorder.

''(b) PRIORITY.—In awarding grants, contracts, and cooperative agreements under subsection (a), the Secretary shall give priority to applicants that emphasize the provision of services for individuals with a serious mental illness and a co-occurring substance abuse disorder who—

''(1) have a history of interactions with law enforcement or the criminal justice system;

''(2) have recently been released from incarceration;

''(3) have a history of unsuccessful treatment in either an inpatient or outpatient setting;

''(4) have never followed through with outpatient services despite repeated referrals; or

''(5) are homeless.

''(c) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, contract, or cooperative agreement under subsection (a) shall use funds received under such grant—

''(1) to provide fully integrated services rather than serial or parallel services;

''(2) to employ staff that are cross-trained in the diagnosis and treatment of both serious mental illness and substance abuse;

''(3) to provide integrated mental health and substance abuse services at the same location;

''(4) to provide services that are linguistically appropriate and culturally competent;

''(5) to provide at least 10 programs for integrated treatment of both mental illness and substance abuse at sites that previously provided only mental health services or only substance abuse services; and

''(6) to provide services in coordination with other existing public and private community programs.

''(d) CONDITION.—The Secretary shall ensure that a State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, contract, or cooperative agreement under subsection (a) maintains the level of effort necessary to sustain existing mental health and substance abuse programs for other populations served by mental health systems in the community.

''(e) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that grants, contracts, or cooperative agreements awarded under subsection (a) are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(f) DURATION.—The Secretary shall award grants, contract, or cooperative agreements under this subsection for a period of not more than 5 years.

''(g) APPLICATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that desires a grant, contract, or cooperative agreement under this subsection shall prepare and submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall include a plan for the rigorous evaluation of activities funded with an award under such subsection, including a process and outcomes evaluation.

''(h) EVALUATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or private nonprofit organization that receives a grant, contract, or cooperative agreement under this subsection shall prepare and submit a plan

for the rigorous evaluation of the program funded under such grant, contract, or agreement, including both process and outcomes evaluation, and the submission of an evaluation at the end of the project period.

''(i) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated to carry out this subsection $40,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 through 2003.''.

SEC. 3213. TRAINING GRANTS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 3212, is further amended by adding at the end the following:

''SEC. 520J. TRAINING GRANTS.

''(a) IN GENERAL.—The Secretary shall award grants in accordance with the provisions of this section.

''(b) MENTAL ILLNESS AWARENESS TRAINING GRANTS.—

''(1) IN GENERAL.—The Secretary shall award grants to States, political subdivisions of States, Indian tribes, tribal organizations, and nonprofit private entities to train teachers and other relevant school personnel to recognize symptoms of childhood and adolescent mental disorders, to refer family members to the appropriate mental health services if necessary, to train emergency services personnel to identify and appropriately respond to persons with a mental illness, and to provide education to such teachers and personnel regarding resources that are available in the community for individuals with a mental illness.

''(2) EMERGENCY SERVICES PERSONNEL.—In this subsection, the term 'emergency services personnel' includes paramedics, firefighters, and emergency medical technicians.

''(3) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that such grants awarded under this subsection are equitably distributed among the geographical regions of the United States and between urban and rural populations.

''(4) APPLICATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or nonprofit private entity that desires a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including a plan for the rigorous evaluation of activities that are carried out with funds received under a grant under this subsection.

''(5) USE OF FUNDS.—A State, political subdivision of a State, Indian tribe, tribal organization, or nonprofit private entity receiving a grant under this subsection shall use funds from such grant to—

''(A) train teachers and other relevant school personnel to recognize symptoms of childhood and adolescent mental disorders and appropriately respond;

''(B) train emergency services personnel to identify and appropriately respond to persons with a mental illness; and

''(C) provide education to such teachers and personnel regarding resources that are available in the community for individuals with a mental illness.

''(6) EVALUATION.—A State, political subdivision of a State, Indian tribe, tribal organization, or nonprofit private entity that receives a grant under this subsection shall prepare and submit an evaluation to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including an evaluation of activities carried out with funds received under the grant under this subsection and a process and outcome evaluation.

''(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection, $25,000,000 for fiscal year 2001 and such sums as may be necessary for each of fiscal years 2002 through 2003.''.

TITLE XXXIII—PROVISIONS RELATING TO SUBSTANCE ABUSE

SEC. 3301. PRIORITY SUBSTANCE ABUSE TREATMENT NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

(a) RESIDENTIAL TREATMENT PROGRAMS FOR PREGNANT AND POSTPARTUM WOMEN.—Section 508(r) of the Public Health Service Act (42 U.S.C. 290bb–1(r)) is amended to read as follows:

''(r) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary to fiscal years 2001 through 2003.''.

(b) PRIORITY SUBSTANCE ABUSE TREATMENT.—Section 509 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended to read as follows:

''SEC. 509. PRIORITY SUBSTANCE ABUSE TREATMENT NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

''(a) PROJECTS.—The Secretary shall address priority substance abuse treatment needs of regional and national significance (as determined under subsection (b)) through the provision of or through assistance for—

''(1) knowledge development and application projects for treatment and rehabilitation and the conduct or support of evaluations of such projects;

''(2) training and technical assistance; and

''(3) targeted capacity response programs.

The Secretary may carry out the activities described in this section directly or through grants or cooperative agreements with States, political subdivisions of States, Indian tribes and tribal organizations, other public or nonprofit private entities.

''(b) PRIORITY SUBSTANCE ABUSE TREATMENT NEEDS.—

''(1) IN GENERAL.—Priority substance abuse treatment needs of regional and national significance shall be determined by the Secretary after consultation with States and other interested groups. The Secretary shall meet with the States and interested groups on an annual basis to discuss program priorities.

''(2) SPECIAL CONSIDERATION.—In developing program priorities under paragraph (1), the Secretary shall give special consideration to promoting the integration of substance abuse treatment services into primary health care systems.

''(c) REQUIREMENTS.—

''(1) IN GENERAL.—Recipients of grants, contracts, or cooperative agreements under this section shall comply with information and application requirements determined appropriate by the Secretary.

''(2) DURATION OF AWARD.—With respect to a grant, contract, or cooperative agreement awarded under this section, the period during which payments under such award are made to the recipient may not exceed 5 years.

''(3) MATCHING FUNDS.—The Secretary may, for projects carried out under subsection (a), require that entities that apply for grants, contracts, or cooperative agreements under that project provide non-Federal matching funds, as determined appropriate by the Secretary, to ensure the institutional commitment of the entity to the projects funded under the grant, contract, or cooperative agreement. Such non-Federal matching funds may be provided directly or through donations from public or private entities and may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

''(4) MAINTENANCE OF EFFORT.—With respect to activities for which a grant, contract, or cooperative agreement is awarded under this section, the Secretary may require that recipients for specific projects under subsection (a) agree to maintain expenditures of non-Federal amounts for such activities at a level that is not less than the level of such expenditures maintained by the entity for the fiscal year preceding the fiscal year for which the entity receives such a grant, contract, or cooperative agreement.

''(d) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a)(1) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(e) INFORMATION AND EDUCATION.—The Secretary shall establish comprehensive information and education programs to disseminate and apply the findings of the knowledge development and application, training and technical assistance programs, and targeted capacity response programs under this section to the general public, to health professionals and other interested groups. The Secretary shall make every effort to provide linkages between the findings of supported projects and State agencies responsible for carrying out substance abuse prevention and treatment programs.

''(f) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated to carry out this section, $300,000,000 for fiscal year 2001 and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

(c) CONFORMING AMENDMENTS.—The following sections of the Public Health Service Act are repealed:

(1) Section 510 (42 U.S.C. 290bb–3).
(2) Section 511 (42 U.S.C. 290bb–4).
(3) Section 512 (42 U.S.C. 290bb–5).
(4) Section 571 (42 U.S.C. 290gg).

SEC. 3302. PRIORITY SUBSTANCE ABUSE PREVENTION NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

(a) IN GENERAL.—Section 516 of the Public Health Service Act (42 U.S.C. 290bb–1) is amended to read as follows:

''SEC. 516. PRIORITY SUBSTANCE ABUSE PREVENTION NEEDS OF REGIONAL AND NATIONAL SIGNIFICANCE.

''(a) PROJECTS.—The Secretary shall address priority substance abuse prevention needs of regional and national significance (as determined under subsection (b)) through the provision of or through assistance for—

''(1) knowledge development and application projects for prevention and the conduct or support of evaluations of such projects;

''(2) training and technical assistance; and

''(3) targeted capacity response programs.

The Secretary may carry out the activities described in this section directly or through grants or cooperative agreements with States, political subdivisions of States, Indian tribes and tribal organizations, or other public or nonprofit private entities.

''(b) PRIORITY SUBSTANCE ABUSE PREVENTION NEEDS.—

''(1) IN GENERAL.—Priority substance abuse prevention needs of regional and national significance shall be determined by the Secretary in consultation with the States and other interested groups. The Secretary shall meet with the States and interested groups on an annual basis to discuss program priorities.

''(2) SPECIAL CONSIDERATION.—In developing program priorities under paragraph (1), the Secretary shall give special consideration to—

''(A) applying the most promising strategies and research-based primary prevention approaches; and

''(B) promoting the integration of substance abuse prevention information and activities into primary health care systems.

''(c) REQUIREMENTS.—

''(1) IN GENERAL.—Recipients of grants, contracts, and cooperative agreements under this section shall comply with information and application requirements determined appropriate by the Secretary.

''(2) DURATION OF AWARD.—With respect to a grant, contract, or cooperative agreement awarded under this section, the period during which payments under such award are made to the recipient may not exceed 5 years.

''(3) MATCHING FUNDS.—The Secretary may, for projects carried out under subsection (a), require that entities that apply for grants, contracts, or cooperative agreements under that project provide non-Federal matching funds, as determined appropriate by the Secretary, to ensure the institutional commitment of the entity

to the projects funded under the grant, contract, or cooperative agreement. Such non-Federal matching funds may be provided directly or through donations from public or private entities and may be in cash or in kind, fairly evaluated, including plant, equipment, or services.

''(4) MAINTENANCE OF EFFORT.—With respect to activities for which a grant, contract, or cooperative agreement is awarded under this section, the Secretary may require that recipients for specific projects under subsection (a) agree to maintain expenditures of non-Federal amounts for such activities at a level that is not less than the level of such expenditures maintained by the entity for the fiscal year preceding the fiscal year for which the entity receives such a grant, contract, or cooperative agreement.

''(d) EVALUATION.—The Secretary shall evaluate each project carried out under subsection (a)(1) and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

''(e) INFORMATION AND EDUCATION.—The Secretary shall establish comprehensive information and education programs to disseminate the findings of the knowledge development and application, training and technical assistance programs, and targeted capacity response programs under this section to the general public and to health professionals. The Secretary shall make every effort to provide linkages between the findings of supported projects and State agencies responsible for carrying out substance abuse prevention and treatment programs.

''(f) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated to carry out this section, $300,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.''.

(b) CONFORMING AMENDMENTS.—Section 518 of the Public Health Service Act (42 U.S.C. 290bb–24) is repealed.

SEC. 3303. SUBSTANCE ABUSE PREVENTION AND TREATMENT PERFORMANCE PARTNERSHIP BLOCK GRANT.

(a) ALLOCATION REGARDING ALCOHOL AND OTHER DRUGS.—Section 1922 of the Public Health Service Act (42 U.S.C. 300x–22) is amended by—

(1) striking subsection (a); and

(2) redesignating subsections (b) and (c) as subsections (a) and (b).

(b) GROUP HOMES FOR RECOVERING SUBSTANCE ABUSERS.—Section 1925(a) of the Public Health Service Act (42 U.S.C. 300x–25(a)) is amended by striking ''For fiscal year 1993'' and all that follows through the colon and inserting the following: ''A State, using funds available under section 1921, may establish and maintain the ongoing operation of a revolving fund in accordance with this section to support group homes for recovering substance abusers as follows:''.

(c) MAINTENANCE OF EFFORT.—Section 1930 of the Public Health Service Act (42 U.S.C. 300x–30) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d) respectively; and

(2) by inserting after subsection (a), the following:

''(b) EXCLUSION OF CERTAIN FUNDS.—The Secretary may exclude from the aggregate State expenditures under subsection (a), funds appropriated to the principle agency for authorized activities which are of a non-recurring nature and for a specific purpose.''.

(d) APPLICATIONS FOR GRANTS.—Section 1932(a)(1) of the Public Health Service Act (42 U.S.C. 300x–32(a)(1)) is amended to read as follows:

''(1) the application is received by the Secretary not later than October 1 of the fiscal year for which the State is seeking funds;''.

(e) WAIVER FOR TERRITORIES.—Section 1932(c) of the Public Health Service Act (42 U.S.C. 300x–32(c)) is amended by striking ''whose allotment under section 1921 for the fiscal year is the amount specified in section 1933(c)(2)(B)'' and inserting ''except Puerto Rico''.

(f) WAIVER AUTHORITY FOR CERTAIN REQUIREMENTS.—

(1) IN GENERAL.—Section 1932 of the Public Health Service Act (42 U.S.C. 300x–32) is amended by adding at the end the following:

''(e) WAIVER AUTHORITY FOR CERTAIN REQUIREMENTS.—

''(1) IN GENERAL.—Upon the request of a State, the Secretary may waive the requirements of all or part of the sections described in paragraph (2) using objective criteria established by the Secretary by regulation after consultation with the States and other interested parties including consumers and providers.

''(2) SECTIONS.—The sections described in paragraph (1) are sections 1922(c), 1923, 1924 and 1928.

''(3) DATE CERTAIN FOR ACTING UPON REQUEST.—The Secretary shall approve or deny a request for a waiver under paragraph (1) and inform the State of that decision not later than 120 days after the date on which the request and all the information needed to support the request are submitted.

''(4) ANNUAL REPORTING REQUIREMENT.—The Secretary shall annually report to the general public on the States that receive a waiver under this subsection.''.

(2) CONFORMING AMENDMENTS.—Effective upon the publication of the regulations developed in accordance with section 1932(e)(1) of the Public Health Service Act (42 U.S.C. 300x–32(d))—

(A) section 1922(c) of the Public Health Service Act (42 U.S.C. 300x–22(c)) is amended by—

(i) striking paragraph (2); and

(ii) redesignating paragraph (3) as paragraph (2); and

(B) section 1928(d) of the Public Health Service Act (42 U.S.C. 300x–28(d)) is repealed.

(g) AUTHORIZATION OF APPROPRIATION.—Section 1935 of the Public Health Service Act (42 U.S.C. 300x–35) is amended—

(1) in subsection (a), by striking ''$1,500,000,000'' and all that follows through the end and inserting ''$2,000,000,000 for fiscal year 2001, and such sums as may be necessary for each of the fiscal years 2002 and 2003.'';

(2) in subsection (b)(1), by striking ''section 505'' and inserting ''sections 505 and 1971'';

(3) in subsection (b)(2), by striking ''1949(a)'' and inserting ''1948(a)''; and

(4) in subsection (b), by adding at the end the following:

''(3) CORE DATA SET.—A State that receives a new grant, contract, or cooperative agreement from amounts available to the Secretary under paragraph (1), for the purposes of improving the data collection, analysis and reporting capabilities of the State, shall be required, as a condition of receipt of funds, to collect, analyze, and report to the Secretary for each fiscal year subsequent to receiving such funds a core data set to be determined by the Secretary in conjunction with the States.''.

SEC. 3304. DETERMINATION OF ALLOTMENTS.

Section 1933(b) of the Public Health Service Act (42 U.S.C. 300x–33(b)) is amended to read as follows:

''(b) MINIMUM ALLOTMENTS FOR STATES.—

''(1) IN GENERAL.—With respect to fiscal year 2000, and each subsequent fiscal year, the amount of the allotment of a State under section 1921 shall not be less than the amount the State received under such section for the previous fiscal year increased by an amount equal to 30.65 percent of the percentage by which the aggregate amount allotted to all States for such fiscal year exceeds the aggregate amount allotted to all States for the previous fiscal year.

''(2) LIMITATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a State shall not receive an allotment under section 1921 for a fiscal year in an amount that is less than an amount equal to 0.375 percent of the amount appropriated under section 1935(a) for such fiscal year.

''(B) EXCEPTION.—In applying subparagraph (A), the Secretary shall ensure that no State receives an increase in its allotment under section 1921 for a fiscal year (as compared to the amount allotted to the State in the prior fiscal year) that is in excess of an amount equal to 300 percent of the percentage by which the amount appropriated under section 1935(a) for such fiscal year exceeds the amount appropriated for the prior fiscal year.

''(3) DECREASE IN OR EQUAL APPROPRIATIONS.—If the amount appropriated under section 1935(a) for a fiscal year is equal to or less than the amount appropriated under such section for the prior fiscal year, the amount of the State allotment under section 1921 shall be equal to the amount that the State received under section 1921 in the prior fiscal year decreased by the percentage by which the amount appropriated for such fiscal year is less than the amount appropriated or such section for the prior fiscal year.''.

SEC. 3305. NONDISCRIMINATION AND INSTITUTIONAL SAFEGUARDS FOR RELIGIOUS PROVIDERS.

Subpart III of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–51 et seq.) is amended by adding at the end the following:

''SEC. 1955. SERVICES PROVIDED BY NONGOVERNMENTAL ORGANIZATIONS.

''(a) PURPOSES.—The purposes of this section are—

''(1) to prohibit discrimination against nongovernmental organizations and certain individuals on the basis of religion in the distribution of government funds to provide substance abuse services under this title and title V, and the receipt of services under such titles; and

''(2) to allow the organizations to accept the funds to provide the services to the individuals without impairing the religious character of the organizations or the religious freedom of the individuals.

''(b) RELIGIOUS ORGANIZATIONS INCLUDED AS NONGOVERNMENTAL PROVIDERS.—

''(1) IN GENERAL.—A State may administer and provide substance abuse services under any program under this title or title V through grants, contracts, or cooperative agreements to provide assistance to beneficiaries under such titles with nongovernmental organizations.

''(2) REQUIREMENT.—A State that elects to utilize nongovernmental organizations as provided for under paragraph (1) shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide services under substance abuse programs under this title or title V, so long as the programs under such titles are implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. Neither the Federal Government nor a State or local government receiving funds under such programs shall discriminate against an organization that provides services under, or applies to provide services under, such programs, on the basis that the organization has a religious character.

''(c) RELIGIOUS CHARACTER AND INDEPENDENCE.—

''(1) IN GENERAL.—A religious organization that provides services under any substance abuse program under this title or title V shall retain its independence from Federal, State, and local governments, including such organization's 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 provide services under any substance abuse program under this title or title V.

''(d) EMPLOYMENT PRACTICES.—

''(1) SUBSTANCE ABUSE.—A religious organization that provides services under any substance

abuse program under this title or title V may require that its employees providing services under such program adhere to rules forbidding the use of drugs or alcohol.

''(2) TITLE VII EXEMPTION.—The exemption of a religious organization provided under section 702 or 703(e)(2) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1, 2000e–2(e)(2)) regarding employment practices shall not be affected by the religious organization's provision of services under, or receipt of funds from, any substance abuse program under this title or title V.

''(e) RIGHTS OF BENEFICIARIES OF ASSISTANCE.—

''(1) IN GENERAL.—If an individual described in paragraph (3) has an objection to the religious character of the organization from which the individual receives, or would receive, services funded under any substance abuse program under this title or title V, the appropriate Federal, State, or local governmental entity shall provide to such individual (if otherwise eligible for such services) within a reasonable period of time after the date of such objection, services that—

''(A) are from an alternative provider that is accessible to the individual; and

''(B) have a value that is not less than the value of the services that the individual would have received from such organization.

''(2) NOTICE.—The appropriate Federal, State, or local governmental entity shall ensure that notice is provided to individuals described in paragraph (3) of the rights of such individuals under this section.

''(3) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is an individual who receives or applies for services under any substance abuse program under this title or title V.

''(f) NONDISCRIMINATION AGAINST BENEFICIARIES.—A religious organization providing services through a grant, contract, or cooperative agreement under any substance abuse program under this title or title V shall not discriminate, in carrying out such program, against an individual described in subsection (e)(3) on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to actively participate in a religious practice.

''(g) FISCAL ACCOUNTABILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization providing services under any substance abuse program under this title or title V shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds provided under such program.

''(2) LIMITED AUDIT.—Such organization shall segregate government funds provided under such substance abuse program into a separate account. Only the government funds shall be subject to audit by the government.

''(h) COMPLIANCE.—Any party that seeks to enforce such party's rights under this section may assert a civil action for injunctive relief exclusively in an appropriate Federal or State court against the entity, agency or official that allegedly commits such violation.

''(i) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—No funds provided through a grant or contract to a religious organization to provide services under any substance abuse program under this title or title V shall be expended for sectarian worship, instruction, or proselytization.

''(j) EFFECT ON STATE AND LOCAL FUNDS.—If a State or local government contributes State or local funds to carry out any substance abuse program under this title or title V, the State or local government may segregate the State or local funds from the Federal funds provided to carry out the program or may commingle the State or local funds with the Federal funds. If the State or local government commingles the State or local funds, the provisions of this section shall apply to the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.

''(k) TREATMENT OF INTERMEDIATE CONTRACTORS.—If a nongovernmental organization (referred to in this subsection as an 'intermediate organization'), acting under a contract or other agreement with the Federal Government or a State or local government, is given the authority under the contract or agreement to select nongovernmental organizations to provide services under any substance abuse program under this title or title V, the intermediate organization shall have the same duties under this section as the government but shall retain all other rights of a nongovernmental organization under this section.''.

SEC. 3306. ALCOHOL AND DRUG PREVENTION OR TREATMENT SERVICES FOR INDIANS AND NATIVE ALASKANS.

Part A of title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

''SEC. 506A. ALCOHOL AND DRUG PREVENTION OR TREATMENT SERVICES FOR INDIANS AND NATIVE ALASKANS.

''(a) IN GENERAL.—The Secretary shall award grants, contracts, or cooperative agreements to public and private nonprofit entities, including Native Alaskan entities and Indian tribes and tribal organizations, for the purpose of providing alcohol and drug prevention or treatment services for Indians and Native Alaskans.

''(b) PRIORITY.—In awarding grants, contracts, or cooperative agreements under subsection (a), the Secretary shall give priority to applicants that—

''(1) propose to provide alcohol and drug prevention or treatment services on reservations;

''(2) propose to employ culturally-appropriate approaches, as determined by the Secretary, in providing such services; and

''(3) have provided prevention or treatment services to Native Alaskan entities and Indian tribes and tribal organizations for at least 1 year prior to applying for a grant under this section.

''(c) DURATION.—The Secretary shall award grants, contracts, or cooperative agreements under subsection (a) for a period not to exceed 5 years.

''(d) APPLICATION.—An entity desiring a grant, contract, or cooperative agreement under subsection (a) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(e) EVALUATION.—An entity that receives a grant, contract, or cooperative agreement under subsection (a) shall submit, in the application for such grant, a plan for the evaluation of any project undertaken with funds provided under this section. Such entity shall provide the Secretary with periodic evaluations of the progress of such project and such evaluation at the completion of such project as the Secretary determines to be appropriate. The final evaluation submitted by such entity shall include a recommendation as to whether such project shall continue.

''(f) REPORT.—Not later than 3 years after the date of enactment of this section and annually thereafter, the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions of the Senate, a report describing the services provided pursuant to this section.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $15,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.

SEC. 3307. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established a commission to be known as the Commission on Indian and Native Alaskan Health Care that shall examine the health concerns of Indians and Native Alaskans who reside on reservations and tribal lands (hereafter in this section referred to as the 'Commission').

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Commission established under subsection (a) shall consist of—

(A) the Secretary;

(B) 15 members who are experts in the health care field and issues that the Commission is established to examine; and

(C) the Director of the Indian Health Service and the Commissioner of Indian Affairs, who shall be nonvoting members.

(2) APPOINTING AUTHORITY.—Of the 15 members of the Commission described in paragraph (1)(B)—

(A) 2 shall be appointed by the Speaker of the House of Representatives;

(B) 2 shall be appointed by the Minority Leader of the House of Representatives;

(C) 2 shall be appointed by the Majority Leader of the Senate;

(D) 2 shall be appointed by the Minority Leader of the Senate; and

(E) 7 shall be appointed by the Secretary.

(3) LIMITATION.—Not fewer than 10 of the members appointed to the Commission shall be Indians or Native Alaskans.

(4) CHAIRPERSON.—The Secretary shall serve as the Chairperson of the Commission.

(5) EXPERTS.—The Commission may seek the expertise of any expert in the health care field to carry out its duties.

(c) PERIOD OF APPOINTMENT.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filed in the same manner as the original appointment.

(d) DUTIES OF THE COMMISSION.—The Commission shall—

(1) study the health concerns of Indians and Native Alaskans; and

(2) prepare the reports described in subsection (i).

(e) POWERS OF THE COMMISSION.—

(1) HEARINGS.—The Commission may hold such hearings, including hearings on reservations, sit and act at such times and places, take such testimony, and receive such information as the Commission considers advisable to carry out the purpose for which the Commission was established.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the purpose for which the Commission was established. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(f) COMPENSATION OF MEMBERS.—

(1) IN GENERAL.—Except as provided in subparagraph (B), each member of the Commission may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time), during which that member is engaged in the actual performance of the duties of the Commission.

(2) LIMITATION.—Members of the Commission who are officers or employees of the United States shall receive no additional pay on account of their service on the Commission.

(g) TRAVEL EXPENSES OF MEMBERS.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under section 5703 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(h) COMMISSION PERSONNEL MATTERS.—

(1) IN GENERAL.—The Secretary, in accordance with rules established by the Commission, may select and appoint a staff director and other personnel necessary to enable the Commission to carry out its duties.

(2) COMPENSATION OF PERSONNEL.—The Secretary, in accordance with rules established by

the Commission, may set the amount of compensation to be paid to the staff director and any other personnel that serve the Commission.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and the detail shall be without interruption or loss of civil service status or privilege.

(4) CONSULTANT SERVICES.—The Chairperson of the Commission is authorized to procure the temporary and intermittent services of experts and consultants in accordance with section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of such title.

(i) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of the Youth Drug and Mental Health Services Act, the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions of the Senate, a report that shall—

(A) detail the health problems faced by Indians and Native Alaskans who reside on reservations;

(B) examine and explain the causes of such problems;

(C) describe the health care services available to Indians and Native Alaskans who reside on reservations and the adequacy of such services;

(D) identify the reasons for the provision of inadequate health care services for Indians and Native Alaskans who reside on reservations, including the availability of resources;

(E) develop measures for tracking the health status of Indians and Native Americans who reside on reservations; and

(F) make recommendations for improvements in the health care services provided for Indians and Native Alaskans who reside on reservations, including recommendations for legislative change.

(2) EXCEPTION.—In addition to the report required under paragraph (1), not later than 2 years after the date of enactment of the Youth Drug and Mental Health Services Act, the Secretary shall prepare and submit, to the Committee on Health, Education, Labor, and Pensions of the Senate, a report that describes any alcohol and drug abuse among Indians and Native Alaskans who reside on reservations.

(j) PERMANENT COMMISSION.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal years 2002 and 2003.

TITLE XXXIV—PROVISIONS RELATING TO FLEXIBILITY AND ACCOUNTABILITY

SEC. 3401. GENERAL AUTHORITIES AND PEER REVIEW.

(a) GENERAL AUTHORITIES.—Paragraph (1) of section 501(e) of the Public Health Service Act (42 U.S.C. 290aa(e)) is amended to read as follows:

''(1) IN GENERAL.—There may be in the Administration an Associate Administrator for Alcohol Prevention and Treatment Policy to whom the Administrator may delegate the functions of promoting, monitoring, and evaluating service programs for the prevention and treatment of alcoholism and alcohol abuse within the Center for Substance Abuse Prevention, the Center for Substance Abuse Treatment and the Center for Mental Health Services, and coordinating such programs among the Centers, and among the Centers and other public and private entities. The Associate Administrator also may ensure that alcohol prevention, education, and policy strategies are integrated into all programs of the Centers that address substance abuse prevention, education, and policy, and that the Center for Substance Abuse Prevention addresses the Healthy People 2010 goals and the National Dietary Guidelines of the Department of Health and Human Services and the Department of Agriculture related to alcohol consumption.''.

(b) PEER REVIEW.—Section 504 of the Public Health Service (42 U.S.C. 290aa–3) is amended as follows:

''SEC. 504. PEER REVIEW.

''(a) IN GENERAL.—The Secretary, after consultation with the Administrator, shall require appropriate peer review of grants, cooperative agreements, and contracts to be administered through the agency which exceed the simple acquisition threshold as defined in section 4(11) of the Office of Federal Procurement Policy Act.

''(b) MEMBERS.—The members of any peer review group established under subsection (a) shall be individuals who by virtue of their training or experience are eminently qualified to perform the review functions of the group. Not more than ¼ of the members of any such peer review group shall be officers or employees of the United States.

''(c) ADVISORY COUNCIL REVIEW.—If the direct cost of a grant or cooperative agreement (described in subsection (a)) exceeds the simple acquisition threshold as defined by section 4(11) of the Office of Federal Procurement Policy Act, the Secretary may make such a grant or cooperative agreement only if such grant or cooperative agreement is recommended—

''(1) after peer review required under subsection (a); and

''(2) by the appropriate advisory council.

''(d) CONDITIONS.—The Secretary may establish limited exceptions to the limitations contained in this section regarding participation of Federal employees and advisory council approval. The circumstances under which the Secretary may make such an exception shall be made public.''.

SEC. 3402. ADVISORY COUNCILS.

Section 502(e) of the Public Health Service Act (42 U.S.C. 290aa–1(e)) is amended in the first sentence by striking ''3 times'' and inserting ''2 times''.

SEC. 3403. GENERAL PROVISIONS FOR THE PERFORMANCE PARTNERSHIP BLOCK GRANTS.

(a) PLANS FOR PERFORMANCE PARTNERSHIPS.—Section 1949 of the Public Health Service Act (42 U.S.C. 300x–59) is amended as follows:

''SEC. 1949. PLANS FOR PERFORMANCE PARTNERSHIPS.

''(a) DEVELOPMENT.—The Secretary in conjunction with States and other interested groups shall develop separate plans for the programs authorized under subparts I and II for creating more flexibility for States and accountability based on outcome and other performance measures. The plans shall each include—

''(1) a description of the flexibility that would be given to the States under the plan;

''(2) the common set of performance measures that would be used for accountability, including measures that would be used for the program under subpart II for pregnant addicts, HIV transmission, tuberculosis, and those with a co-occurring substance abuse and mental disorders, and for programs under subpart I for children with serious emotional disturbance and adults with serious mental illness and for individuals with co-occurring mental health and substance abuse disorders;

''(3) the definitions for the data elements to be used under the plan;

''(4) the obstacles to implementation of the plan and the manner in which such obstacles would be resolved;

''(5) the resources needed to implement the performance partnerships under the plan; and

''(6) an implementation strategy complete with recommendations for any necessary legislation.

''(b) SUBMISSION.—Not later than 2 years after the date of enactment of this Act, the plans developed under subsection (a) shall be submitted to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce of the House of Representatives.

''(c) INFORMATION.—As the elements of the plans described in subsection (a) are developed, States are encouraged to provide information to the Secretary on a voluntary basis.

''(d) PARTICIPANTS.—The Secretary shall include among those interested groups that participate in the development of the plan consumers of mental health or substance abuse services, providers, representatives of political divisions of States, and representatives of racial and ethnic groups including Native Americans.''.

(b) AVAILABILITY TO STATES OF GRANT PROGRAMS.—Section 1952 of the Public Health Service Act (42 U.S.C. 300x–62) is amended as follows:

''SEC. 1952. AVAILABILITY TO STATES OF GRANT PAYMENTS.

''Any amounts paid to a State for a fiscal year under section 1911 or 1921 shall be available for obligation and expenditure until the end of the fiscal year following the fiscal year for which the amounts were paid.''.

SEC. 3404. DATA INFRASTRUCTURE PROJECTS.

Part C of title XIX of the Public Health Service Act (42 U.S.C. 300y et seq.) is amended—

(1) by striking the headings for part C and subpart I and inserting the following:

''PART C—CERTAIN PROGRAMS REGARDING MENTAL HEALTH AND SUBSTANCE ABUSE

''Subpart I—Data Infrastructure Development'';

(2) by striking section 1971 (42 U.S.C. 300y) and inserting the following:

''SEC. 1971. DATA INFRASTRUCTURE DEVELOPMENT.

''(a) IN GENERAL.—The Secretary may make grants to, and enter into contracts or cooperative agreements with States for the purpose of developing and operating mental health or substance abuse data collection, analysis, and reporting systems with regard to performance measures including capacity, process, and outcomes measures.

''(b) PROJECTS.—The Secretary shall establish criteria to ensure that services will be available under this section to States that have a fundamental basis for the collection, analysis, and reporting of mental health and substance abuse performance measures and States that do not have such basis. The Secretary will establish criteria for determining whether a State has a fundamental basis for the collection, analysis, and reporting of data.

''(c) CONDITION OF RECEIPT OF FUNDS.—As a condition of the receipt of an award under this section a State shall agree to collect, analyze, and report to the Secretary within 2 years of the date of the award on a core set of performance measures to be determined by the Secretary in conjunction with the States.

''(d) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—With respect to the costs of the program to be carried out under subsection (a) by a State, the Secretary may make an award under such subsection only if the applicant agrees to make available (directly or through donations from public or private entities) non-Federal contributions toward such costs in an amount that is not less than 50 percent of such costs.

''(2) DETERMINATION OF AMOUNT CONTRIBUTED.—Non-Federal contributions under paragraph (1) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such contributions.

''(e) DURATION OF SUPPORT.—The period during which payments may be made for a project under subsection (a) may be not less than 3 years nor more than 5 years.

''(f) AUTHORIZATION OF APPROPRIATION.—

''(1) IN GENERAL.—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001, 2002 and 2003.

''(2) ALLOCATION.—Of the amounts appropriated under paragraph (1) for a fiscal year, 50 percent shall be expended to support data infrastructure development for mental health and 50 percent shall be expended to support data infrastructure development for substance abuse.''.

SEC. 3405. REPEAL OF OBSOLETE ADDICT REFERRAL PROVISIONS.

(a) REPEAL OF OBSOLETE PUBLIC HEALTH SERVICE ACT AUTHORITIES.—Part E of title III (42 U.S.C. 257 et seq.) is repealed.

(b) REPEAL OF OBSOLETE NARA AUTHORITIES.—Titles III and IV of the Narcotic Addict Rehabilitation Act of 1966 (Public Law 89–793) are repealed.

(c) REPEAL OF OBSOLETE TITLE 28 AUTHORITIES.—

(1) IN GENERAL.—Chapter 175 of title 28, United States Code, is repealed.

(2) TABLE OF CONTENTS.—The table of contents to part VI of title 28, United States Code, is amended by striking the items relating to chapter 175.

SEC. 3406. INDIVIDUALS WITH CO-OCCURRING DISORDERS.

The Public Health Service Act is amended by inserting after section 503 (42 U.S.C. 290aa–2) the following:

''SEC. 503A. REPORT ON INDIVIDUALS WITH CO-OCCURRING MENTAL ILLNESS AND SUBSTANCE ABUSE DISORDERS.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Secretary shall, after consultation with organizations representing States, mental health and substance abuse treatment providers, prevention specialists, individuals receiving treatment services, and family members of such individuals, prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Commerce of the House of Representatives, a report on prevention and treatment services for individuals who have co-occurring mental illness and substance abuse disorders.

''(b) REPORT CONTENT.—The report under subsection (a) shall be based on data collected from existing Federal and State surveys regarding the treatment of co-occurring mental illness and substance abuse disorders and shall include—

''(1) a summary of the manner in which individuals with co-occurring disorders are receiving treatment, including the most up-to-date information available regarding the number of children and adults with co-occurring mental illness and substance abuse disorders and the manner in which funds provided under sections 1911 and 1921 are being utilized, including the number of such children and adults served with such funds;

''(2) a summary of improvements necessary to ensure that individuals with co-occurring mental illness and substance abuse disorders receive the services they need;

''(3) a summary of practices for preventing substance abuse among individuals who have a mental illness and are at risk of having or acquiring a substance abuse disorder; and

''(4) a summary of evidenced-based practices for treating individuals with co-occurring mental illness and substance abuse disorders and recommendations for implementing such practices.

''(c) FUNDS FOR REPORT.—The Secretary may obligate funds to carry out this section with such appropriations as are available.''.

SEC. 3407. SERVICES FOR INDIVIDUALS WITH CO-OCCURRING DISORDERS.

Subpart III of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–51 et seq.) (as amended by section 3305) is further amended by adding at the end the following:

''SEC. 1956. SERVICES FOR INDIVIDUALS WITH CO-OCCURRING DISORDERS.

''States may use funds available for treatment under sections 1911 and 1921 to treat persons with co-occurring substance abuse and mental disorders as long as funds available under such sections are used for the purposes for which they were authorized by law and can be tracked for accounting purposes.''.

TITLE XXXV—WAIVER AUTHORITY FOR PHYSICIANS WHO DISPENSE OR PRESCRIBE CERTAIN NARCOTIC DRUGS FOR MAINTENANCE TREATMENT OR DETOXIFICATION TREATMENT

SEC. 3501. SHORT TITLE.

This title may be cited as the ''Drug Addiction Treatment Act of 2000''.

SEC. 3502. AMENDMENT TO CONTROLLED SUBSTANCES ACT.

(a) IN GENERAL.—Section 303(g) of the Controlled Substances Act (21 U.S.C. 823(g)) is amended—

(1) in paragraph (2), by striking ''(A) security'' and inserting ''(i) security'', and by striking ''(B) the maintenance'' and inserting ''(ii) the maintenance'';

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) by inserting ''(1)'' after ''(g)'';

(4) by striking ''Practitioners who dispense'' and inserting ''Except as provided in paragraph (2), practitioners who dispense''; and

(5) by adding at the end the following paragraph:

''(2)(A) Subject to subparagraphs (D) and (J), the requirements of paragraph (1) are waived in the case of the dispensing (including the prescribing), by a practitioner, of narcotic drugs in schedule III, IV, or V or combinations of such drugs if the practitioner meets the conditions specified in subparagraph (B) and the narcotic drugs or combinations of such drugs meet the conditions specified in subparagraph (C).

''(B) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to a practitioner are that, before the initial dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, the practitioner submit to the Secretary a notification of the intent of the practitioner to begin dispensing the drugs or combinations for such purpose, and that the notification contain the following certifications by the practitioner:

''(i) The practitioner is a qualifying physician (as defined in subparagraph (G)).

''(ii) With respect to patients to whom the practitioner will provide such drugs or combinations of drugs, the practitioner has the capacity to refer the patients for appropriate counseling and other appropriate ancillary services.

''(iii) In any case in which the practitioner is not in a group practice, the total number of such patients of the practitioner at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number.

''(iv) In any case in which the practitioner is in a group practice, the total number of such patients of the group practice at any one time will not exceed the applicable number. For purposes of this clause, the applicable number is 30, except that the Secretary may by regulation change such total number, and the Secretary for such purposes may by regulation establish different categories on the basis of the number of practitioners in a group practice and establish for the various categories different numerical limitations on the number of such patients that the group practice may have.

''(C) For purposes of subparagraph (A), the conditions specified in this subparagraph with respect to narcotic drugs in schedule III, IV, or V or combinations of such drugs are as follows:

''(i) The drugs or combinations of drugs have, under the Federal Food, Drug, and Cosmetic Act or section 351 of the Public Health Service Act, been approved for use in maintenance or detoxification treatment.

''(ii) The drugs or combinations of drugs have not been the subject of an adverse determination. For purposes of this clause, an adverse determination is a determination published in the Federal Register and made by the Secretary, after consultation with the Attorney General, that the use of the drugs or combinations of drugs for maintenance or detoxification treatment requires additional standards respecting the qualifications of practitioners to provide such treatment, or requires standards respecting the quantities of the drugs that may be provided for unsupervised use.

''(D)(i) A waiver under subparagraph (A) with respect to a practitioner is not in effect unless (in addition to conditions under subparagraphs (B) and (C)) the following conditions are met:

''(I) The notification under subparagraph (B) is in writing and states the name of the practitioner.

''(II) The notification identifies the registration issued for the practitioner pursuant to subsection (f).

''(III) If the practitioner is a member of a group practice, the notification states the names of the other practitioners in the practice and identifies the registrations issued for the other practitioners pursuant to subsection (f).

''(ii) Upon receiving a notification under subparagraph (B), the Attorney General shall assign the practitioner involved an identification number under this paragraph for inclusion with the registration issued for the practitioner pursuant to subsection (f). The identification number so assigned shall be appropriate to preserve the confidentiality of patients for whom the practitioner has dispensed narcotic drugs under a waiver under subparagraph (A).

''(iii) Not later than 45 days after the date on which the Secretary receives a notification under subparagraph (B), the Secretary shall make a determination of whether the practitioner involved meets all requirements for a waiver under subparagraph (B). If the Secretary fails to make such determination by the end of the such 45-day period, the Attorney General shall assign the physician an identification number described in clause (ii) at the end of such period.

''(E)(i) If a practitioner is not registered under paragraph (1) and, in violation of the conditions specified in subparagraphs (B) through (D), dispenses narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, the Attorney General may, for purposes of section 304(a)(4), consider the practitioner to have committed an act that renders the registration of the practitioner pursuant to subsection (f) to be inconsistent with the public interest.

''(ii)(I) Upon the expiration of 45 days from the date on which the Secretary receives a notification under subparagraph (B), a practitioner who in good faith submits a notification under subparagraph (B) and reasonably believes that the conditions specified in subparagraphs (B) through (D) have been met shall, in dispensing narcotic drugs in schedule III, IV, or V or combinations of such drugs for maintenance treatment or detoxification treatment, be considered to have a waiver under subparagraph (A) until notified otherwise by the Secretary, except that such a practitioner may commence to prescribe or dispense such narcotic drugs for such purposes prior to the expiration of such 45-day period if it facilitates the treatment of an individual patient and both the Secretary and the Attorney General are notified by the practitioner of the intent to commence prescribing or dispensing such narcotic drugs.

''(II) For purposes of subclause (I), the publication in the Federal Register of an adverse determination by the Secretary pursuant to subparagraph (C)(ii) shall (with respect to the narcotic drug or combination involved) be considered to be a notification provided by the Secretary to practitioners, effective upon the expiration of the 30-day period beginning on the date on which the adverse determination is so published.

''(F)(i) With respect to the dispensing of narcotic drugs in schedule III, IV, or V or combinations of such drugs to patients for maintenance or detoxification treatment, a practitioner may, in his or her discretion, dispense such drugs or combinations for such treatment under a registration under paragraph (1) or a waiver under subparagraph (A) (subject to meeting the applicable conditions).

''(ii) This paragraph may not be construed as having any legal effect on the conditions for obtaining a registration under paragraph (1), including with respect to the number of patients who may be served under such a registration.

''(G) For purposes of this paragraph:

''(i) The term 'group practice' has the meaning given such term in section 1877(h)(4) of the Social Security Act.

''(ii) The term 'qualifying physician' means a physician who is licensed under State law and who meets one or more of the following conditions:

''(I) The physician holds a subspecialty board certification in addiction psychiatry from the American Board of Medical Specialties.

''(II) The physician holds an addiction certification from the American Society of Addiction Medicine.

''(III) The physician holds a subspecialty board certification in addiction medicine from the American Osteopathic Association.

''(IV) The physician has, with respect to the treatment and management of opiate-dependent patients, completed not less than eight hours of training (through classroom situations, seminars at professional society meetings, electronic communications, or otherwise) that is provided by the American Society of Addiction Medicine, the American Academy of Addiction Psychiatry, the American Medical Association, the American Osteopathic Association, the American Psychiatric Association, or any other organization that the Secretary determines is appropriate for purposes of this subclause.

''(V) The physician has participated as an investigator in one or more clinical trials leading to the approval of a narcotic drug in schedule III, IV, or V for maintenance or detoxification treatment, as demonstrated by a statement submitted to the Secretary by the sponsor of such approved drug.

''(VI) The physician has such other training or experience as the State medical licensing board (of the State in which the physician will provide maintenance or detoxification treatment) considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients.

''(VII) The physician has such other training or experience as the Secretary considers to demonstrate the ability of the physician to treat and manage opiate-dependent patients. Any criteria of the Secretary under this subclause shall be established by regulation. Any such criteria are effective only for 3 years after the date on which the criteria are promulgated, but may be extended for such additional discrete 3-year periods as the Secretary considers appropriate for purposes of this subclause. Such an extension of criteria may only be effectuated through a statement published in the Federal Register by the Secretary during the 30-day period preceding the end of the 3-year period involved.

''(H)(i) In consultation with the Administrator of the Drug Enforcement Administration, the Administrator of the Substance Abuse and Mental Health Services Administration, the Director of the National Institute on Drug Abuse, and the Commissioner of Food and Drugs, the Secretary shall issue regulations (through notice and comment rulemaking) or issue practice guidelines to address the following:

''(I) Approval of additional credentialing bodies and the responsibilities of additional credentialing bodies.

''(II) Additional exemptions from the requirements of this paragraph and any regulations under this paragraph.

Nothing in such regulations or practice guidelines may authorize any Federal official or employee to exercise supervision or control over the practice of medicine or the manner in which medical services are provided.

''(ii) Not later than 120 days after the date of the enactment of the Drug Addiction Treatment Act of 2000, the Secretary shall issue a treatment improvement protocol containing best practice guidelines for the treatment and maintenance of opiate-dependent patients. The Secretary shall develop the protocol in consultation with the Director of the National Institute on Drug Abuse, the Administrator of the Drug Enforcement Administration, the Commissioner of Food and Drugs, the Administrator of the Substance Abuse and Mental Health Services Administration and other substance abuse disorder professionals. The protocol shall be guided by science.

''(I) During the 3-year period beginning on the date of the enactment of the Drug Addiction Treatment Act of 2000, a State may not preclude a practitioner from dispensing or prescribing drugs in schedule III, IV, or V, or combinations of such drugs, to patients for maintenance or detoxification treatment in accordance with this paragraph unless, before the expiration of that 3-year period, the State enacts a law prohibiting a practitioner from dispensing such drugs or combinations of drug.

''(J)(i) This paragraph takes effect on the date of the enactment of the Drug Addiction Treatment Act of 2000, and remains in effect thereafter except as provided in clause (iii) (relating to a decision by the Secretary or the Attorney General that this paragraph should not remain in effect).

''(ii) For purposes relating to clause (iii), the Secretary and the Attorney General may, during the 3-year period beginning on the date of the enactment of the Drug Addiction Treatment Act of 2000, make determinations in accordance with the following:

''(I) The Secretary may make a determination of whether treatments provided under waivers under subparagraph (A) have been effective forms of maintenance treatment and detoxification treatment in clinical settings; may make a determination of whether such waivers have significantly increased (relative to the beginning of such period) the availability of maintenance treatment and detoxification treatment; and may make a determination of whether such waivers have adverse consequences for the public health.

''(II) The Attorney General may make a determination of the extent to which there have been violations of the numerical limitations established under subparagraph (B) for the number of individuals to whom a practitioner may provide treatment; may make a determination of whether waivers under subparagraph (A) have increased (relative to the beginning of such period) the extent to which narcotic drugs in schedule III, IV, or V or combinations of such drugs are being dispensed or possessed in violation of this Act; and may make a determination of whether such waivers have adverse consequences for the public health.

''(iii) If, before the expiration of the period specified in clause (ii), the Secretary or the Attorney General publishes in the Federal Register a decision, made on the basis of determinations under such clause, that this paragraph should not remain in effect, this paragraph ceases to be in effect 60 days after the date on which the decision is so published. The Secretary shall in making any such decision consult with the Attorney General, and shall in publishing the decision in the Federal Register include any comments received from the Attorney General for inclusion in the publication. The Attorney General shall in making any such decision consult with the Secretary, and shall in publishing the decision in the Federal Register include any comments received from the Secretary for inclusion in the publication.''.

(b) CONFORMING AMENDMENTS.—Section 304 of the Controlled Substances Act (21 U.S.C. 824) is amended—

(1) in subsection (a), in the matter after and below paragraph (5), by striking ''section 303(g)'' each place such term appears and inserting ''section 303(g)(1)''; and

(2) in subsection (d), by striking ''section 303(g)'' and inserting ''section 303(g)(1)''.

(c) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—For the purpose of assisting the Secretary of Health and Human Services with the additional duties established for the Secretary pursuant to the amendments made by this section, there are authorized to be appropriated, in addition to other authorizations of appropriations that are available for such purpose, such sums as may be necessary for each of fiscal years 2001 through 2003.

TITLE XXXVI—METHAMPHETAMINE AND OTHER CONTROLLED SUBSTANCES

SEC. 3601. SHORT TITLE.

This title may be cited as the ''Methamphetamine Anti-Proliferation Act of 2000''.

Subtitle A—Methamphetamine Production, Trafficking, and Abuse

PART I—CRIMINAL PENALTIES

SEC. 3611. ENHANCED PUNISHMENT OF AMPHETAMINE LABORATORY OPERATORS.

(a) AMENDMENT TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in accordance with this section with respect to any offense relating to the manufacture, importation, exportation, or trafficking in amphetamine (including an attempt or conspiracy to do any of the foregoing) in violation of—

(1) the Controlled Substances Act (21 U.S.C. 801 et seq.);

(2) the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.); or

(3) the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.).

(b) GENERAL REQUIREMENT.—In carrying out this section, the United States Sentencing Commission shall, with respect to each offense described in subsection (a) relating to amphetamine—

(1) review and amend its guidelines to provide for increased penalties such that those penalties are comparable to the base offense level for methamphetamine; and

(2) take any other action the Commission considers necessary to carry out this subsection.

(c) ADDITIONAL REQUIREMENTS.—In carrying out this section, the United States Sentencing Commission shall ensure that the sentencing guidelines for offenders convicted of offenses described in subsection (a) reflect the heinous nature of such offenses, the need for aggressive law enforcement action to fight such offenses, and the extreme dangers associated with unlawful activity involving amphetamines, including—

(1) the rapidly growing incidence of amphetamine abuse and the threat to public safety that such abuse poses;

(2) the high risk of amphetamine addiction;

(3) the increased risk of violence associated with amphetamine trafficking and abuse; and

(4) the recent increase in the illegal importation of amphetamine and precursor chemicals.

(d) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission shall promulgate amendments pursuant to this section as soon as practicable after

the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.

SEC. 3612. ENHANCED PUNISHMENT OF AMPHETAMINE OR METHAMPHETAMINE LABORATORY OPERATORS.

(a) FEDERAL SENTENCING GUIDELINES.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in accordance with paragraph (2) with respect to any offense relating to the manufacture, attempt to manufacture, or conspiracy to manufacture amphetamine or methamphetamine in violation of—

(A) the Controlled Substances Act (21 U.S.C. 801 et seq.);

(B) the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.); or

(C) the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.).

(2) REQUIREMENTS.—In carrying out this paragraph, the United States Sentencing Commission shall—

(A) if the offense created a substantial risk of harm to human life (other than a life described in subparagraph (B)) or the environment, increase the base offense level for the offense—

(i) by not less than 3 offense levels above the applicable level in effect on the date of enactment of this Act; or

(ii) if the resulting base offense level after an increase under clause (i) would be less than level 27, to not less than level 27; or

(B) if the offense created a substantial risk of harm to the life of a minor or incompetent, increase the base offense level for the offense—

(i) by not less than 6 offense levels above the applicable level in effect on the date of enactment of this Act; or

(ii) if the resulting base offense level after an increase under clause (i) would be less than level 30, to not less than level 30.

(3) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission shall promulgate amendments pursuant to this subsection as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.

(b) EFFECTIVE DATE.—The amendments made pursuant to this section shall apply with respect to any offense occurring on or after the date that is 60 days after the date of enactment of this Act.

SEC. 3613. MANDATORY RESTITUTION FOR VIOLATIONS OF CONTROLLED SUBSTANCES ACT AND CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT RELATING TO AMPHETAMINE AND METHAMPHETAMINE.

(a) MANDATORY RESTITUTION.—Section 413(q) of the Controlled Substances Act (21 U.S.C. 853(q)) is amended—

(1) in the matter preceding paragraph (1), by striking ''may'' and inserting ''shall'';

(2) by inserting ''amphetamine or'' before ''methamphetamine'' each place it appears;

(3) in paragraph (2)—

(A) by inserting '', the State or local government concerned, or both the United States and the State or local government concerned'' after ''United States'' the first place it appears; and

(B) by inserting ''or the State or local government concerned, as the case may be,'' after ''United States'' the second place it appears; and

(4) in paragraph (3), by striking ''section 3663 of title 18, United States Code'' and inserting ''section 3663A of title 18, United States Code''.

(b) DEPOSIT OF AMOUNTS IN DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.—Section 524(c)(4) of title 28, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

(3) by adding at the end the following:

''(D) all amounts collected—

''(i) by the United States pursuant to a reimbursement order under paragraph (2) of section 413(q) of the Controlled Substances Act (21 U.S.C. 853(q)); and

''(ii) pursuant to a restitution order under paragraph (1) or (3) of section 413(q) of the Controlled Substances Act for injuries to the United States.''.

(c) CLARIFICATION OF CERTAIN ORDERS OF RESTITUTION.—Section 3663(c)(2)(B) of title 18, United States Code, is amended by inserting ''which may be'' after ''the fine''.

(d) EXPANSION OF APPLICABILITY OF MANDATORY RESTITUTION.—Section 3663A(c)(1)(A)(ii) of title 18, United States Code, is amended by inserting ''or under section 416(a) of the Controlled Substances Act (21 U.S.C. 856(a)),'' after ''under this title,''.

(e) TREATMENT OF ILLICIT SUBSTANCE MANUFACTURING OPERATIONS AS CRIMES AGAINST PROPERTY.—Section 416 of the Controlled Substances Act (21 U.S.C. 856) is amended by adding at the end the following new subsection:

''(c) A violation of subsection (a) shall be considered an offense against property for purposes of section 3663A(c)(1)(A)(ii) of title 18, United States Code.''.

SEC. 3614. METHAMPHETAMINE PARAPHERNALIA.

Section 422(d) of the Controlled Substances Act (21 U.S.C. 863(d)) is amended in the matter preceding paragraph (1) by inserting ''methamphetamine,'' after ''PCP,''.

PART II—ENHANCED LAW ENFORCEMENT

SEC. 3621. ENVIRONMENTAL HAZARDS ASSOCIATED WITH ILLEGAL MANUFACTURE OF AMPHETAMINE AND METHAMPHETAMINE.

(a) USE OF AMOUNTS OR DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.—Section 524(c)(1)(E) of title 28, United States Code, is amended—

(1) by inserting ''(i) for'' before ''disbursements'';

(2) by inserting ''and'' after the semicolon; and

(3) by adding at the end the following:

''(ii) for payment for—

''(I) costs incurred by or on behalf of the Department of Justice in connection with the removal, for purposes of Federal forfeiture and disposition, of any hazardous substance or pollutant or contaminant associated with the illegal manufacture of amphetamine or methamphetamine; and

''(II) costs incurred by or on behalf of a State or local government in connection with such removal in any case in which such State or local government has assisted in a Federal prosecution relating to amphetamine or methamphetamine, to the extent such costs exceed equitable sharing payments made to such State or local government in such case;''.

(b) GRANTS UNDER DRUG CONTROL AND SYSTEM IMPROVEMENT GRANT PROGRAM.—Section 501(b)(3) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(b)(3)) is amended by inserting before the semicolon the following: ''and to remove any hazardous substance or pollutant or contaminant associated with the illegal manufacture of amphetamine or methamphetamine''.

(c) AMOUNTS SUPPLEMENT AND NOT SUPPLANT.—

(1) ASSETS FORFEITURE FUND.—Any amounts made available from the Department of Justice Assets Forfeiture Fund in a fiscal year by reason of the amendment made by subsection (a) shall supplement, and not supplant, any other amounts made available to the Department of Justice in such fiscal year from other sources for payment of costs described in section 524(c)(1)(E)(ii) of title 28, United States Code, as so amended.

(2) GRANT PROGRAM.—Any amounts made available in a fiscal year under the grant program under section 501(b)(3) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(b)(3)) for the removal of hazardous substances or pollutants or contaminants associated with the illegal manufacture of amphetamine or methamphetamine by reason of the amendment made by subsection (b) shall supplement, and not supplant, any other amounts made available in such fiscal year from other sources for such removal.

SEC. 3622. REDUCTION IN RETAIL SALES TRANSACTION THRESHOLD FOR NON-SAFE HARBOR PRODUCTS CONTAINING PSEUDOEPHEDRINE OR PHENYLPROPANOLAMINE.

(a) REDUCTION IN TRANSACTION THRESHOLD.—Section 102(39)(A)(iv)(II) of the Controlled Substances Act (21 U.S.C. 802(39)(A)(iv)(II)) is amended—

(1) by striking ''24 grams'' both places it appears and inserting ''9 grams''; and

(2) by inserting before the semicolon at the end the following: ''and sold in package sizes of not more than 3 grams of pseudoephedrine base or 3 grams of phenylpropanolamine base''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 1 year after the date of enactment of this Act.

SEC. 3623. TRAINING FOR DRUG ENFORCEMENT ADMINISTRATION AND STATE AND LOCAL LAW ENFORCEMENT PERSONNEL RELATING TO CLANDESTINE LABORATORIES.

(a) IN GENERAL.—

(1) REQUIREMENT.—The Administrator of the Drug Enforcement Administration shall carry out the programs described in subsection (b) with respect to the law enforcement personnel of States and localities determined by the Administrator to have significant levels of methamphetamine-related or amphetamine-related crime or projected by the Administrator to have the potential for such levels of crime in the future.

(2) DURATION.—The duration of any program under that subsection may not exceed 3 years.

(b) COVERED PROGRAMS.—The programs described in this subsection are as follows:

(1) ADVANCED MOBILE CLANDESTINE LABORATORY TRAINING TEAMS.—A program of advanced mobile clandestine laboratory training teams, which shall provide information and training to State and local law enforcement personnel in techniques utilized in conducting undercover investigations and conspiracy cases, and other information designed to assist in the investigation of the illegal manufacturing and trafficking of amphetamine and methamphetamine.

(2) BASIC CLANDESTINE LABORATORY CERTIFICATION TRAINING.—A program of basic clandestine laboratory certification training, which shall provide information and training—

(A) to Drug Enforcement Administration personnel and State and local law enforcement personnel for purposes of enabling such personnel to meet any certification requirements under law with respect to the handling of wastes created by illegal amphetamine and methamphetamine laboratories; and

(B) to State and local law enforcement personnel for purposes of enabling such personnel to provide the information and training covered by subparagraph (A) to other State and local law enforcement personnel.

(3) CLANDESTINE LABORATORY RECERTIFICATION AND AWARENESS TRAINING.—A program of clandestine laboratory recertification and awareness training, which shall provide information and training to State and local law enforcement personnel for purposes of enabling such personnel to provide recertification and awareness training relating to clandestine laboratories to additional State and local law enforcement personnel.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for

each of fiscal years 2000, 2001, and 2002 amounts as follows:

(1) $1,500,000 to carry out the program described in subsection (b)(1).

(2) $3,000,000 to carry out the program described in subsection (b)(2).

(3) $1,000,000 to carry out the program described in subsection (b)(3).

SEC. 3624. COMBATING METHAMPHETAMINE AND AMPHETAMINE IN HIGH INTENSITY DRUG TRAFFICKING AREAS.

(a) IN GENERAL.—

(1) IN GENERAL.—The Director of National Drug Control Policy shall use amounts available under this section to combat the trafficking of methamphetamine and amphetamine in areas designated by the Director as high intensity drug trafficking areas.

(2) ACTIVITIES.—In meeting the requirement in paragraph (1), the Director shall transfer funds to appropriate Federal, State, and local governmental agencies for employing additional Federal law enforcement personnel, or facilitating the employment of additional State and local law enforcement personnel, including agents, investigators, prosecutors, laboratory technicians, chemists, investigative assistants, and drug-prevention specialists.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

(1) $15,000,000 for fiscal year 2000; and

(2) such sums as may be necessary for each of fiscal years 2001 through 2004.

(c) APPORTIONMENT OF FUNDS.—

(1) FACTORS IN APPORTIONMENT.—The Director shall apportion amounts appropriated for a fiscal year pursuant to the authorization of appropriations in subsection (b) for activities under subsection (a) among and within areas designated by the Director as high intensity drug trafficking areas based on the following factors:

(A) The number of methamphetamine manufacturing facilities and amphetamine manufacturing facilities discovered by Federal, State, or local law enforcement officials in the previous fiscal year.

(B) The number of methamphetamine prosecutions and amphetamine prosecutions in Federal, State, or local courts in the previous fiscal year.

(C) The number of methamphetamine arrests and amphetamine arrests by Federal, State, or local law enforcement officials in the previous fiscal year.

(D) The amounts of methamphetamine, amphetamine, or listed chemicals (as that term is defined in section 102(33) of the Controlled Substances Act (21 U.S.C. 802(33)) seized by Federal, State, or local law enforcement officials in the previous fiscal year.

(E) Intelligence and predictive data from the Drug Enforcement Administration and the Department of Health and Human Services showing patterns and trends in abuse, trafficking, and transportation in methamphetamine, amphetamine, and listed chemicals (as that term is so defined).

(2) CERTIFICATION.—Before the Director apportions any funds under this subsection to a high intensity drug trafficking area, the Director shall certify that the law enforcement entities responsible for clandestine methamphetamine and amphetamine laboratory seizures in that area are providing laboratory seizure data to the national clandestine laboratory database at the El Paso Intelligence Center.

(d) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount appropriated in a fiscal year pursuant to the authorization of appropriations for that fiscal year in subsection (b) may be available in that fiscal year for administrative costs associated with activities under subsection (a).

SEC. 3625. COMBATING AMPHETAMINE AND METHAMPHETAMINE MANUFACTURING AND TRAFFICKING.

(a) ACTIVITIES.—In order to combat the illegal manufacturing and trafficking in amphetamine and methamphetamine, the Administrator of the Drug Enforcement Administration may—

(1) assist State and local law enforcement in small and mid-sized communities in all phases of investigations related to such manufacturing and trafficking, including assistance with foreign-language interpretation;

(2) staff additional regional enforcement and mobile enforcement teams related to such manufacturing and trafficking;

(3) establish additional resident offices and posts of duty to assist State and local law enforcement in rural areas in combating such manufacturing and trafficking;

(4) provide the Special Operations Division of the Administration with additional agents and staff to collect, evaluate, interpret, and disseminate critical intelligence targeting the command and control operations of major amphetamine and methamphetamine manufacturing and trafficking organizations;

(5) enhance the investigative and related functions of the Chemical Control Program of the Administration to implement more fully the provisions of the Comprehensive Methamphetamine Control Act of 1996 (Public Law 104–237);

(6) design an effective means of requiring an accurate accounting of the import and export of list I chemicals, and coordinate investigations relating to the diversion of such chemicals;

(7) develop a computer infrastructure sufficient to receive, process, analyze, and redistribute time-sensitive enforcement information from suspicious order reporting to field offices of the Administration and other law enforcement and regulatory agencies, including the continuing development of the Suspicious Order Reporting and Tracking System (SORTS) and the Chemical Transaction Database (CTRANS) of the Administration;

(8) establish an education, training, and communication process in order to alert the industry to current trends and emerging patterns in the illegal manufacturing of amphetamine and methamphetamine; and

(9) carry out such other activities as the Administrator considers appropriate.

(b) ADDITIONAL POSITIONS AND PERSONNEL.—

(1) IN GENERAL.—In carrying out activities under subsection (a), the Administrator may establish in the Administration not more than 50 full-time positions, including not more than 31 special-agent positions, and may appoint personnel to such positions.

(2) PARTICULAR POSITIONS.—In carrying out activities under paragraphs (5) through (8) of subsection (a), the Administrator may establish in the Administration not more than 15 full-time positions, including not more than 10 diversion investigator positions, and may appoint personnel to such positions. Any positions established under this paragraph are in addition to any positions established under paragraph (1).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Drug Enforcement Administration for each fiscal year after fiscal year 1999, $9,500,000 for purposes of carrying out the activities authorized by subsection (a) and employing personnel in positions established under subsection (b), of which $3,000,000 shall be available for activities under paragraphs (5) through (8) of subsection (a) and for employing personnel in positions established under subsection (b)(2).

PART III—ABUSE PREVENTION AND TREATMENT

SEC. 3631. EXPANSION OF METHAMPHETAMINE RESEARCH.

Section 464N of the Public Health Service Act (42 U.S.C. 285o–2) is amended by adding at the end the following:

''(c) METHAMPHETAMINE RESEARCH.—

''(1) GRANTS OR COOPERATIVE AGREEMENTS.—The Director of the Institute may make grants or enter into cooperative agreements to expand the current and on-going interdisciplinary research and clinical trials with treatment centers of the National Drug Abuse Treatment Clinical Trials Network relating to methamphetamine abuse and addiction and other biomedical, behavioral, and social issues related to methamphetamine abuse and addiction.

''(2) USE OF FUNDS.—Amounts made available under a grant or cooperative agreement under paragraph (1) for methamphetamine abuse and addiction may be used for research and clinical trials relating to—

''(A) the effects of methamphetamine abuse on the human body, including the brain;

''(B) the addictive nature of methamphetamine and how such effects differ with respect to different individuals;

''(C) the connection between methamphetamine abuse and mental health;

''(D) the identification and evaluation of the most effective methods of prevention of methamphetamine abuse and addiction;

''(E) the identification and development of the most effective methods of treatment of methamphetamine addiction, including pharmacological treatments;

''(F) risk factors for methamphetamine abuse;

''(G) effects of methamphetamine abuse and addiction on pregnant women and their fetuses; and

''(H) cultural, social, behavioral, neurological and psychological reasons that individuals abuse methamphetamine, or refrain from abusing methamphetamine.

''(3) RESEARCH RESULTS.—The Director shall promptly disseminate research results under this subsection to Federal, State and local entities involved in combating methamphetamine abuse and addiction.

''(4) AUTHORIZATION OF APPROPRIATIONS.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out paragraph (1), such sums as may be necessary for each fiscal year.

''(B) SUPPLEMENT NOT SUPPLANT.—Amounts appropriated pursuant to the authorization of appropriations in subparagraph (A) for a fiscal year shall supplement and not supplant any other amounts appropriated in such fiscal year for research on methamphetamine abuse and addiction.''.

SEC. 3632. METHAMPHETAMINE AND AMPHETAMINE TREATMENT INITIATIVE BY CENTER FOR SUBSTANCE ABUSE TREATMENT.

Subpart 1 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb et seq.) is amended by adding at the end the following new section:

''METHAMPHETAMINE AND AMPHETAMINE TREATMENT INITIATIVE

''SEC. 514. (a) GRANTS.—

''(1) AUTHORITY TO MAKE GRANTS.—The Director of the Center for Substance Abuse Treatment may make grants to States and Indian tribes recognized by the United States that have a high rate, or have had a rapid increase, in methamphetamine or amphetamine abuse or addiction in order to permit such States and Indian tribes to expand activities in connection with the treatment of methamphetamine or amphetamine abuser or addiction in the specific geographical areas of such States or Indian tribes, as the case may be, where there is such a rate or has been such an increase.

''(2) RECIPIENTS.—Any grants under paragraph (1) shall be directed to the substance abuse directors of the States, and of the appropriate tribal government authorities of the Indian tribes, selected by the Director to receive such grants.

''(3) NATURE OF ACTIVITIES.—Any activities under a grant under paragraph (1) shall be based on reliable scientific evidence of their efficacy in the treatment of methamphetamine or amphetamine abuse or addiction.

''(b) GEOGRAPHIC DISTRIBUTION.—The Director shall ensure that grants under subsection (a) are distributed equitably among the various regions of the country and among rural, urban,

and suburban areas that are affected by methamphetamine or amphetamine abuse or addiction.

''(c) ADDITIONAL ACTIVITIES.—The Director shall—

''(1) evaluate the activities supported by grants under subsection (a);

''(2) disseminate widely such significant information derived from the evaluation as the Director considers appropriate to assist States, Indian tribes, and private providers of treatment services for methamphetamine or amphetamine abuser or addiction in the treatment of methamphetamine or amphetamine abuse or addiction; and

''(3) provide States, Indian tribes, and such providers with technical assistance in connection with the provision of such treatment.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2000 and such sums as may be necessary for each of fiscal years 2001 and 2002.

''(2) USE OF CERTAIN FUNDS.—Of the funds appropriated to carry out this section in any fiscal year, the lesser of 5 percent of such funds or $1,000,000 shall be available to the Director for purposes of carrying out subsection (c).''.

SEC. 3633. STUDY OF METHAMPHETAMINE TREATMENT.

(a) STUDY.—

(1) REQUIREMENT.—The Secretary of Health and Human Services shall, in consultation with the Institute of Medicine of the National Academy of Sciences, conduct a study on the development of medications for the treatment of addiction to amphetamine and methamphetamine.

(2) REPORT.—Not later than 9 months after the date of enactment of this Act, the Secretary shall submit to the Committees on the Judiciary of the Senate and House of Representatives a report on the results of the study conducted under paragraph (1).

(b) AUTHORIZATION OF APPROPRIATIONS.—There are hereby authorized to be appropriated for the Department of Health and Human Services for fiscal year 2000 such sums as may be necessary to meet the requirements of subsection (a).

PART IV—REPORTS

SEC. 3641. REPORTS ON CONSUMPTION OF METHAMPHETAMINE AND OTHER ILLICIT DRUGS IN RURAL AREAS, METROPOLITAN AREAS, AND CONSOLIDATED METROPOLITAN AREAS.

The Secretary of Health and Human Services shall include in each National Household Survey on Drug Abuse appropriate prevalence data and information on the consumption of methamphetamine and other illicit drugs in rural areas, metropolitan areas, and consolidated metropolitan areas.

SEC. 3642. REPORT ON DIVERSION OF ORDINARY, OVER-THE-COUNTER PSEUDOEPHEDRINE AND PHENYLPROPANOLAMINE PRODUCTS.

(a) STUDY.—The Attorney General shall conduct a study of the use of ordinary, over-the-counter pseudoephedrine and phenylpropanolamine products in the clandestine production of illicit drugs. Sources of data for the study shall include the following:

(1) Information from Federal, State, and local clandestine laboratory seizures and related investigations identifying the source, type, or brand of drug products being utilized and how they were obtained for the illicit production of methamphetamine and amphetamine.

(2) Information submitted voluntarily from the pharmaceutical and retail industries involved in the manufacture, distribution, and sale of drug products containing ephedrine, pseudoephedrine, and phenylpropanolamine, including information on changes in the pattern, volume, or both, of sales of ordinary, over-the-counter pseudoephedrine and phenylpropanolamine products.

(b) REPORT.—

(1) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the study conducted under subsection (a).

(2) ELEMENTS.—The report shall include—

(A) the findings of the Attorney General as a result of the study; and

(B) such recommendations on the need to establish additional measures to prevent diversion of ordinary, over-the-counter pseudoephedrine and phenylpropanolamine (such as a threshold on ordinary, over-the-counter pseudoephedrine and phenylpropanolamine products) as the Attorney General considers appropriate.

(3) MATTERS CONSIDERED.—In preparing the report, the Attorney General shall consider the comments and recommendations including the comments on the Attorney General's proposed findings and recommendations, of State and local law enforcement and regulatory officials and of representatives of the industry described in subsection (a)(2).

(c) REGULATION OF RETAIL SALES.—

(1) IN GENERAL.—Notwithstanding section 401(d) of the Comprehensive Methamphetamine Control Act of 1996 (21 U.S.C. 802 note) and subject to paragraph (2), the Attorney General shall establish by regulation a single-transaction limit of not less than 24 grams of ordinary, over-the-counter pseudoephedrine or phenylpropanolamine (as the case may be) for retail distributors, if the Attorney General finds, in the report under subsection (b), that—

(A) there is a significant number of instances (as set forth in paragraph (3)(A) of such section 401(d) for purposes of such section) where ordinary, over-the-counter pseudoephedrine products, phenylpropanolamine products, or both such products that were purchased from retail distributors were widely used in the clandestine production of illicit drugs; and

(B) the best practical method of preventing such use is the establishment of single-transaction limits for retail distributors of either or both of such products.

(2) DUE PROCESS.—The Attorney General shall establish the single-transaction limit under paragraph (1) only after notice, comment, and an informal hearing.

Subtitle B—Controlled Substances Generally

SEC. 3651. ENHANCED PUNISHMENT FOR TRAFFICKING IN LIST I CHEMICALS.

(a) AMENDMENTS TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall amend the Federal sentencing guidelines in accordance with this section with respect to any violation of paragraph (1) or (2) of section 401(d) of the Controlled Substances Act (21 U.S.C. 841(d)) involving a list I chemical and any violation of paragraph (1) or (3) of section 1010(d) of the Controlled Substance Import and Export Act (21 U.S.C. 960(d)) involving a list I chemical.

(b) EPHEDRINE, PHENYLPROPANOLAMINE, AND PSEUDOEPHEDRINE.—

(1) IN GENERAL.—In carrying this section, the United States Sentencing Commission shall, with respect to each offense described in subsection (a) involving ephedrine, phenylpropanolamine, or pseudoephedrine (including their salts, optical isomers, and salts of optical isomers), review and amend its guidelines to provide for increased penalties such that those penalties corresponded to the quantity of controlled substance that could reasonably have been manufactured using the quantity of ephedrine, phenylpropanolamine, or pseudoephedrine possessed or distributed.

(2) CONVERSION RATIOS.—For the purposes of the amendments made by this subsection, the quantity of controlled substance that could reasonably have been manufactured shall be determined by using a table of manufacturing conversion ratios for ephedrine, phenylpropanolamine, and pseudoephedrine, which table shall be established by the Sentencing Commission based on scientific, law enforcement, and other data the Sentencing Commission considers appropriate.

(c) OTHER LIST I CHEMICALS.—In carrying this section, the United States Sentencing Commission shall, with respect to each offense described in subsection (a) involving any list I chemical other than ephedrine, phenylpropanolamine, or pseudoephedrine, review and amend its guidelines to provide for increased penalties such that those penalties reflect the dangerous nature of such offenses, the need for aggressive law enforcement action to fight such offenses, and the extreme dangers associated with unlawful activity involving methamphetamine and amphetamine, including—

(1) the rapidly growing incidence of controlled substance manufacturing;

(2) the extreme danger inherent in manufacturing controlled substances;

(3) the threat to public safety posed by manufacturing controlled substances; and

(4) the recent increase in the importation, possession, and distribution of list I chemicals for the purpose of manufacturing controlled substances.

(d) EMERGENCY AUTHORITY TO SENTENCING COMMISSION.—The United States Sentencing Commission shall promulgate amendments pursuant to this section as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.

SEC. 3652. MAIL ORDER REQUIREMENTS.

Section 310(b)(3) of the Controlled Substances Act (21 U.S.C. 830(b)(3)) is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(2) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) As used in this paragraph:

''(i) The term 'drug product' means an active ingredient in dosage form that has been approved or otherwise may be lawfully marketed under the Food, Drug, and Cosmetic Act for distribution in the United States.

''(ii) The term 'valid prescription' means a prescription which is issued for a legitimate medical purpose by an individual practitioner licensed by law to administer and prescribe the drugs concerned and acting in the usual course of the practitioner's professional practice.'';

(3) in subparagraph (B), as so redesignated, by inserting ''or who engages in an export transaction'' after ''nonregulated person''; and

(4) adding at the end the following:

''(D) Except as provided in subparagraph (E), the following distributions to a nonregulated person, and the following export transactions, shall not be subject to the reporting requirement in subparagraph (B):

''(i) Distributions of sample packages of drug products when such packages contain not more than 2 solid dosage units or the equivalent of 2 dosage units in liquid form, not to exceed 10 milliliters of liquid per package, and not more than one package is distributed to an individual or residential address in any 30-day period.

''(ii) Distributions of drug products by retail distributors that may not include face-to-face transactions to the extent that such distributions are consistent with the activities authorized for a retail distributor as specified in section 102(46).

''(iii) Distributions of drug products to a resident of a long term care facility (as that term is defined in regulations prescribed by the Attorney General) or distributions of drug products to a long term care facility for dispensing to or for use by a resident of that facility.

''(iv) Distributions of drug products pursuant to a valid prescription.

''(v) Exports which have been reported to the Attorney General pursuant to section 1004 or

1018 or which are subject to a waiver granted under section 1018(e)(2).

''(vi) Any quantity, method, or type of distribution or any quantity, method, or type of distribution of a specific listed chemical (including specific formulations or drug products) or of a group of listed chemicals (including specific formulations or drug products) which the Attorney General has excluded by regulation from such reporting requirement on the basis that such reporting is not necessary for the enforcement of this title or title III.

''(E) The Attorney General may revoke any or all of the exemptions listed in subparagraph (D) for an individual regulated person if he finds that drug products distributed by the regulated person are being used in violation of this title or title III. The regulated person shall be notified of the revocation, which will be effective upon receipt by the person of such notice, as provided in section 1018(c)(1), and shall have the right to an expedited hearing as provided in section 1018(c)(2).''.

SEC. 3653. THEFT AND TRANSPORTATION OF ANHYDROUS AMMONIA FOR PURPOSES OF ILLICIT PRODUCTION OF CONTROLLED SUBSTANCES.

(a) IN GENERAL.—Part D of the Controlled Substances Act (21 U.S.C. 841 et seq.) is amended by adding at the end the following:

''ANHYDROUS AMMONIA

''SEC. 423. (a) It is unlawful for any person—

''(1) to steal anhydrous ammonia, or

''(2) to transport stolen anhydrous ammonia across State lines,

knowing, intending, or having reasonable cause to believe that such anhydrous ammonia will be used to manufacture a controlled substance in violation of this part.

''(b) Any person who violates subsection (a) shall be imprisoned or fined, or both, in accordance with section 403(d) as if such violation were a violation of a provision of section 403.''.

(b) CLERICAL AMENDMENT.—The table of contents for that Act is amended by inserting after the item relating to section 421 the following new items:

''Sec. 422. Drug paraphernalia.
''Sec. 423. Anhydrous ammonia.''.

(c) ASSISTANCE FOR CERTAIN RESEARCH.—

(1) AGREEMENT.—The Administrator of the Drug Enforcement Administration shall seek to enter into an agreement with Iowa State University in order to permit the University to continue and expand its current research into the development of inert agents that, when added to anhydrous ammonia, eliminate the usefulness of anhydrous ammonia as an ingredient in the production of methamphetamine.

(2) REIMBURSABLE PROVISION OF FUNDS.—The agreement under paragraph (1) may provide for the provision to Iowa State University, on a reimbursable basis, of $500,000 for purposes the activities specified in that paragraph.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for the Drug Enforcement Administration for fiscal year 2000, $500,000 for purposes of carrying out the agreement under this subsection.

Subtitle C—Ecstasy Anti-Proliferation Act of 2000

SEC. 3661. SHORT TITLE.

This subtitle may be cited as the ''Ecstasy Anti-Proliferation Act of 2000''.

SEC. 3662. FINDINGS.

Congress makes the following findings:

(1) The illegal importation of 3,4-methylenedioxy methamphetamine, commonly referred to as ''MDMA'' or ''Ecstasy'' (referred to in this subtitle as ''Ecstasy''), has increased in recent years, as evidenced by the fact that Ecstasy seizures by the United States Customs Service have increased from less than 500,000 tablets during fiscal year 1997 to more than 9,000,000 tablets during the first 9 months of fiscal year 2000.

(2) Use of Ecstasy can cause long-lasting, and perhaps permanent, damage to the serotonin system of the brain, which is fundamental to the integration of information and emotion, and this damage can cause long-term problems with learning and memory.

(3) Due to the popularity and marketability of Ecstasy, there are numerous Internet websites with information on the effects of Ecstasy, the production of Ecstasy, and the locations of Ecstasy use (often referred to as ''raves''). The availability of this information targets the primary users of Ecstasy, who are most often college students, young professionals, and other young people from middle- to high-income families.

(4) Greater emphasis needs to be placed on—

(A) penalties associated with the manufacture, distribution, and use of Ecstasy;

(B) the education of young people on the negative health effects of Ecstasy, since the reputation of Ecstasy as a ''safe'' drug is the most dangerous component of Ecstasy;

(C) the education of State and local law enforcement agencies regarding the growing problem of Ecstasy trafficking across the United States;

(D) reducing the number of deaths caused by Ecstasy use and the combined use of Ecstasy with other ''club'' drugs and alcohol; and

(E) adequate funding for research by the National Institute on Drug Abuse to—

(i) identify those most vulnerable to using Ecstasy and develop science-based prevention approaches tailored to the specific needs of individuals at high risk;

(ii) understand how Ecstasy produces its toxic effects and how to reverse neurotoxic damage;

(iii) develop treatments, including new medications and behavioral treatment approaches;

(iv) better understand the effects that Ecstasy has on the developing children and adolescents; and

(v) translate research findings into useful tools and ensure their effective dissemination.

SEC. 3663. ENHANCED PUNISHMENT OF ECSTASY TRAFFICKERS.

(a) AMENDMENT TO FEDERAL SENTENCING GUIDELINES.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission (referred to in this section as the ''Commission'') shall amend the Federal sentencing guidelines regarding any offense relating to the manufacture, importation, or exportation of, or trafficking in—

(1) 3,4-methylenedioxy methamphetamine;

(2) 3,4-methylenedioxy amphetamine;

(3) 3,4-methylenedioxy-N-ethylamphetamine;

(4) paramethoxymethamphetamine (PMA); or

(5) any other controlled substance, as determined by the Commission in consultation with the Attorney General, that is marketed as Ecstasy and that has either a chemical structure substantially similar to that of 3,4-methylenedioxy methamphetamine or an effect on the central nervous system substantially similar to or greater than that of 3,4-methylenedioxy methamphetamine;

including an attempt or conspiracy to commit an offense described in paragraph (1), (2), (3), (4), or (5) in violation of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or the Maritime Drug Law Enforcement Act (46 U.S.C. 1901 et seq.).

(b) GENERAL REQUIREMENTS.—In carrying out this section, the Commission shall, with respect to each offense described in subsection (a)—

(1) review and amend the Federal sentencing guidelines to provide for increased penalties such that those penalties reflect the seriousness of these offenses and the need to deter them; and

(2) take any other action the Commission considers to be necessary to carry out this section.

(c) ADDITIONAL REQUIREMENTS.—In carrying out this section, the Commission shall ensure that the Federal sentencing guidelines for offenders convicted of offenses described in subsection (a) reflect—

(1) the need for aggressive law enforcement action with respect to offenses involving the controlled substances described in subsection (a); and

(2) the dangers associated with unlawful activity involving such substances, including—

(A) the rapidly growing incidence of abuse of the controlled substances described in subsection (a) and the threat to public safety that such abuse poses;

(B) the recent increase in the illegal importation of the controlled substances described in subsection (a);

(C) the young age at which children are beginning to use the controlled substances described in subsection (a);

(D) the fact that the controlled substances described in subsection (a) are frequently marketed to youth;

(E) the large number of doses per gram of the controlled substances described in subsection (a); and

(F) any other factor that the Commission determines to be appropriate.

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

(1) the base offense levels for Ecstasy are too low, particularly for high-level traffickers, and should be increased, such that they are comparable to penalties for other drugs of abuse; and

(2) based on the fact that importation of Ecstasy has surged in the past few years, the traffickers are targeting the Nation's youth, and the use of Ecstasy among youth in the United States is increasing even as other drug use among this population appears to be leveling off, the base offense levels for importing and trafficking the controlled substances described in subsection (a) should be increased.

(e) REPORT.—Not later than 60 days after the amendments pursuant to this section have been promulgated, the Commission shall—

(1) prepare a report describing the factors and information considered by the Commission in promulgating amendments pursuant to this section; and

(2) submit the report to—

(A) the Committee on the Judiciary, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate; and

(B) the Committee on the Judiciary, the Committee on Commerce, and the Committee on Appropriations of the House of Representatives.

SEC. 3664. EMERGENCY AUTHORITY TO UNITED STATES SENTENCING COMMISSION.

The United States Sentencing Commission shall promulgate amendments under this subtitle as soon as practicable after the date of enactment of this Act in accordance with the procedure set forth in section 21(a) of the Sentencing Act of 1987 (Public Law 100–182), as though the authority under that Act had not expired.

SEC. 3665. EXPANSION OF ECSTASY AND CLUB DRUGS ABUSE PREVENTION EFFORTS.

(a) PUBLIC HEALTH SERVICE ACT.—Part A of title V of the Public Health Service Act (42 U.S.C. 290aa et seq.), as amended by section 3306, is further amended by adding at the end the following:

''SEC. 506B. GRANTS FOR ECSTASY AND OTHER CLUB DRUGS ABUSE PREVENTION.

''(a) AUTHORITY.—The Administrator may make grants to, and enter into contracts and cooperative agreements with, public and nonprofit private entities to enable such entities—

''(1) to carry out school-based programs concerning the dangers of the abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other drugs commonly referred to as 'club drugs' using methods that are effective and science-based, including initiatives

that give students the responsibility to create their own anti-drug abuse education programs for their schools; and

''(2) to carry out community-based abuse and addiction prevention programs relating to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs that are effective and science-based.

''(b) USE OF FUNDS.—Amounts made available under a grant, contract or cooperative agreement under subsection (a) shall be used for planning, establishing, or administering prevention programs relating to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs.

''(c) USE OF FUNDS.—

''(1) DISCRETIONARY FUNCTIONS.—Amounts provided to an entity under this section may be used—

''(A) to carry out school-based programs that are focused on those districts with high or increasing rates of abuse and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs and targeted at populations that are most at risk to start abusing these drugs;

''(B) to carry out community-based prevention programs that are focused on those populations within the community that are most at-risk for abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs;

''(C) to assist local government entities to conduct appropriate prevention activities relating to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs;

''(D) to train and educate State and local law enforcement officials, prevention and education officials, health professionals, members of community anti-drug coalitions and parents on the signs of abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs and the options for treatment and prevention;

''(E) for planning, administration, and educational activities related to the prevention of abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs;

''(F) for the monitoring and evaluation of prevention activities relating to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs and reporting and disseminating resulting information to the public; and

''(G) for targeted pilot programs with evaluation components to encourage innovation and experimentation with new methodologies.

''(2) PRIORITY.—The Administrator shall give priority in awarding grants under this section to rural and urban areas that are experiencing a high rate or rapid increases in abuse and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs.

''(d) ALLOCATION AND REPORT.—

''(1) PREVENTION PROGRAM ALLOCATION.—Not less than $500,000 of the amount appropriated in each fiscal year to carry out this section shall be made available to the Administrator, acting in consultation with other Federal agencies, to support and conduct periodic analyses and evaluations of effective prevention programs for abuse of and addiction to 3,4-methylenedioxy methamphetamine, related drugs, and other club drugs and the development of appropriate strategies for disseminating information about and implementing such programs.

''(2) REPORT.—The Administrator shall annually prepare and submit to the Committee on Health, Education, Labor, and Pensions, the Committee on the Judiciary, and the Committee on Appropriations of the Senate, and the Committee on Commerce, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives, a report containing the results of the analyses and evaluations conducted under paragraph (1).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

''(1) $10,000,000 for fiscal year 2001; and

''(2) such sums as may be necessary for each succeeding fiscal year.''.

Subtitle D—Miscellaneous

SEC. 3671. ANTIDRUG MESSAGES ON FEDERAL GOVERNMENT INTERNET WEBSITES.

Not later than 90 days after the date of enactment of this Act, the head of each department, agency, and establishment of the Federal Government shall, in consultation with the Director of the Office of National Drug Control Policy, place antidrug messages on appropriate Internet websites controlled by such department, agency, or establishment which messages shall, where appropriate, contain an electronic hyperlink to the Internet website, if any, of the Office.

SEC. 3672. REIMBURSEMENT BY DRUG ENFORCEMENT ADMINISTRATION OF EXPENSES INCURRED TO REMEDIATE METHAMPHETAMINE LABORATORIES.

(a) REIMBURSEMENT AUTHORIZED.—The Attorney General, acting through the Administrator of the Drug Enforcement Administration, may reimburse States, units of local government, Indian tribal governments, other public entities, and multi-jurisdictional or regional consortia thereof for expenses incurred to clean up and safely dispose of substances associated with clandestine methamphetamine laboratories which may present a danger to public health or the environment.

(b) ADDITIONAL DEA PERSONNEL.—From amounts appropriated or otherwise made available to carry out this section, the Attorney General may hire not more than 5 additional Drug Enforcement Administration personnel to administer this section.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Attorney General to carry out this section $20,000,000 for fiscal year 2001.

SEC. 3673. SEVERABILITY.

Any provision of this title held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, shall be construed as to give the maximum effect permitted by law, unless such provision is held to be utterly invalid or unenforceable, in which event such provision shall be severed from this title and shall not affect the applicability of the remainder of this title, or of such provision, to other persons not similarly situated or to other, dissimilar circumstances.

The SPEAKER pro tempore. Pursuant to House Resolution 594, the gentleman from Florida (Mr. BILIRAKIS) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 30 minutes.

The Chair recognizes gentleman from Florida (Mr. BILIRAKIS).

GENERAL LEAVE

Mr. BILIRAKIS. 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. 4365.

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

There was no objection.

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

Mr. Speaker, I am very pleased to bring H.R. 4365, the Children's Health Act of 2000, to the floor of the House today. This measure is a result of strong bipartisan, and I underline strong bipartisan, bicameral cooperation and extensive negotiations.

The bill before us today includes the original children's health bill passed by the House in May, as well as provisions to reauthorize the Substance Abuse and Mental Health Services Administration. The Senate passed the revised bill last Friday. Since then, more than a dozen children's health advocacy groups have issued statements publicly applauding the bill and praising this effort.

In developing this legislation, my Committee on Commerce colleagues and I examined many of the difficult barriers we face in working to improve children's health and well-being. Witnesses testified about a variety of serious childhood afflictions, including autism, Fragile X, childhood asthma, and juvenile diabetes.

The bill before us authorizes and reauthorizes children's disease research and prevention activities conducted under the Public Health Service Act. Among its key provisions, the bill establishes a new Pediatric Research Initiative within the National Institutes of Health to enhance opportunities for research and improve coordination of efforts to prevent or cure diseases affecting children.

The bill also addresses a number of specific concerns, including autism, Fragile X, birth defects, early hearing loss, epilepsy, asthma, juvenile arthritis, childhood malignancies, juvenile diabetes, safe motherhood and infant health promotion, adoption awareness, traumatic brain injury, Healthy Start, oral health, vaccine injury compensation, Hepatitis C, autoimmune diseases, graduate medical education in children's hospitals, muscular dystrophy, and rare pediatric diseases.

Equally important, Mr. Speaker, it does not include specific funding earmarks or other controversial provisions.

This legislation incorporates a number of separate legislative proposals, and I would like to acknowledge the efforts of those Members who worked to develop provisions that were included in the bill.

I also want to acknowledge all of the patient advocates, there were many, as there were many Members and also cosponsors of the original children's health bill, who lent us strong support for this initiative. Their dedication helped keep this legislation alive.

We can never estimate the human toll of childhood diseases. However, they also have an enormous financial impact through billions of dollars in increased health care costs. Every dollar spent by the Federal Government on disease research and prevention is an extremely wise investment.

Any parent can tell us that nothing is more heart-wrenching than watching their own child suffer with an illness. As a father and grandfather myself, I know how terrible that can be. Today, however, we have a rare opportunity to do something that will give hope to families devastated by childhood disease.

This bill, Mr. Speaker, also takes great steps to reauthorize and refine

the mission of the Substance Abuse and Mental Health Services Administration. It gives States more flexibility in the use of their block grant funds and follows the trend in other Federal programs to require more accountability based on performance.

The bill authorizes funding for many important services for youths and adolescents. These include youth drug treatment, early intervention for juvenile substance abuse, prevention of methamphetamine and inhalant use, follow-up services for youth offenders released from juvenile justice facilities, comprehensive community services for children with serious emotional disturbances, services for individuals with fetal alcohol syndrome, and prevention of underage drinking and suicide prevention.

The bill also addresses the needs of adults by authorizing grants for emergency mental health centers, programs to divert individuals with mental illness from the criminal justice system, and programs to expand mental health and substance abuse treatment services for the homeless.

In addition, this bill facilitates some physicians' ability to prescribe certain narcotics, such at buprenorpine, that are used in treating narcotics addiction. It also provides a comprehensive strategy to combat methamphetamine use. These provisions were approved by my subcommittee as H.R. 2634, the Drug Addiction Treatment Act of 2000, and this language was carefully worked out with the Committee on the Judiciary.

In closing, Mr. Speaker, I urge all of my colleagues to support this important legislation in addition to reauthorizing the Federal Substance Abuse and Mental Health Services programs. The bill before us will provide vital resources targeted at ending the scourge of childhood diseases.

Mr. Speaker, I want to thank the gentleman from Ohio (Mr. BROWN), a member of the subcommittee, for his tireless efforts. Together, we did put kids ahead of politicians, and I am truly grateful for his commitment to improve the health of our Nation's children.

I also want to recognize the staff who worked to advance this legislation, and first and foremost, to thank my health policy advisor, Anne Esposito, for her hard work and dedication through long hours and extensive negotiations.

I am also grateful to her partner in that effort, Ellie Dehoney from the staff of the gentleman from Ohio (Mr. BROWN). Together they demonstrated the patience and determination necessary to keep this process on track and moving forward.

Additionally, I would like to thank Mr. Jeremy Allen, who was with me for a short time as, I guess, a presidential fellow. He worked to pass the bill through the House and helped with the Senate negotiations; Michael Reilly, who was also with us in that capacity at one time; and, of course, my chief of staff, Todd Tuten, because it was his consent based on our success with the women's health initiative that led to doing this; and, additionally, Dr. Carolyn Sporn, who is a third-year resident at George Washington University in the Emergency room who chose to spend a month in my office to gain the knowledge that I think all medical doctors should have regarding this process.

Together we are doing something good for kids. I urge every Member to support passage of H.R. 4365.

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

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

Mr. Speaker, I am pleased that the House is moving forward today to pass legislation seeking to improve the health care of our Nation's children.

While much of the health focus in the 106th Congress has been in the area of Medicare programs and other areas of health care policy, Congress has largely neglected the area of children's health and development until my colleagues, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. BROWN), spearheaded this important initiative.

I would like to thank the chairman and the ranking member for their work in this area and really forcing this issue before the end of the 106th Congress.

I, too, want to add my thanks to the staff, particularly John Ford, Judith Bankendorf, and Eleanor Dehoney of the Committee on Commerce and Bruce Lesley from my staff for their outstanding work on this legislation, as it has been improved through every step of the process due to their hard work and diligence.

As the chairman knows, nothing could be more important to our Nation's future than our children. Numerous indicators of the well-being of our children paint a mixed picture. Both in terms of success and shortcomings, they give us a mixed view of what our Nation's future holds.

Reports of both gains and continued unmet needs are also apparent with regard to a variety of other pediatric health care needs including infant mortality, immunization rates, pediatric asthma care, youth violence, and the critically important fact that over 11 million children in this country still remain uninsured.

It is on this latter point, the issue of uninsured children and adolescents, that I hope this Congress will choose to address through legislative action in the near future. We cannot fully address the health care needs of children without addressing the fact that 11 million children still continue to have limited, sporadic, if any, access to health care.

H.R. 4365 takes very important strides to expand pediatric research efforts and increase coordination in Federal resources for a variety of childhood diseases or health problems. While some have questioned such a focus on the needs of children, the Federal Government commitment related to child and adolescent health and development is completely inadequate and desperately needs greater focus and attention to the unique health care problems facing children.

According to a report issued by the President's National Science and Technology Council entitled ''Investing in Our Future: A National Research Initiative for America's Children for the 21st Century,'' the combined research spending for children and adolescents through the Federal Government represents ''less than three percent of the total Federal research enterprise''.

Thus, the Federal Government commits less than 3 percent of its research focus to improve the lives of children despite the fact that they represent over 30 percent of our Nation's population and our future.

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As such, pediatric research and prevention efforts must be at the forefront. As the President's National Science and Technology Council concluded:

''Our Nation has a clear stake in ensuring that all of America's children grow up to be healthy, educated, productive and contributing adults. Scientific research is and will continue to be a catalyst for achieving that goal.''

I would like to highlight those provisions in this bill that come from legislation that I introduced in this Congress, including:

H.R. 4008, the Pediatric Organ Transplantation Improvement Act of 2000. This legislation, introduced with the gentleman from Pennsylvania (Mr. PETERSON), will require that our Nation's organ transplant system recognizes children's unique health care needs and increases research into improving pediatric organ transplantation. For some of our Nation's most vulnerable citizens, children awaiting lifesaving organ transplants, this language should improve their care and even save lives.

H.R. 4594, the Pediatric Diabetes Research and Prevention Act. This initiative, introduced with the gentleman from Washington (Mr. NETHERCUTT), the gentleman from Pennsylvania (Mr. WELDON) and the gentleman from New York (Mr. LAFALCE) as well as in the Senate by Senator COLLINS improves our Nation's research and prevention efforts into pediatric diabetes. The language increases the necessary tools to expand clinical trials on children with diabetes to move some of the remarkable research that we are seeing on diabetes from the laboratory bench to the patient's bedside.

H.R. 5198, the Children's Research Protection Act. This legislation, introduced with the gentleman from Ohio (Mr. LATOURETTE) and Senators DODD and DEWINE, promotes the improvement of pediatric research and protections for children involved in medical

research. The provision requires that all HHS-funded and regulated research comply with pediatric-specific human subject protections and has many other important provisions.

Finally, H.R. 1313, the Patient Freedom from Restraint Act of 1999. This initiative, which was introduced as companion legislation to bills by Senators LIEBERMAN and DODD, would take important steps to protect both children and adults with mental illness or mental retardation from being inappropriately placed in endangering restraints or seclusion, which has caused personal harm and even death.

There are many other fine provisions of this bill. Several I would like to talk about is the reauthorization of the Substance Abuse and Mental Health Services Administration, or SAMHSA, Act which improves mental health and substance abuse services for children and adolescents. There are several provisions that have become known as the Columbine provisions because they deal with children and adolescents who are at great risk. One, grants to public entities, seeks to develop ways to assist children in dealing with violence. Another allows the Secretary to use up to 2.5 percent of the funds appropriated for discretionary grants for responding to emergencies. Yet another reauthorizes the high-risk youth program which provides funds to public and nonprofit private entities to establish programs for the prevention of drug abuse among high-risk youths. There are many other fine provisions of SAMHSA which are in this bill and which we will hear about from my colleagues.

In addition, the bill has numerous other important children's health provisions, including fragile X research, pediatric asthma, birth defects, hearing loss and newborn screening, childhood cancer, traumatic brain injury, child care safety, graduate medical education for our Nation's children's hospitals and lead poisoning.

I am proud of this legislation. I know we are all proud of this legislation. Again I would like to thank the chairman and the ranking member for their courageous leadership on this broad bill.

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

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. BRYANT), a member of the Subcommittee on Health and Environment and a very conscientious and active Member.

Mr. BRYANT. Mr. Speaker, I thank the gentleman for yielding me this time. I thank him for bringing this bill to the floor and for his leadership on all health care issues.

Mr. Speaker, I do rise in support of the Children's Health Act and would like to alert my colleagues to two issues which specifically are addressed in this bill and which are of concern to me and interest to me: Duchenne muscular dystrophy and day care safety. Duchenne muscular dystrophy is the most common and most catastrophic form of genetic childhood disease, occurring in one of every 3,500 live births and generally killing its victims in their late teens or early twenties.

My first experience with a family suffering from this devastating disease was in 1998 when my constituents Roy and Carol Henderson from Memphis first contacted my office. Their son had been diagnosed with Duchenne muscular dystrophy. I remember the pain and frustration that that strong family expressed to me as they began to search for answers to the difficult questions of why their child was afflicted with this awful, debilitating disease. Why were there so few treatment options for their son? And, most importantly, why had the government failed to prioritize more Federal resources toward finding a cure to this terrible disease?

Despite the 1987 discovery of the dystrophin gene, the survivability of this childhood disease has not been extended in any significant way. For decades, the only treatment known to somewhat alter the course of this disease was the use of steroids whose serious side effects are well known.

For these reasons it is imperative that the National Institutes of Health, NIH, begin to focus some of its Federal resources toward muscular dystrophy research. Today we will be voting on comprehensive children's health legislation which directs NIH to provide a more coordinated emphasis on muscular dystrophy research and assigns the National Institute of Neurological Disorders and Stroke with the responsibility of leading NIH's efforts in this promising field.

The bill also includes legislation authored by Senator BILL FRIST and introduced in the House by myself and the gentlewoman from New York (Mrs. MCCARTHY). This section will provide the States with over $200 million to improve the safety of its day care centers throughout the United States. The bill would allow States the flexibility to use the funding for a number of purposes, including training child care providers, rehabilitating child care facilities, improving the safety of transporting children and conducting criminal background checks for child care providers. With the all too frequent reports of abuse and neglect in child care facilities, there was a need to give States additional resources to provide quality child care. Under the bill's formula, my State, Tennessee, would receive $4.2 million to give child care providers the tools needed to offer safe, affordable, quality child care to the children of Tennessee.

In conclusion, too many of our children needlessly suffer and even die from abuse, birth defects and diseases which can be prevented given the proper investment of our time and resources. With the passage of this bill, Congress will renew its commitment to America's children. I am pleased that the sponsors of this legislation recognized the seriousness of these issues by including them in this legislation. I encourage my colleagues to support its passage.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentlewoman from Colorado for her leadership along with the gentleman from Ohio (Mr. BROWN), who is the ranking member, and as well the chairman, the gentleman from Florida (Mr. BILIRAKIS) for their leadership.

This is an important issue. I know there are many legislative initiatives that are found in this legislation dealing with children's health. I applaud the reauthorization of SAMHSA dealing specifically with the important issues of substance abuse and also the provisions that assist children in dealing with violence as well as the $2.5 million in grants to assist local communities in reauthorizing high-risk programs dealing with children susceptible to drug use. That is clearly still a viable concern in our communities. My 15-year-old son acknowledges that we have a problem, and I imagine that he may be representative of many of our children around the Nation.

I would hope, however, that as we look at the question of children's health as we will be hearing from many members of the Democratic Caucus discussing specifically this question of children's health and this poor state of children's health in the Nation that we will continue to do this in a more deliberative fashion, that we will be able to give more time to addressing the needs of children, particularly the concerns I have and the legislation I filed, H.R. 3455, the Give a Kid a Chance omnibus mental health bill that is a comprehensive assessment of providing resources to parents, immediate resources so that children who are in need of access to mental health care are not channeled to the juvenile justice system. That is what happens now.

Along with the 11 million children that are uninsured, can you imagine the children that do not have access to mental health services? And even though I know that there are provisions in this bill, there is still much to be accomplished.

Might I also take note of the charitable choice provisions that raises much concern. I wish we would explore this question. We are for these issues, but we want to have them in a nondiscriminatory fashion. I would have hoped the Committee on the Judiciary would have been allowed to address this question in a fair manner. Certainly I think we are moving forward on children's health, but we still have a long way to go on the needs of children's mental health.

Mr. BILIRAKIS. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), my 98th Congress colleague.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank my friend and the honored chairman of this subcommittee the gentleman from Florida (Mr. BILIRAKIS) for bringing forward a really extremely important bill that will provide many good services for children throughout America.

There are two specific provisions intended to protect children in therapeutic group homes, patients in psychiatric hospitals, old folks in nursing homes and youths in juvenile detention centers from hurting themselves and others. The intent behind these provisions is to ensure that vulnerable populations who live behind closed doors are safe and treated with respect and dignity. This bill establishes standards for the clinical use of restraints to physically stabilize a patient and protocols for time-out situations that require the patient to be separated from others. This is the first time that Congress has attempted to legislate clinical practices in health care facilities as well as nonmedical community-based facilities. For this reason it is very important that this legislation be clear and unambiguous about the kinds of practices that will be prohibited and the kinds that will be encouraged.

Unfortunately, the legislation is not exactly clear. A distinction is made in the legislation between health care facilities and nonmedical community-based facilities, but there is no definition of either. Where does a residential treatment center fit in? What rules will apply?

A standard practice in treatment facilities is the use of therapeutic holding to calm a patient who is out of control through proximity and physical touch. Therapeutic holds are used to protect children. They are used to express affection. They are used to calm children. I worked as an aide on the children's ward of a major psychiatric hospital and I know the power of therapeutic holds. I chaired the community child guidance clinic in my hometown for many years and as a State senator visited residential facilities for children with serious psychiatric problems throughout Connecticut. We must not deny these critical facilities the ability to provide loving help for our kids.

My reading of section 591(d)(1) in part H where restraint is defined as excluding ''any method that involves the physical holding of a resident'' would allow the practice of therapeutic holding to be used when appropriate to allow residents to resume their activities as soon as possible. It is my expectation that the HHS regulations will reflect this reading and that the Committee on Commerce agrees that therapeutic holds are indeed excluded from any definition of restraint.

While the legislation calls for training and staff development in the use of restraint and seclusion methods, two things are unclear: Who will provide this training and who will pay for it? I would hope, and it would be very helpful, if HHS would promulgate all regulations, both those for health care facilities and those for nonmedical community-based facilities, at the same time to avoid confusion and to ensure seamless delivery of services to the most vulnerable populations in our country.

In summary, I thank the chairman for his leadership on this legislation.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I stand to speak not against the underlying bill but specifically in regard to the so-called charitable choice language in the bill. Let me make five points about that language:

First what it says is Federal tax dollars can go directly to churches, synagogues and houses of worship. I believe that is clearly unconstitutional and for good reason. Federal subsidies of our churches and houses of worship is something we have not done for 200 years in our country.

The second point. It mentions this language under the guise of not wanting to have discrimination against religious organizations. That might be cute marketing but it is faulty logic and it is unconstitutional logic. What that says in effect is that the Bill of Rights and the first amendment thereof discriminates against religion. The reason Mr. Madison, Mr. Jefferson and our Founding Fathers set up a distance between government and religion and church and state was to protect religion, not to discriminate against it. Their argument is that I guess the Bill of Rights is discriminating against religion.

The third point is it talks about stopping discrimination. Charitable choice language in this bill actually subsidizes religious discrimination.

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Very clearly it says you can take my Federal tax dollars, your Federal tax dollars, and put out a government paid for sign that says ''No Catholics, no Jews, no Protestants need apply here for this federally subsidized job.'' That is wrong. It is wrong to have Federal taxpayers paying for religious job discrimination.

The fourth point is that charitable choice language in the name of helping religion is actually going to bring government auditing on our churches. According to the language of the bill itself, the churches and houses of worship are going to have to face the same auditing requirements as non-religious entities. I am not sure our religious entities are helped in America by having Uncle Sam come in and audit.

This language is unnecessary, it is harmful, it is unconstitutional, and it should not be in this bill.

Mr. BILIRAKIS. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Washington (Mr. NETHERCUTT), who has been quite a leader in diabetes in this House.

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

Mr. NETHERCUTT. Mr. Speaker, I thank the gentleman from Florida and the gentlewoman from Colorado, both great friends of mine, with respect to their commitment to curing the disease of diabetes that affects so many people around this world, especially in the United States of America.

This bill is a great bill with respect to its attention to diabetes. It creates a national registry to track the incidence of juvenile diabetes; it establishes long-term epidemiology studies, in which persons with type 1 diabetes will be followed for 10 years; it addresses type 2 diabetes in youth; it creates a critical trial infrastructure for juvenile diabetes; it provides a look at animal studies, which will provide hope and promise that a true vaccine can be developed to prevent type 1 diabetes in humans; and it also contains a loan repayment program to encourage research.

Overall, this bill is a very good effort as it relates to diabetes, and I am very much supportive of it. I hope that all the 270 members of the House Diabetes Caucus will get on board and support it as well.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding me time.

Mr. Speaker, I rise in very strong support of this legislation. H.R. 4365 reflects consensus around issues that are of deep importance to all of us, keeping our children healthy and free of substance abuse and mental illness.

This bill addresses major challenges in childhood disease and reauthorizes the Substance Abuse and Mental Health Services Administration. As a school nurse, a mother, and now a grandmother, children's health is an issue that has been of great concern to me throughout my entire life.

This bill would dedicate more Federal spending and intensify efforts on childhood diseases, including fragile X, autism, early hearing loss, juvenile diabetes and other child-specific conditions and diseases. This legislation does much to help young victims of childhood disease.

Mr. Speaker, parents and families with children who suffer from these childhood diseases have put their heart and soul into passing this legislation, and we must thank them for their tireless efforts. They have come forward with personal, often very painful stories, illustrating the need for this bill. I commend them, and I urge support for this important legislation.

This bill also includes reauthorization of SAMSHA, based on a version of legislation that I introduced earlier this year. This reauthorization will address substance abuse as it relates to children, in addition to adults, with regard to under-age drinking, children

and violence, and fetal alcohol syndrome, to name a few.

To the extent that we can protect our children from alcohol and substance abuse, we reduce their chances of addiction or abuse as adults. Drug addiction is often an intergenerational family problem, with future use by children of addicts a very common occurrence. Sadly, this is a pattern I saw regularly as a school nurse.

This legislation also includes a bill I authored, the Youth Drinking Elimination Act. This legislation, which has the support of the American Academy of Pediatrics, will provide competitive grants to private organizations and governmental agencies through SAMSHA to develop and implement programs and services to reduce underage drinking.

I have seen the success of SAMSHA prevention programs in my own district, particularly with Santa Barbara's Fighting Back and also with Life Steps in San Luis Obispo. They provide highly successful public awareness initiatives, mentoring, criminal justice partnerships and health care intervention programs.

Mr. Speaker, SAMSHA reauthorization is the best way we can comprehensively address the problems of substance abuse and mental health confronting our communities. These problems are just too great for us to treat in a piecemeal fashion.

I urge my colleagues to support this much-needed legislation.

Mr. BILIRAKIS. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Mrs. BIGGERT).

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

Mr. Speaker, I want to bring to the attention of my colleagues a provision in this legislation that I have authored that will help us address the growing problem of so-called ''club drugs,'' such as Ecstasy.

Five months ago, three young adults in the Chicago area, including two in my Congressional District, died after ingesting what they thought was the club drug Ecstasy, but was in fact a much more powerful cousin called PMA.

These club drugs are flooding our country, and it is not hard to see why. Ecstasy costs just pennies to make, but it is sold here in the United States for as much as $40 per tablet, and the penalties for trafficking are a joke. While the youth of this country believe that Ecstasy is harmless, the problems they face range from paranoia to brain damage, and even to death.

Under this bill, the penalties for Ecstasy trafficking will be increased and we will authorize $10 million to teach our children that these club drugs are dangerous. I believe that this will get the attention of traffickers and the users of Ecstasy, and I urge passage of this bill.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Speaker, I thank all of those who have been in the leadership role in bringing this important legislation to the floor.

I support this legislation and any legislation that will help and protect America's children. I do want to bring attention though to one provision that is very dear to my heart and truly affects the inner-city communities in my district. That provision authorizes funding for important life-enhancing and life-saving asthma initiatives.

As author of the Asthma Awareness Education and Treatment Act and founder of the Congressional Asthma Task Force with the gentleman from Texas (Mr. BARTON) and Senators DURBIN and DEWINE, I have been a vocal and unyielding advocate for America's right to breathe.

Countless children and families in my district, which includes Watts, Compton and other low-income inner cities, are literally struggling to breathe, primarily because they lack information and access to effective long-term asthma management medical care.

While the rate of asthma prevalence has grown throughout the country, including rural and suburban areas, it has devastated our inner cities minorities and low-income families. The asthma death rate is twice as high among African Americans, and a staggering four times higher for African-American children. African Americans are also five times more likely to seek emergency room care for asthma, which does not provide long-term management for this disease.

Asthma is also more prevalent among all age groups in lower-income families. In families with an income average of less than $10,000, 80 out of 1,000 individuals have asthma, while in families with an average income of $20,000 to $34,000, 54 out of 1,000 individuals have asthma. That means close to 400,000 more people with extremely limited earnings have asthma.

Mr. Speaker, we can do better. This bill provides that type of funding, and I welcome and appreciate this legislation.

Mr. Speaker, today we will pass historic legislation which will help and protect America's children. The Children's Health Act is the result of bipartisan dedication to ensuring that we address critical problems facing our youth today. From drug abuse to youth violence to prenatal care, this legislation is comprised of critical programs that will impact the lives of children most in need.

While I embrace all the initiatives included in the Children's Health Act, today I would like to address one provision in particular, which is dear to my heart and will truly affect the inner-city communities in my district. That provision authorizes funding for important, life-enhancing and life-saving asthma initiatives.

As author of the Asthma Awareness, Education and Treatment Act and founder of the Congressional Asthma Task Force with Congressman BARTON and Senators DURBIN and DEWINE, I have been a vocal and unyielding advocate for America's right to breathe. Countless children and families in my district which includes Watts, Compton and other low-income inner-city communities are literally struggling to breathe primarily because they lack information and access to effective, long-term asthma management medical care. While the rate of asthma prevalence has grown throughout the country, including rural and suburban areas, it has devastated our inner-cities, minorities and low income families. The asthma death rate is twice as high among African Americans and a staggering four times higher for African American children. African Americans are also five times more likely to seek emergency room care for asthma, which does not provide long-term management of this disease. Asthma is also more prevalent among all age groups in lower income families. In families with an annual income of less than $10,000, 80 out of 1,000 individuals have asthma while in families with an annual income of $20,000 to $34,999, 54 out of 1,000 individuals have asthma—that means close to 400,000 more people with extremely limited earnings have asthma.

Whatever your income, we are all paying the price for the 160% increase in asthma among preschool children over the past decade. The total cost of asthma to Americans was close to $12 billion in 1998. Parents miss work, children miss school, and too many cases are treated in emergency rooms that could have been treated, or in some situations prevented, by education, medication and ongoing management by a physician.

Today with the passage of the Children's Health Act, we are taking meaningful steps to curb this staggering growth in asthma cases, its high cost to society, and its disproportionate effect on minorities and low income families. This bill provides comprehensive asthma services to children, mobile health care clinics, patient and family education on managing asthma, and identification of children eligible for Medicaid, and other children's health programs.

In representing some of the poorest areas of the country in South Central Los Angeles, I have seen the dire need for community assistance, and that is why I applaud the efforts of Senator DURBIN to ensure this legislative language was included in the Senate-passed bill. Furthermore, I urge my colleagues to not only vote for the Children's Health Act but to ensure that you inform your constituents of the asthma services this bill creates. As Members of Congress, it is our job to educate our constituents on the policies we enact and empower them to use the programs we create to improve their lives.

Mr. BILIRAKIS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. DEMINT).

Mr. DEMINT. Mr. Speaker, I rise today to highlight one of the specific provisions of this child health package, the Infant Adoption Awareness Act.

It is truly my privilege to stand here and thank my colleagues in the House and Senate and on many different sides of the family planning issue for their ability to come together and pass adoption provisions which allow us to celebrate life by celebrating adoption.

I would like to thank the leaders in sponsoring and negotiating this legislation, the gentleman from Virginia

(Chairman BLILEY); the ranking member, the gentleman from Michigan (Mr. DINGELL); Senator FRIST; Senator KENNEDY.

In particular, I would like to thank and honor the distinguished chairman of the Committee on Commerce, the gentleman from Virginia (Mr. BLILEY), for his tireless efforts on behalf of adoption. As an adoptive father and co-chairman of the Congressional Coalition on Adoption, as well as the chairman of the House Committee on Commerce, he has championed the adoption issue to help build happy, loving homes across America.

I would also like to thank Marc Wheat of the Committee on Commerce staff for his excellent work and dedication and persistence on this project.

Mr. Speaker, I am pleased that the infant adoption awareness provisions in this bill are a step in the right direction to bring complete and accurate adoption information to women facing unplanned pregnancies. These women in difficult circumstances deserve to hear about the options from a well-trained counselor who can provide accurate, up-to-date information on adoption.

This act provides professional development for pregnancy counselors in adoption counseling. The training will enable pregnancy counselors to feel confident in their knowledge of the adoption process, relevant State and local laws, and the legal, medical and financial resources which can be provided to women with unplanned pregnancies.

Mr. Speaker, I know that it is not easy to get a diverse group of organizations representing a wide variety of interests to agree on anything. I am therefore particularly delighted to be on the floor today praising the infant adoption awareness component of this bill, which reflects the input of a broad range of organizations. I want to thank everyone for their support.

Ms. DEGETTE. Mr. Speaker, I am very pleased to yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentlewoman for yielding me time, and I especially thank her and the manager on the other side for the hard work that succeeded in bringing this bill that we have waited so long to get to the floor.

Mr. Speaker, I must say we had no right to subject such an important bill to the constitutional attack it is going to get in the courts almost immediately. We have marred this bill by incorporating two provisions that involve deliberate discrimination. At least one of them puts the bill at constitutional peril. That is the constitutional choice provision.

I am a former Chair of the Equal Employment Opportunity Commission. Title VII gives the broadest deference to religious institutions. They can discriminate in employment involving religion, and even in secular activities that they carry out, and even if conduct as they see it is against their religion.

But once you give a religious organization the right to administer Federal funds, our law and our Constitution require equal treatment. Title VI and title VII both make that clear, and certainly the Constitution does.

We are funding churches, synagogues, other religious entities, as if they were Federal agencies. That in itself raises the most serious constitutional questions, because these are pervasively religious institutions, and that is exactly what the Supreme Court says you cannot fund.

Then we go one unconstitutional step further. We allow these religious institutions to discriminate as to whom they hire to administer Federal funds. That is where the line surely must be drawn.

We go further in discriminating in this bill. We carry into this bill discredited, discriminatory, mandatory sentencing minimums, and we carry it to new legislation, turning a deaf ear to the Federal courts and to all our experience. Worse, we effectively exempt white defendants from mandatory minimums, while assuring black and Hispanic defendants will get them. That is deliberate discrimination. That is the very definition of racism.

Mr. BILIRAKIS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD), who, as has already been said, has spent an awful lot of time particularly on the autism portion of this legislation, and so many other children's issues.

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

Mr. GREENWOOD. Mr. Speaker, I thank the gentleman for yielding me time and for his hard work. He has really been the leader on this.

Mr. Speaker, this is one of the happiest days for me in the House in 8 years here, because of the importance of this bill for America's children. It does so much that none of us can do it justification in a few minutes so I just want to just focus on the autism part.

Autism is not a rare disease. It is the third most common developmental disorder to affect children, following mental retardation and cerebral palsy. Autism currently affects over 400,000 individuals in the United States. One of every 500 children born today will be faced with autism.

The third most common developmental disorder, autism is more prevalent than Down syndrome, childhood cancer or cystic fibrosis. It is a lifelong, severe neurological disorder that usually manifests itself in children during their first two years of life and causes severe impairment in language, cognition and communication.

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Mr. Speaker, I have a friend. His name is John. He lives in California. He has a little boy named Dov. He told me about how this young son of his was coming along, developmentally meeting all of the milestones. And as a father, I can relate to that. I think the greatest joy of childhood is watching your children move along the developmental milestones.

John said that at a certain stage his son just sort of drifted off, and it was like watching him on an ice flow drifting away, because he could no longer communicate. He could not say ''Mommy,'' could not say ''Daddy,'' and he has been impossible to really reach ever since then.

John and his friends, other parents of autistic children, formed an organization. Theirs is called Curing Autism Now, CAN. In my district, we have mothers and fathers who created Caring and Sharing. They are committed to doing something about these children. They are committed to trying to find a cure, to find a way to identify this disorder early.

Mr. Speaker, what this bill will do for these parents who have struggled, because for many, many years doctors actually did not understand what autism was, did not recognize the symptoms and blamed the parents. Blamed usually the mothers and said that they were cold and dispassionate and that is why their children were regressing. What a cruel thing to do to a parent struggling with this awful malady. Doctors still are lacking in their ability to recognize childhood autism early.

What this bill will do is create five research centers geographically dispersed around the country, so that parents who know that there is something wrong with their child can go to get diagnosis, to get their child in an early clinical program to find out what the state of the art is in treatment, and what the state of the art is in curing this disease.

I am delighted and proud today that the House of Representatives is going to answer the prayers of these parents.

Ms. DEGETTE. Mr. Speaker, I yield 2 minutes and 15 seconds to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, although I support the children's health part of the Children's Health Act, I rise to oppose the bill for several reasons.

First, I must object to the process by which we merge an anti-drug bill and attacks on religious liberty into legislation dealing with children's health. Mr. Speaker, the anti-drug part of the bill provides for more mandatory minimum sentences, making penalties for amphetamine abuses comparable to those for abusing methamphetamine and crack cocaine, which is 5 years for 5 grams of possession.

It is interesting to note that the majority has taken out the mandatory minimums for penalties for Ecstasy, a methamphetamine-based drug which is prevalent in the middle-class white community. This is curious, because crack cocaine, prevalent in the African-American community, Draconian

mandatory minimums. Methamphetamine, prevalent in the Hispanic community, mandatory minimums. And for Ecstasy and powder cocaine, prevalent in the white community, no mandatory minimums.

Now, I oppose mandatory minimums for the same reason the Judicial Conference of the United States recently wrote to Chairman HYDE. They said that mandatory minimums are a bad idea because they treat dissimilar offenders in a similar manner, offenders who can be quite different with respect to the seriousness of their conduct or a danger to society. Mandatories require the sentencing court to impose the same sentence on offenders, when sound policy and common sense call for reasonable differences in punishment. But this bill requires no exception except for those drugs used in the middle-class white community.

Additionally, I oppose the bill because it attacks our civil rights laws. It contains the charitable choice, as has already been mentioned on the floor. Let me mention that if this bill passes, some sponsors of federally sponsored programs, not church-run programs, federally funded programs will be able to say for the first time in 30 years that ''we do not hire your kind because of your religion.''

Mr. Speaker, if this bill passes, it contains counterproductive mandatory minimums applied in a racially discriminatory manner and allows religious bigotry to be practiced with Federal funds. There seems to be a suggestion that if the dollar amount is high enough and the programs are good enough, that civil rights can be bought and sold.

Mr. Speaker, I will not vote for this bill, even though it includes a good Children's Health Care Act.

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

Ms. DEGETTE. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I thank the gentlewoman from Colorado (Ms. DEGETTE) for yielding me this time.

Mr. Speaker, this bill includes provisions for substance abuse and mental health reauthorization, which allows us to think about our Latino adolescents, ages 9 to 14, leading the Nation in attempted suicide, depression, self-reported gun handling, asthma, diabetes, besides an increase in HIV/AIDS cases and teen pregnancy.

I am sorry to have to recognize the need to pay special attention to this segment of the population who are facing great challenges, and I am thankful for the funding. It will help our communities, schools, community-based organizations work together with families to combat this phenomenon in the United States.

Mr. Speaker, the violence, the drugs, the cultural assimilation, peer pressure, dysfunctional families, environment, media are all some of the causes we must help our adolescents deal with. Our youngsters are our future; and we must neither neglect, ignore, nor turn our backs on them. They do not vote, but let us give them a voice for the future.

Mr. BILIRAKIS. Mr. Speaker, I yield 7 minutes to the gentleman from Arkansas (Mr. HUTCHINSON), a member of the Committee on the Judiciary.

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman from Florida (Mr. BILIRAKIS) for yielding me this time.

Mr. Speaker, I am pleased to speak in support of this bill, especially in support of the bill's provision dealing with the growing nationwide threat of methamphetamine. The legislation is substantially similar to the Methamphetamine Antiproliferation Act that we considered on the House side in Committee on the Judiciary. It was introduced by the gentleman from Utah (Mr. CANNON).

The bill was brought up in committee after the Subcommittee on Crime traveled across the country and held hearings on the growing problem of methamphetamine. The subcommittee in these hearings heard from law enforcement officials, treatment and prevention organizations, State crime laboratories and concerned community leaders.

Some of the most compelling testimony came from the meth addicts themselves. One recovering addict said that meth is so consuming, that everything from family to employment, from self-dignity to self-restraint is sacrificed for meth.

Mr. Speaker, this threat is real and immediate. My own State of Arkansas was recently declared to have the highest number of meth lab seizures per capita in the Nation. A similar story is repeated across the country. The number of labs cleaned up by the DEA has almost doubled each year since 1995. Last year, more than 5,500 labs were seized by the DEA and other enforcement officials.

This resulted in millions of dollars spent on cleaning up pollutants and toxins left behind by the operators of these labs, which can run as much as $10,000 per lab. But let me emphasize that the legislation, the provisions in the bill concerning meth are balanced in its approach.

First of all, the bill provides additional resources to fight the production and use of methamphetamine. It provides training for State and local agencies in handling the toxic waste created by meth labs, and it provides for stiff penalties for the manufacturing and trafficking of meth.

But in addition, besides the enforcement side, it authorizes significant funding for drug prevention and treatment efforts. $10 million is allocated for State grants for addiction treatment, and $15 million for education programs. So it is a balanced approach to dealing with the problem of meth.

If we look at some of the specifics of the legislation, it makes the penalties for manufacturing and trafficking amphetamine, a lesser-known but no less dangerous drug than meth, the same as methamphetamine. But it increases the penalties when there is a substantial risk of harm to human life or the environment, which is many times the case with meth labs.

It also criminalizes the interstate transportation of anhydrous ammonia, which is used by farmers in the production of fertilizer, but is also used in the production of methamphetamine. And so to help the farmers, though, the legislation authorizes funds to research alternative substances for farming and other uses that cannot be used in making meth.

It requires meth lab operators to reimburse society for the environmental and physical damage they cause through their activity. And it authorizes $5.5 million for DEA training of State and local law enforcement in meth lab detection and investigation techniques.

Mr. Speaker, I could go on about some of the specific provisions of the bill, but it helps us deal with the problem. There are some of the objections raised by the methamphetamine legislation that were deleted from this bill. For example, provisions allowing for delayed notice of a search warrant have been deleted. Penalties for the advertisement of illegal drugs and drug paraphernalia have been deleted. So some of those questionable parts are not in this legislation.

I commend the gentlewoman from Illinois (Mrs. BIGGERT), who has done an excellent job of dealing with the problem of Ecstasy and the club drugs. Those provisions she has described are also in the legislation.

Let me just make some personal comments about the drug problem. When I grew up in northwest Arkansas on the farm, I became aware of the drug problems on the nightly news, thinking it did not affect us in the rural areas. But the National Center for Addiction and Substance Abuse announced recently that the drug use among young teens in rural America is now higher than in the Nation's large urban centers. In fact, eighth graders living in rural America are 100 percent more likely to use amphetamines, 34 percent of rural eighth graders are more likely to smoke marijuana than kids in urban areas.

Mr. Speaker, this should be a wakeup call to parents and community leaders in our country. As a former Federal prosecutor, as a legislator, but most importantly as a father of teenagers, my heart aches over the lives that are ruined by the gripping terror of meth that overpowers so many, from the curious teenager to the innocent victim of its violence.

Recent surveys show that in 1999, 54 percent of high school seniors had used an illicit substance. The number has risen for the past 6 of 7 years. These statistics show that drug-induced deaths now exceed the national murder

rate. These statistics are a call to action. But the cost does not stop with physical violence. The social consequences are equally devastating. Just last August, police raided a heavily armed meth lab in Conway, Arkansas, after discovering that a baby living in the drug trailer had been left alone and had eaten the drugs left strewn around the trailer. Clearly, additional resources are needed to thwart the damage threatening the next generation. That is what is provided in this legislation.

Mr. Speaker, I would like to respond to the objection raised by the gentleman from Virginia (Mr. SCOTT). He has indicated that this creates new mandatory minimums. I understand that he now agrees that new mandatory minimums are not provided in this legislation. There are no new mandatory minimums.

Secondly, there was a question raised about the discriminatory impact of sentences between amphetamine, crack cocaine, and some of the club drugs. First of all, we tried and I think we had a preferable House bill, but this is the Senate bill and I think we probably can improve upon that. I am willing to work with the gentleman from Virginia to make sure that we have equal treatment.

We are giving direction to the Sentencing Commission, and I hope they come up with recommendations that are fair and nondiscriminatory. But we will be happy to look at that in the next Congress as well.

So I am pleased to support this legislation. I ask my colleagues to support it as well. It is fair, and it is what addresses the problems that faces our young people today.

Ms. DEGETTE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Speaker, I rise today in strong support of the Children's Health Act, legislation that would reauthorize children's health research and prevention programs, graduate medical education programs for children's hospitals, substance abuse and drug abuse prevention and treatment programs, and safety of child care programs.

As an original cosponsor of many of the initiatives that are included in this comprehensive bill, I am pleased that Congress will be acting to protect children's health.

One of the most important provisions is the reauthorization for 5 years of the Graduate Medical Education Program for independent children's hospitals. As one who represents the largest independent children's hospital in the United States, I strongly support the role that pediatric hospitals play in advancing pediatric medicine in the training of physicians dedicated to children's health care needs.

1145

Under the current law, Medicare, which is the main funder of graduate medical education in the United States, does not provide funding for pediatric residencies for freestanding children's hospitals such as Texas Children's Hospital in my district because these hospitals, of course, treat a very small number of Medicare patients who are under the disability program.

Last year, Congress enacted a law that provided a one-time capped entitlement for pediatric Medicare education programs. This legislation would rightly extend this valuable program for 5 years.

Mr. Speaker, I am also working with my colleagues to ensure that the pediatric graduate medical education program receives sufficient funding through the annual appropriations process. Earlier this year, the House of Representatives approved for the fiscal year 2001 Labor, Health and Human Services and Education appropriations bills $80 billion for pediatric graduate medical education, an increase of $40 million, over this year's program. I am committed to maintaining this funding level as the budget is finalized.

Another important issue in this bill is the pediatric research initiative that would require the National Institutes of Health to conduct pediatric biomedical research at the NIH. In particular, this initiative will ensure that more research is done on how diseases affected children as compared to adults. In most cases, clinical trials are conducted on adults without any consideration of how these drugs would affect children.

This initiative would also encourage the development of pediatric clinical trials to ensure that safe and effective drug treatments are available. When children face life-threatening diseases, it is very difficult to determine how much and what type of treatments should be given to them because there is insufficient information about how these treatments would affect them.

With more data in clinical trials, there will be more options for children who are fighting for their lives. The bill also directs the National Institutes of Health to conduct more research on diseases which directly affect children such as hearing loss, autism, asthma and juvenile diabetes.

I think this is a step in the right direction. I commend the gentleman from Florida (Mr. BILIRAKIS) and the ranking members of the Subcommittee on Health and Environment, and I encourage my colleagues to adopt this bill.

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman from Florida (Mr. BILIRAKIS) for yielding me the time.

Mr. Speaker, I rise to support the comments made by the gentleman from Arkansas (Mr. HUTCHINSON) who has been a tremendous leader on the issue of combatting methamphetamine production, sale and distribution in our country and from my perspective especially in rural America.

I am here today to speak on behalf of this legislation and, particularly, the meth section, that in large part mirrors H.R. 2987, a bill which I am a sponsor.

Kansas was one of those locations, certainly Kansas, a rural State, was one of those locations in which the Committee on the Judiciary came to on location to hear about the problems we face in our part of the country. And the stories that were told, the testimony that was taken was very compelling.

I brought with me today comments made by the sheriff of one of the counties in Kansas who testified before the subcommittee on the Judiciary on the impact of methamphetamines on his rural county, and I think it can be said across the State of Kansas and rural places around the country.

Sheriff Sherrer's testimony before the subcommittee in part is this, ''the adverse effect of meth on rural America is destroying our way of life. We are now combatting narcotics problems on fertile farm ground; problems that previously existed only in large cities with large police forces having large narcotics and violent crime units. The idea that we are living in Mayberry is a myth.

''We are living in a war zone. My office is totally unprepared to combat the rapidly expanding problem of the manufacture of meth in rural Kansas. The money and manpower necessary to combat the problem is destroying my annual budget and exhausting my personnel.

''There were 25 labs seized in Pawnee County in 1999.'' And I might add, as an aside, indicate that Pawnee County's population is 7,470. We have had more than 500 meth busts in 1999 in our State alone, and we are going to, unfortunately, exceed that record this year.

Sheriff Sherrer's testimony continues, ''my personnel are physically exhausted and perhaps even worse is that they are mentally exhausted, 80- and 90-hour workweeks are not uncommon in our attempt to combat the meth problem and still attend to our normal duties. I don't have the budget or the manpower necessary to fight the current meth problem. I have exhausted all manpower and financial efforts to address this problem to no avail. As a law enforcement agency, we are exhausted.

''On behalf of all western Kansas law enforcement administrators, concerning the problem of methamphetamine, we are understaffed, underfunded, outgunned and out of our league.''

I thought originally when I got involved in this issue that it was somewhat beyond the scope of the duties that I normally face as a rural Member of Congress, but this is a problem that

is real in rural America. I am glad this Congress is addressing this issue in this legislation.

Ms. DEGETTE. Mr. Speaker, I yield 2½ minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I rise and express my strong support for the Children'S Health Act. This important legislation includes the Children's Day Care Health and Safety Improvement Act, a bill that I introduced with the gentleman from Tennessee (Mr. BRYANT).

Mr. Speaker, I just want to take this opportunity to also thank the gentleman from Michigan (Mr. DINGELL), the gentleman from Virginia (Chairman BLILEY) and the gentleman from Tennessee (Mr. BRYANT) and certainly my colleague, the gentlewoman from Colorado (Ms. DEGETTE), for the leadership and hard work on this issue.

Mr. Speaker, we are experiencing a national child care crisis. In 1997, 31,000 children ages 4 and younger were treated in hospital emergency rooms for injuries sustained in child care facilities.

In 1999, in my home district of Nassau County, there were 55 cases of suspected child abuse incidents in child care facilities. Our bill gives $200 million in State grants to improve programs, to improve the health and safety of our children in child care.

These grants can be used for a number of reasons, train and educate child care providers to prevent injuries and illnesses and to promote health-related practices; strengthen and enforce child care provider licensing, regulation and registration; rehabilitate, which is probably one of the most important parts of this bill, child care facilities to meet health and safety standards; provide health consultants to give health and safety advice to child care providers; enhance child care providers' ability to serve children with disabilities; conduct criminal background checks on child care providers, what I think is really important, especially to give our parents the peace of mind of where they are going to send their child is offering the best services possible, and I think to provide information to parents on choosing a safe and healthy setting for their children or to or improve the safety of transportation of children in child care.

Mr. Speaker, being a new grandmother, I have to say watching my daughter-in-law looking for day care is an experience that is happening around this Nation, so the more that we can do to provide certainly our children, the future leaders of this country, with a safe environment and the best environment, we, in Congress, are doing a great job. I appreciate the work of this committee for letting this to go forward and hoping we can do more in the future.

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

Mr. Speaker, let me just close by saying we can sense the breadth of this bill by listening to the debate on the floor today, everything from child care to imaging, to medical research, vital, vital issues for our children. Again, I am proud to be a part of this debate and of this bill. I want to thank the gentleman from Florida (Mr. BILIRAKIS), the chairman, and also the gentleman from Ohio (Mr. BROWN), the ranking member.

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

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

Mr. Speaker, I endorse the remarks of the gentlewoman from Colorado (Ms. DEGETTE) and thank her for her role, the role that she has played, not only in this legislation, but all matters involving particularly children. I want to emphasize that this legislation came about as the result of an awful lot of hard work on a bipartisan basis. The minority was involved in every case, and I ask that everyone support.

Mr. UPTON. Mr. Speaker, I rise today in strong support of H.R. 4365, the Children's Health Act of 2000. This comprehensive measure will make a significant difference in the lives of millions of children and families by boosting biomedical and clinical research on a range of conditions and diseases that afflict children with particular severity and by improving access to treatment. As a member of the Commerce Committee's Subcommittee on Health and the Environment, I was fortunate to have the opportunity to work closely with our chairman, MIKE BILIRAKIS, who has shown great leadership on this legislation.

I am especially pleased and grateful that the final version of this bill includes provisions strengthening the National Institutes of Health's focus on Duchenne muscular dystrophy research. This will be the first time that Duchenne muscular dystrophy is mentioned in the Public Health Service Act.

I have seen the human face of this disease and the toll that it takes on children and families. Some time ago, I had the opportunity to visit with Don and Joyce Carpenter of Kalamazoo, MI, and their young and courageous son, Ben. Ben suffers from Duchenne muscular dystrophy. From them I learned that Duchenne muscular dystrophy is the most common and the most catastrophic form of genetic childhood disease. Sadly, it generally kills its victims in their late teens or early 20's.

For decades, the only drug treatment known to somewhat alter the course of the disease in the use of steroids—whose serious side effects are well-known. We've simply got to do better. We have to find a way to prevent this devastating disorder in the first place—perhaps through the promise of gene therapy. And until we learn how to prevent it, we've got to learn how to treat it more effectively.

I urge every Member of Congress to join me in voting for this bill and giving hope to Don and Joyce and Ben Carpenter and the many like them across this Nation and world. We can work miracles when we really try.

Mr. GILMAN. Mr. Speaker, I rise today in support of H.R. 4365, the Children's Health Act of 2000. This legislation renews America's commitment to children and ensuring that their physical and mental health are cared for.

This comprehensive bill contains a number of provisions that will revise and establish programs with respect to children's health research and prevention activities performed by Federal public health agencies. Of these provisions there are five which I would like to highlight. H.R. 4365 will:

(1) Improve autism research by directing the Director of the National Institutes of Health (NIH) to expand and diversify the NIH's activities with respect to autism, as well as requiring the Director to award grants and contracts to public or nonprofit entities for research on autism and creating the National Autism Developmental Disabilities Surveillance Program, which uses a number of mechanisms to improve the collection, analysis, and reporting of case data on autism and other pervasive developmental disabilities.

(2) Direct the HHS Secretary to develop a system to collect data on juvenile diabetes through the CDC, and establish a national data base for this data and conduct and support long-term studies through the NIH that follow individuals with juvenile, or type 1, diabetes for 10 years or more and establish through the CDC a national health effort to address type 2 diabetes in youth.

(3) Require the Secretary of Health and Human Services to distribute to States sufficient funding to enable them to establish programs to improve the health and safety of children receiving child care outside the home by preventing illnesses and injuries.

(4) Provide funding to the Drug Enforcement Administration (DEA) and Office of National Drug Control Policy (ONDCP) to assistance to State and local law enforcement officials in methamphetamine investigations and establishing additional DEA offices. This legislation provides law enforcement officials with tools and training to combat the methamphetamine and club drug epidemics in America today, and authorize comprehensive prevention and treatment programs to combat abuse and addiction as well.

(5) Modify the vaccine injury compensation program which currently only provides compensation to someone injured from routinely administered vaccines where the injury lasts more than 6 months. Certain vaccines, like rotavirus, often require immediate surgery, which would not be eligible for compensation. The modified program makes compensation available if the injury requires a hospital stay or surgery.

The programs I have mentioned, as well as the other important provisions of this bill, will make significant changes in the lives of children throughout this country. I applaud our colleague from Florida, Mr. BILIRAKIS, for his leadership on this issue and I urge my colleagues to support H.R. 4365, the Children's Health Act of 2000.

Mr. SHAYS. Mr. Speaker, I rise in strong support of H.R. 4365, the Children's Health Act of 2000. In particular, I am pleased the legislation includes S. 976 which reauthorizes the Substance Abuse and Mental Health Services Administration (SAMHSA).

S. 976 includes comprehensive standards for the use of restraint and seclusion in all facilities receiving Federal funding. The regulations, authored primarily by my colleague from Connecticut, Senator CHRISTOPHER DODD, will go a long way toward ensuring those receiving treatment in federally funded facilities are not subject to potentially life threatening inappropriate restraint and seclusion.

I became deeply concerned about the inappropriate use of restraint and seclusion following a series of articles published by the

Hartford Courant in October 1998, entitled ''Deadly Restraint.'' The series reported patient deaths related to the use of restraint or seclusion in 142 cases over 10 years, and chronicled the deaths of 23 patients who had died within 11 months—all apparent victims of overuse of seclusion or restraint.

Among the deaths the Courant investigated was Andrew McClain's. Andrew was an 11 year old foster child from Bridgeport, CT—in my district—who was a patient at Elmcrest Hospital, a State psychiatric institution, in Portland, CT.

On March 22, 1998, Andrew was told to move to a different table than the one where he was seated during breakfast. When he disobeyed, an aide at the hospital forcibly restrained Andrew and placed him in a face-down restraint hold.

Andrew's arms were drawn across his chest. The full weight of an adult on his back pinned this 11-year-old child to the ground, making it impossible for him to breathe, and eventually causing his death.

Andrew's horrifying death and others like it in the Courant series raised serious questions surrounding the use of restraints in mental health facilities nationwide, and more importantly, it raised public awareness of a very serious issue.

It also caused significant concern among members of the Connecticut delegation, who asked the General Accounting Office to study the use of restraint and seclusion among our most vulnerable populations—those with mental illness or mental retardation—who depend on care from others for their well-being.

The study, published last September, revealed a number of disturbing facts including at least 24 deaths associated with restraint or seclusion in 1998 alone. The GAO study also found the lack of a comprehensive reporting system to track injuries to both patients and staff resulting from restraint and seclusion, and an inconsistency among Federal and State regulations regarding restraint and seclusion for the mentally ill and disabled.

The GAO recommended an improved reporting system and led to conclusions that having regulatory protections and reporting requirements in place would reduce the use of restraint and seclusion and improve safety for patients and staff. The report also highlighted the urgent need to regulate the use of restraint and seclusion in federally funded facilities.

As a result of the GAO findings, both Senators DODD and LIEBERMAN introduced comprehensive legislation to regulate the use of restraint and seclusion in mental health facilities.

With the support of other members of the Connecticut delegation, on November 1, I introduced H.R. 3010, the Restraint Safety Act—the House companion to legislation introduced by Senator LIEBERMAN.

Provisions from Senator DODD's bill were included in the Senate-passed SAMHSA reauthorization bill which we are considering today.

Mr. Speaker, only strong Federal guidelines will ensure those in all facilities which receive federal funding will be free from unnecessary restraint and seclusion and I urge my colleagues on both sides of the aisle to support these life-saving provisions by voting for the underlying bill.

Mr. MCCOLLUM. Mr. Speaker, I submit the following letters re H.R. 4365 to be printed in the RECORD.

DEPARTMENT OF JUSTICE,
DRUG ENFORCEMENT ADMINISTRATION,
Washington, DC, September 26, 2000.

Hon. BILL MCCOLLUM,
Chairman, Subcommittee on Crime, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed letter dated March 15, 2000, from Mr. Robert Raben, Assistant Attorney General, Office of Legislative Affairs, to Chairman Henry J. Hyde, House Judiciary Committee, contains the views of the Drug Enforcement Administration on provisions previously contained in 486, now included in HR 4365, ''An Act to Amend the Public Health Act of 2000'' as placed on the Senate calendar on September 25, 2000.

We continue to support the objectives behind relaxing the restrictions governing practitioners who dispense replacement pharmacotherapies to make drug addiction treatment available in greater numbers. The March 15 letter did state concerns, however, regarding what is now Title XXXV which amends Section 303(g) of the Controlled Substances Act. Specifically, we are concerned about the (g)(2)(B)(II) subparagraph which this amendment adds. As we stated, these concerns would be resolved if the following language were added to the report accompanying the bill to clarify congressional intent regarding this section:

''Nothing in this section is intended to affect either the long standing authority of the Attorney General to enforce the standard that a controlled substance is legally dispensed by a practitioner only when it is dispensed for a legitimate medical purpose by the practitioner acting in the usual course of his/her professional practice or the authority of the Secretary of Health and Human Services under 42 U.S.C. 257a, after consultation with the Attorney General, to determine appropriate methods of professional practice in the medical treatment of narcotic addiction. See, U.S. v. Moore, 423 U.S. 122 (1975). The standard applies to the dispensing of all controlled substances, including the dispensing in the course of maintenance or detoxification of an individual.''

Thank you for the opportunity to reaffirm our views on the bill. Please do not hesitate to call if we may be of additional assistance.

Sincerely,

DONNIE R. MARSHALL,
Administrator.

DEPARTMENT OF JUSTICE,
OFFICE OF LEGISLATIVE AFFAIRS,
Washington, DC, March 15, 2000.

Hon. HENRY J. HYDE,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This letter presents the views of the Department of Justice on S. 486, the ''Methamphetamine Anti-Proliferation Act of 1999,'' as passed by the Senate on November 19, 1999. The Department supports many of the provisions in S. 486, because they provide important and necessary tools for deterring the spread of methamphetamine manufacturing and abuse in our Nation.

We are pleased that several suggested changes to the bill were made to accommodate the Department's concerns. We, however, continue to be troubled by section 211 (''Waiver Authority for Physicians Who Dispense or Prescribe Certain Narcotic Drugs for Maintenance Treatment or Detoxification Treatment''). While we support the objectives behind relaxing the restrictions governing practitioners who dispense replacement pharmacotherapies to make drug addition treatment available to greater numbers, we believe that federal law enforcement must maintain the ability to prosecute unauthorized dispensing of controlled substances.

Our major concern is with section 211(a)(5), adding section 303(g)(2)(B)(ii)(II) of the Controlled Substances Act [page 55, line 7–11, engrossed Senate bill]. That provision states that ''[n]othing in the regulations or practice guidelines under this clause may authorize any Federal official or employee to exercise supervision or control over the practice of medicine or the manner in which the medicinal services are provided.'' As written, section 211 could be interpreted in a way that would narrow the DEA's current authority under the Controlled Substances Act (CSA) to prosecute physicians who dispense controlled substances, but do so without a legitimate medical purpose in the usual course of their professional practice. It is well-settled law that a physician's license is not an automatic and absolute shield to prosecution under the CSA, since the CSA was designed by Congress in part ''to confine authorized medical practice within accepted limits,'' *See United States* v. *Moore*, 423 U.S. 122, 143 (1975). In *Moore*, for example, a defendant/doctor was authorized to dispense methadone for detoxification purposes only. A jury found that he exceeded the bounds of his professional practice by prescribing large quantities of methadone for patients without giving them adequate physical examinations or specific instructions for its use and charged fees according to the quantity of methadone prescribed rather than fees for medical services rendered. The Supreme Court concluded that the doctor was using his medical license as an excuse to facilitate the sale of controlled substances to addicts and, therefore, was in violation of the CSA.

Our concerns would be resolved if the following language were added to the report accompanying the bill to clarify congressional intent regarding this section:

''Nothing in this section is intended to affect neither the long standing authority of the Attorney General to enforce the standard that a controlled substance is legally dispensed by a practitioner only when it is dispensed for a legitimate medical purpose by the practitioner acting in the usual course of his/her professional practice nor the authority of the Secretary of Health and Human Services under 42 U.S.C. §257a, after consultation with the Attorney General, to determine appropriate methods of professional practice in the medical treatment of narcotic addiction. *See, U.S.* v. *Moore*, 423 U.S. 122 (1975). The standard applies to the dispensing of all controlled substances, including the dispensing in the course of maintenance or detoxification of an individual.''

On an unrelated matter, we recommend that section 123(a) of the bill (''Expansion of Methamphetamine Abuse Prevention Reports'') (enacting new section 515(e) of the Public Health Service Act (42 U.S.C. §290bb(e)(1))) be amended by adding after ''the Administrator'' ''of the Substance Abuse and Mental Health Services Administration in the Department of Health and Human Services, in consultation with the Secretary of Education and the Attorney General.'' Although we do not object to this provision as it is currently drafted, we believe that the language we are suggesting would help to ensure coordination among related and ongoing federal initiatives.

Finally, section 114(c) of the bill would require the Director of the Office of National Drug Control Policy (ONDCP) to ''apportion'' funds appropriated for combating methamphetamine in High Intensity Drug Trafficking Areas (HIDTA's). Technically, this is an inaccurate use of the word ''apportion.'' Only the Office of Management and Budget is authorized to ''apportion'' funds. We recommend that the word ''allocate'' be substituted for ''apportion.''

Thank you for the opportunity to present our views. Please do not hesitate to call

upon us if we may be of additional assistance. The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the presentation of this report.

Sincerely,

ROBERT RABEN,
Assistant Attorney General.

Identical letter to be sent to the ranking minority member, Committee on the Judiciary.

Mr. WICKER. Mr. Speaker, I would like to thank those who have spent so many hours working on developing a comprehensive children's health bill to present to this House today. While this bill makes great strides on many childhood diseases and health issues, I will focus my remarks on the devastating affects that Duchenne Muscular Dystrophy has on the children with the disease and their families.

Duchenne Muscular Dystrophy is the most common genetic illness, crossing all cultures. Although Duchenne MD is an inherited disease and is present from the initial stages of fetal development, there is generally no indication at birth that the child has abnormal muscle function. In the first year of life, it is rare for parents to detect any delay in development. Typically a child is diagnosed between the age of 2–5 years. As a child grows and his muscle cells deteriorate, and he becomes noticeably weak. The child usually loses his ability to walk around 10 years of age. As time progresses, the chest muscles deteriorate, causing respiratory problems. Death often occurs in the late teens unless mechanical breathing is instituted.

This is painful not only for the child but also for the mothers and fathers who care for and love their child. To date there are efforts in finding a cure for this disease and the Children's Health Bill will allow these efforts to come to fruition. In addition, this bill will begin to provide the resources needed to expand research efforts in finding treatment and a cure for this disease.

As a member of the Labor-Health and Human Services, and Education Appropriations Subcommittee, I have supported doubling the NIH's budget over a five year period. I am pleased that this legislation's Muscular Dystrophy title tracks with report language from both the House and Senate Labor/HHS Appropriations bills, calling for increased research and coordination among the institutes of NIH. One of the problems that has confronted this disease community is that MD does not have a natural ''home'' among the institutes. I am confident that the National Institute for Neurological Disorders and Stroke, under the exemplary leadership of Dr. Gerald Fischbach, will increase the pace of research and provide a crucial coordination role.

An essential and logical portion of this heightened research would be the creation of a muscle biology study section, which could easily be accomplished in the context on an ongoing review of the study sections and their scientific peer review processes of NIH. I am troubled that out of the current 105 NIH study sections, there is no study section for muscle, the largest organ of the body.

Mr. Speaker, not only are there no cures for this, the world's number-one genetic killer of children, but there are no real therapies for Duchenne and Becker Muscular Dystrophy. Astonishingly, the pace of research, in real dollars, actually declined after the dystrophin gene was discovered in 1986. Passage of the Children's Health Act is a clear indication from Congress that this is unacceptable. I urge all Members of this House to join me in supporting this legislation.

Mr. DEMINT. Mr. Speaker, as the original sponsor of H.R. 2511, the Adoption Awareness Act, along with the gentleman from Virginia, Chairman BLILEY, a champion of adoption issues, I am pleased to endorse the Infant Adoption Awareness Act included in the child health bill, H.R. 4365.

Adoption is a wonderful option because it brings a positive, life-giving end to what could be difficult circumstances. The mother can place her child in a loving family, the child receives a warm and welcoming home, and an adoptive couple gets to wear one of the greatest titles in America—parent. Additionally, pro-life individuals, groups, and communities should encourage adoption as one of the life-giving choices of women with unplanned pregnancies. With the love and care provided at crisis pregnancy centers and in homes, community and faith-based organizations across the country, more women will hear about the resources available to help them through this difficult time and to encourage them to bring this newly-formed life into the world.

While this language is not as broad as the original legislation, it does reflect significant efforts to advance the purpose of the Adoption Awareness Act. This language was drafted with input from a wide variety of organizations, including those in the adoption and public health communities.

Women facing unplanned pregnancies deserve to hear about their options from a well-trained counselor who can provide accurate, up-to-date information on adoption. This Act provides professional development for pregnancy counselors in adoption counseling. The training will enable pregnancy counselors to feel confident in their knowledge of the adoption process, relevant State and local laws, and the legal, medical, and financial resources which can be provided to women with unplanned pregnancies.

I am pleased to support the Infant Adoption Awareness Act as a step in the right direction to bring complete and accurate adoption information to women facing unplanned pregnancies. I hope that this step significantly advances our Nation in the direction of eliminating a perceived anti-adoption bias in pregnancy counseling in providing lasting answers to difficult circumstances.

I truly believe that in our great Nation, while there may be unwanted pregnancies, there are no unwanted children.

Mr. BLILEY. Mr. Speaker, I rise in support of H.R. 4365, the Childrens' Health Act of 2000, as amended by the other body. This important legislation is the result of long, hard negotiations on the part of members of my staff and their counterparts on the staff of Mr. BILIRAKIS, Mr. BRYANT, Mr. GREENWOOD, Mr. UPTON, Mr. BROWN, Mr. DINGELL, and members of the other body that made this possible.

As members of the House will recall, after we passed H.R. 4365 the first time, the other body moved forward on legislation that would have left many health problems facing children unaddressed. I am pleased to report that were able to restore the House provisions that were omitted in the other body's legislation, and have added authorizations that strengthen the bill.

Though too numerous to mention each provision individually, I want to comment on three provisions that I believe are particularly important. As a proud adoptive father of two, I am pleased that this bill advances adoption policy in this country. The bill ensures that family planning counselors have access to training on presenting complete and accurate adoption information to women facing unplanned pregnancies. In the interest of time, I will extend my remarks for a more full discussion of this aspect of the legislation.

Moreover, this bill contains several initiatives that will foster the adoption of special needs children. The bill also authorizes the Healthy Start program for the first time. For at-risk pregnant women served by this program, it authorizes mobile health clinics equipped with ultra-sound screening technology and also expands access to prenatal and other surgical services to the unborn child, mother, and infant during the first year after birth.

I am also pleased that this bill directs NIH to expand and increase coordination in activities with respect to research on muscular dystrophies. It also makes important strides in the fight against autism, which affects 1 in every 500 children born today. More prevalent than Down syndrome, childhood cancer or cystic fibrosis, autism hits children during the first two years of life and causes severe impairment in language, cognition and communication. Since so many of America's children suffer from so many disorders, it is right that work to ensure that researchers are looking for the cures they need.

Although this bill addresses many tragic disorders among children, among the most tragic is that of drug abuse—and this bill extends a powerful helping hand to help parents to secure their children's future. This bill further extends the war on drugs to those who push methamphetamine, ''ecstasy,'' and heroin onto our young people. Under these provisions, criminal penalties are increased for individuals who manufacture and traffic in methamphetamine and ''ecstasy.'' The provisions also increase funding for law enforcement training and targets high intensity methamphetamine trafficking areas.

Perhaps most importantly, we are attacking heroin abuse by reducing the demand for this deadly drug. Let me relate some of the testimony Mr. Odis Rivers of Detroit, Michigan shared with the Commerce Subcommittee on Health and Environment last year. He has been addicted to heroin for 30 years, and is undergoing treatment with a drug that this bill will help more physicians prescribe to their patients. He told the Subcommittee that he was back with his wife and family and was enjoying their support. He had won their respect, and could again assume his rightful place in their family. As the Detroit Free Press stated on October 3rd of last year, ''this seems like the kind of legislation that should be passed, especially in light of new University of Michigan research showing that heroin use among teens doubled from 1991 to 1998.'' These provisions will make new heroin-blocking medications available to physicians treating patients struggling to be free from heroin addiction.

Not only do we use innovative strategies to address the problems of meth, ecstasy, and heroin, we also ensure that there is a Federal agency that is focused on reducing the incidence of substance abuse and mental illness throughout society. H.R. 4365 reauthorizes the

Substance Abuse and Mental Health Services Administration, which was created in 1992 to assist States develop effective prevention and treatment programs to protect America's children from the scourges of mental illness and drug abuse. The important ''charitable choice'' provision in this legislation permits Federal assistance for religious organizations providing substance abuse services, which is similar to language that has been enacted into law several times with broad support in the House.

It is important that the Members of this House vote for passage of this critically important bill to secure a better future for America's children by helping to reduce the incidence of disease and illness. We know we can lessen the incidence of these diseases through heightened research activities, and through the use of successful interventions that still remain out of reach by many in our society.

Again, I thank my colleagues and many other Members who have contributed to making this bill possible, and I would like to recognize the hard work of the House staff who brought this bill together: Marc Wheat, Jason Lee, Brent Del Monte, Patrick Morrisey, Anne Esposito, Carolyn Sporn, John Ford, Judith Benkendorf, Ellie Dehoney, and Katie Porter.

Last year, Congressman JIM DEMINT of South Carolina and I introduced H.R. 2511, the Adoption Awareness Act. After negotiations with all interested parties, including adoption advocates, foster care advocates, and representatives from the pro-life community as well as the abortion industry, the language of H.R. 2511 changed but the central purpose remained the same: the Infant Adoption Awareness Act ensures that counselors in health clinics and other settings provide women who have unplanned pregnancies complete and accurate information on adoption.

The Infant Adoption Awareness Act passed the House as part of H.R. 4365 by a vote of 419–2 and passed the Senate by unanimous consent. As Chairman of the Commerce Committee, I have been responsible for the negotiations leading to the final form of the Infant Adoption Awareness Act for these many months, and I want to take this opportunity to explain the bill at length to my colleagues in case there is any confusion with the text of the original Adoption Awareness Act, H.R. 2511.

What struck Congressman DEMINT and me was that the studies and statistics available in this field show a lack of activity which may well reflect an anti-adoption bias in pregnancy counseling. According to a University of Illinois study by Professor Edmund Mech, Orientations of Pregnancy Counselors Toward Adoption, 40 percent of self-identified ''pregnancy counselors'' in settings such as health, family planning, and social service agencies do not even raise the issue of adoption with their pregnant clients. Of the 60 percent who raise the issue of adoption in some form, 40 percent provide inaccurate or incomplete information. Furthermore, while pregnancy counselors themselves may not have a negative bias towards adoption, they presuppose that their client is not interested and therefore do not present adoption as a true option for women facing unplanned pregnancies (Source: Mech, Pregnant Adolescents: Communicating the Adoption Option). The Infant Adoption Awareness Act would set up a training program by which clinic workers and others could receive professional in-service training in educational adoption counseling. If properly trained, these counselors would be equipped to provide valuable information on adoption to their clients.

While many societal factors have changed in the last twenty years, including the acceptance of non-marital teen parenting, the availability of welfare, and increased availability of abortion services, there has been a dramatic drop in the number of adoptions among live births to unwed mothers. Prior to 1973, an adoption placement occurred for almost one of every ten premarital births. By the 1990s, the number had dropped to an adoption placement for one of less than every hundred premarital births. A long-term study of the Adolescent Family Life (AFL) pregnancy programs which included an adoption counseling component showed that—given necessary adjustments for client and community characteristics—more women chose to place their child for adoption when enrolled in an AFL Care project which provided adoption counseling as a part of pregnancy resolution decision-making (Source: McLaughlin and Johnson, Battelle Human Affairs Research Centers, The Relationship of Client and Project Characteristics to the Relinquishment Rates of the AFL Care Demonstration Projects). Thus, this Act intends to ensure that the public health and other professionals coming in contact with a high percentage of women facing unplanned pregnancies—often unwed adolescents—are properly prepared to have a complete and accurate discussion of adoption.

The Act allows for a six month period in which representatives of the adoption community come together to adopt or develop best-practices guidelines for counseling on adoption to women facing unplanned pregnancies. Specifically, the Secretary should include representatives of diverse viewpoints in the adoption community, including organizations representing agencies arranging infant adoptions, adoption attorneys, adoptive parents, social services, and appropriate groups representing the adoption triad (birth parents, infant, and adoptive parents). Organizations with significant expertise and history in this arena include the National Council For Adoption, Loving and Caring, Bethany Christian Services, the American Academy of Adoption Attorneys, and the American Bar Association Family Law Section's Adoption Committee. These organizations should be represented on the panel. While recognizing the sensitivity of making an adoption decision, the organizations represented should be those which promote adoption in a realistic, positive manner as beneficial to the birth parents, child, and adoptive parents. The best-practices guidelines should focus on the essential components of adoption information and counseling to be presented during a pregnancy counseling session. Furthermore, the guidelines should include important variables to be presented, such as state laws on adoption, and available medical, legal, and financial resources. Previous curricula developed for these purposes should be the starting point and, as an interim set of guidelines, be determinative.

The role of the public health clinics on the panel developing the best practices guidelines (and organizations representing their interests, such as the Family Planning Councils of America) is to ensure the guidelines are relevant to the health clinic setting. The experts in adoption counseling, including those who have a history of developing and delivering training or tools to teach adoption counseling, should shape the best-practices guidelines to provide an excellent model for presenting adoption to women facing unplanned pregnancies. Since different attitudes towards adoption exist throughout the country which can be attributed to racial, ethnic, religious, social, and geographic differences, the best-practices guidelines should act as a blueprint or model while still allowing localities the flexibility to address their local situation. Therefore, the best-practices guidelines would be a model which could be tailored to address the individual needs of the pregnant woman.

After the best-practices guidelines are developed, the Secretary shall make grants to adoption organizations to carry out training, which will often be training trainers, to teach pregnancy counselors how to present complete and accurate information on adoption. The guidelines are meant to be the basis for the adoption, improvement, or development of a training curriculum by grantees. Furthermore, the grantees can carry out the training programs directly or through grants or contracts with other adoption organizations. For instance, a national office could subgrant or contract with local affiliates throughout the nation or a region thereof. The Secretary should use discretion in ensuring that all regions of the nation will have adequate access to the training without having duplicate services in an area with a small number of eligible health clinics. There are no geographic limitations on where the trainers should be trained. The intent is to provide for training of trainers, often on a statewide or regional basis, so truly expert trainers can teach others.

The trainers should be highly qualified individuals with an expertise in adoption counseling. ''Adoption counseling'' in the adoption community implies an in-depth discussion of adoption which includes knowledge of various types of adoption and familiarity with the viewpoint and challenges of birth mothers, putative fathers, adoptive parents, and the best interest of the child. Trainers should have experience in providing adoption information and referrals in the geographic area of the eligible health centers. With a knowledge of state laws and access to local support networks, a trainer will be able to provide a more extensive review of local information and resources to the pregnancy counselors. The most essential component of the training, however, is to teach pregnancy counselors how to accurately and completely present adoption as an option to their clients and to ensure counselors are able to answer the frequently asked questions clients have regarding adoption.

The Infant Adoption Awareness Act refers to pregnancy counselors providing adoption information and referrals as a part of pregnancy counseling. It is important to note that handing a client a piece of paper or booklet explaining the adoption process and providing phone numbers of agencies or attorneys for adoption referrals does not constitute adoption information and referrals. Adoption information means a counselor is able to fully explore the option of adoption with a client. This includes answering relevant questions such as the types of adoptions, financial and medical resources for birth mothers, and state laws regarding relinquishment procedures and putative father involvement. Referral upon request includes following the procedures of the health clinic to make an appointment for the client and follow-

up as necessary. Referral may be made to an in-house adoption provider, such as a staff member of a licensed adoption agency. Since adoption is explored in the context of pregnancy counseling sessions in which counselors and clients have a limited amount of time, it is essential that the counselors provide complete and accurate summary information to their clients at that time.

The intent of this Act is to ensure that pregnancy counselors are well-trained, knowledgeable and comfortable presenting adoption to their clients. While adoption may not be the right choice for every women facing an unplanned pregnancy, each woman should be presented adoption information to make a well-informed decision. Many women have not thought of the possibility of adoption, do not know how to explore the details of adoption, or have misconceptions of the adoption process which hinder their consideration of the alternative of adoption. Since pregnancy counselors act as an important resource for these women, they must be equipped to fully address the option of adoption with their clients.

The adoption organizations eligible to receive grants for training (or subgrants or contracts) are those national, regional, or local private, non-profit institutions among whose primary purposes is adoption, and are knowledgeable in all elements of the adoption process and on providing adoption information and referrals to pregnant women. These adoption organizations must work in collaboration with existing Health Resources Services Administration (HRSA) funded ''training centers.'' Of particular importance is the organization's experience in explaining the process involved to the birth mother placing the child for adoption. It is essential that adoption is among the primary of the entity, as it should be organizations with true experts in adoption counseling who are training pregnancy counselors.

Health centers which are eligible to have staff receive training are public and nonprofit private entities that provide health-related services to pregnant women. The designated staff of the health centers means the counselors who will interact and provide counseling to women with unplanned pregnancies. The designated staff members are those who provide pregnancy or adoption information and referrals (or will provide such information and referrals after receiving training). Furthermore, while the Act sets out those health centers which should receive priority is being trained, nothing should be construed to prohibit those who provide counseling in other settings, such as on military bases and corrections facilities, to be eligible to participate in the adoption counseling training sessions.

The grant is conditioned on the agreement of the adoption organization to make reasonable efforts to ensure that the eligible health centers which may receive training under this grant include, but are not limited to, those that receive federal family planning funding, community health centers, migrant health centers, centers for homeless individuals and residents of public housing and school-based clinics.

The Secretary has the duty to provide eligible health centers (which receive funding under Section 330 and 1001) with complete information about the training available from the adoption organizations receiving the training grants. Furthermore, the Secretary has the duty to encourage eligible health centers to have their designated staff participate in the training. The Secretary must make reasonable efforts to encourage staff to undergo training within a reasonable period after the Secretary begins making grants for such training. The grantees will cover the costs of training the designated staff and reimbursing the health center for costs associated with receiving the training. Adoption counseling training is a type of professional development for pregnancy counselors and should be reimbursed on a similar basis as other professional development activities which staff receive in the local area.

Within one year, the Secretary shall submit to the appropriate Committees of Congress a report prepared by an independent evaluator, paid for by funds set aside under this Act evaluating the extent to which adoption information, and referral upon request, is provided by eligible health centers. The bill directs the reports to be conducted by the Secretary acting through the Administrator of the Health Resources and Services Administration and in collaboration with the Director of the Agency for Healthcare Research and Quality. The study should be scientifically-based and sufficiently broad so as to gain an understanding of the current practices of providing adoption information in Federally funded health clinics throughout the country. This should include the attention given to adoption relative to other options discussed in pregnancy counseling. Further, the study should indicate how often and in what form (written, verbal) adoption information is offered, the completeness and accuracy of the adoption information provided, and non-identifying information about the options ultimately chosen by clients.

Within a reasonable period of time, the Secretary shall submit to the appropriate Committees of Congress a report evaluating the extent to which adoption information, and referral upon request, is provided by eligible health centers to determine the effectiveness of the training. The bill directs the reports to be conducted by the Secretary acting through the Administrator of the Health Resources and Services Administration and in collaboration with the Director of the Agency for Health Care Research and Quality. Moreover, it is important that the study is scientifically-based, that is, more than a checklist asserting that adoption counseling, information, or referral has been provided, and focus on those health centers in which designated staff have been provided training through this Act. In conducting these studies, the Secretary shall ensure that the research does not allow any interference in the provider-patient relationship, any breach of patient confidentiality, or any monitoring or auditing of the counseling process which breaches patient confidentiality or reveals patient identity.

Funding for research in adoption counseling practices has been sporadic at best. Despite the acknowledged need to ensure pregnancy counselors can present adoption in a positive, accurate manner, funding for such studies has not materialized in proportion to the need. The Adolescent Family Life Program in the Office of Population Affairs provided for limited studies in the 1980s and follow-up studies on the effectiveness of the AFL Demonstration Programs into the early 1990s. The Office of Adolescent Pregnancy Programs in the 1990s proposed an objective of increasing to 90 percent the number of pregnancy counselors who are able to counsel on adoption in a complete, accurate manner. With a change of Administration, this goal never materialized as one of the priorities of the Public Health Service. Furthermore, plans for follow-up study by the Department of Health and Human Services to determine if the orientations of pregnancy counselors toward adoption had changed were dropped in 1995. Thus, research in this area is of critical importance.

Additionally, while the intention was to include ''charitable choice'' language allowing faith-based organizations to compete for grants on the same basis as any other non-governmental provider without impairing the religious character of such institution, this language is not in the final bill due to opposition from the minority. I hope faith-based institutions will be able to compete for these grants in the future. To clarify, under charitable choice, the Federal Government cannot discriminate against an organization that applies to receive such a grant on the bias that the organization has a religious character and programs must be implemented consistent with the Establishment and Free Exercise Clauses of the United States Constitution. While following the agreed upon charitable choice model, future charitable choice language must be crafted to conform it to the purpose and structure of this Act.

As an adoptive father, Co-Chairman of the Congressional Coalition on Adoption, and Chairman of the House Commerce Committee, I am proud to have worked to make complete and accurate information on adoption a reality for women across the country. I look forward to the implementation of this important legislation as one my legacies to this great country.

Finally, Mr. Speaker, I submit this statement on my behalf and the behalf of Congressman BILL MCCOLLUM, Chairman, Subcommittee on Crime.

JOINT STATEMENT OF THE HONORABLE TOM BLILEY AND THE HONORABLE BILL MCCOLLUM

We write to clarify our intent with respect to Title XXXV of H.R. 4653, the Child Health Act of 2000. We support the objectives of this provision, to amend current law governing practitioners in order to make certain addiction treatment available in appropriate circumstances.

However, subsection within Title XXXV stating that ''Nothing in such regulations or practice guidelines may authorize any Federal official or employee to exercise supervision or control over the practice of medicine or the manner in which medical services are provided'' requires further clarification. Nothing in this subsection is intended to affect either the long standing authority of the Attorney General to enforce the standard governing the dispensing of controlled substances, nor the authority of the Secretary of Health and Human Services, after consultation with the Attorney General, to determine the appropriate methods professional practice in the medical treatment of narcotic addiction. This authority applies to the dispensing of all controlled substances, including that which is authorized by this provision.

Mr. BROWN of Ohio. Mr. Speaker, in this town, it's difficult to take action in any direction without creating controversy.

Consensus is a rarity.

This legislation bucks the trend. It reflects consensus around a common-sense principle.

If we can protect children from needless surgery, preventable disability, premature death—we should do it.

That's what this bill is all about.

We are placing our hope and trust in the National Institutes of Health, the Centers for Disease Control, HRSA, and other federal agencies that have responsibility for improving our nation's health.

We are asking them to intensify their efforts in areas of children's health including juvenile arthritis, muscular dystrophy, asthma, and Fragile X syndrome.

This bill provides screening and health care services for infants and children at risk for heritable disorders, and it implements organ donation policies that recognize the unique needs of children.

We have done a lot in this bill to help young victims of childhood illness and disease. But we in Congress should not take the credit.

Parents and other advocates for children throughout the United States should.

I especially want to acknowledge the parents. I've met with many parents this year, and I am proud that this bill translates their straightforward and eminently justifiable goals into action.

These parents want to see children's health research given the priority it deserves.

We invest generously in our children's basic needs, their education, their happiness . . . we should invest at least as generously in the kind of research that can protect and restore their health.

Many of the parents I spoke with were bringing their stories to Congress not for themselves, not for their own children, but for children and families they will never meet.

These parents are working to prevent others from experiencing the trauma and pain a childhood illness can inflict on a child and their loved ones.

I want to thank the parents for their hard work, dedication and unwavering conviction that we can do much, much more to ease the way for our children.

This same conviction underlies the portion of the Children's Health Act that reauthorizes the Substance Abuse and Mental Health Services Administration (SAMHSA).

In this year's reauthorization of SAMHSA, we do more to address substance abuse and mental health issues as they relate to children—under age drinking, children and violence, and fetal alcohol syndrome, to name a few.

To the extent we can protect our children from alcohol and substance abuse, we reduce their chances of addiction or abuse as adults.

We owe them that.

This is a great success, but once again, it's the public's accomplishment.

Substance abuse prevention is a public priority and has garnered overwhelming support on both sides of the aisle.

We have been asked to make this, as well as children's health, a priority for this Congress.

I am pleased to be among those helping to fulfill those wishes.

Mr. DINGELL. Mr. Speaker, I support H.R. 4365, the Children's Health Act of 2000. This bill, which now contains provisions from the Senate's bill, authorizes a variety of programs for expanding and intensifying children's health research. It also includes prenatal care initiatives (including the first formal authorization of the Healthy Start Program) that were included in the bill we passed in May of this year.

The bill also covers a wide range of youth drug and mental health services programs that will strengthen America's communities. I am very pleased that this Congress is reauthorizing programs administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). These programs provide critical safety-net services for individuals and families with substance abuse problems and mental illness.

I wish to commend a number of my colleagues for their fine contributions: Representative DIANA DEGETTE, for championing provisions on pediatric organ transplants, juvenile diabetes, limits on the use of seclusion and restraints on hospitalized children, and a study concerning the use of children as participants in clinical research; Representative STRICKLAND for his child mental health provisions and for bringing state-of-the-art services to residents of rural communities; and, Representative CAPPS for her efforts in this Chamber not only to make the SAMHSA reauthorization a reality, but for her fine provision on underage drinking. The ranking member of the Health and Environment Subcommittee, Representative BROWN, has done a splendid job with this bill and he deserves our gratitude. Virtually every bill affecting public health bears the mark of my good friend and colleague, Representative WAXMAN, and this one is no exception. Many other of our colleagues made significant contributions to this bill, as well.

Giving credit where it is due, this bill has been improved by our Senate colleagues. Childhood obesity, now a focus of the bill, is one of the Surgeon General's priorities for Healthy People 2010. I am also delighted to see the program for newborn screening for heritable metabolic disorders, an issue of great concern to my colleague, Representative PALLONE. This provision would establish an advisory counsel to guide the Secretary in making timely and informed responses to rapid advances in genetic technologies. State and local public health departments will benefit from their provision as resources would be made available to improve programmatic uniformity, from laboratory infrastructure, to counseling, and healthcare services.

Other new provisions for America's children will develop strategies for improving childcare facilities, increase funds for the early detection and treatment of childhood lead poisoning, and fund a longitudinal study of influences that shape child development. The new National Center for Birth Defects and Developmental Disabilities at the Centers for Disease Control and Prevention will track and identify causes of birth defects and developmental disabilities with the goal of creating effective interventions to prevent the conditions, or their secondary health impacts. But without the full support of our colleagues on the Appropriations Committee in fiscal year 2001 to build and operate the Center, and in successive years to sustain and expand it, the Center will only be a shell.

Despite its many worthy provisions, this bill has been marked by a number of procedural irregularities. No bill of this scope and magnitude should proceed to the House floor without going through the committee process. No children's health bill worth its name should neglect such programs as: (1) supplementing S–CHIP and Medicaid to provide seamless access to state-of-the-art prenatal services to all pregnant women; (2) assuring equal access to pediatric specialists, medically necessary drugs and clinical trials for children with rare and/or serious health problems; (3) establishing guidelines for the administration of psychotropic medications to children under five, which is a major concern to my good friend Representative Towns; and, (4) addressing FDA regulation of youth tobacco use. Ironically, the provision promoting safe motherhood includes a public education initiative addressing the dangers of alcohol, tobacco, and illicit drug use in pregnancy. Most women do not begin smoking during pregnancy; they begin as adolescents. Yet, our Committee was unable to even debate this issue this year.

The provision on narcotic addiction treatment unfortunately fails to provide coverage for the majority of heroin addicts who cannot afford new drugs, such as buprenorphine, which were developed with taxpayer resources. Implementation of this provision, which exempts certain physicians from future guidelines for treatment with a not yet approved and labeled drug, will bear watching.

Finally, it is unfortunate that at a time when our Nation has more than 120,000 children in the foster care and the child welfare system who need homes, the only provision in this bill addressing adoption is based on a very limited, heavily criticized, sixteen year old study of how women with unintended pregnancies are counseled about their options. It speaks volumes that not a single organization involved with special needs adoptions has written to express support for this bill. This provision is based on a pejorative assumption about our publicly funded primary health care system and it burdens the already extended community health centers and Title X family planning clinics. Our tax dollars would be better spent addressing the needs of the more than 120,000 children of this Nation who so desperately need loving, caring homes.

I will vote for this bill. However, I want America's children to know that while H.R. 4365 is a significant step toward improving the quality of your collective health, we can do better. It now seems clear that the horizon of the 106th Congress will be rather limited with respect to health issues. I have great hope and great confidence that in the 107th Congress we will do better.

Mr. GREENWOOD. Mr. Speaker, as a member of the Subcommittee on Health and Environment of the House Committee on Commerce, the committee of jurisdiction, I wish to clarify my intent in voting or H.R. 4365. Section 3207 imposes new requirements on residents of certain facilities with respect to the use of techniques of ''restraint'' and ''seclusion.'' While such practices should be avoided whenever possible, I trust that the regulatory agencies implementing this law will do so in a reasonable, practical manner. New Section 591(d)(1) of the Public Health Service Act defines ''restraint'' to exclude ''any . . . method that involves the physical holding of a resident . . . to permit the resident to participate in activities without the risk of physical harm to the resident . . .'' I construe this phrase to allow facilities covered under this section providing services to children and youth with serious emotional disturbances to continue using a practice known as a ''therapeutic hold'' when appropriate to allow a resident to resume activities as soon as possible.

Mr. CANNON. Mr. Speaker, I rise today in support of the underlying legislation which includes within it an important bill that I sponsored in the House, the Methamphetamine

Anti-Proliferation Act of 2000. Methamphetamine is a powerful and dangerous drug. It differs from other popular illegal narcotics because it can be made from readily available, domestically produced, legal but dangerous chemicals and substances. It puts both human life and the environment at risk and it is reaching epidemic proportions.

Meth has become the fastest growing illegal narcotic in America. Within the last five years, meth use has increased in some communities by as much as 300 percent. In some areas meth accounts for as much as 90 percent of all drug cases. An increasing amount of meth is imported, but there are also hundreds of small ''Mom and Pop'' clandestine labs manufacturing meth in my State of Utah and throughout the country. Cheaply produced, but with a street value as high as $1,500 an ounce, it is no wonder that meth has become the drug of choice for gangs and criminals.

This legislation that I sponsored, and which we consider today, will address the proliferation of methamphetamine and club drug manufacturing, trafficking, use, and addiction in America. It provides Federal, State, and local law enforcement officials with tools and training to combat the methamphetamine and club drug epidemic in America today. It furthermore authorizes comprehensive prevention and treatment programs to combat abuse and addiction as well.

H.R. 2987 provides funding to the Drug Enforcement Administration [DEA] and Office of National Drug Control Policy [ONDCP]. These additional resources will be used to assist State and local law enforcement officials in methamphetamine investigations and establish additional DEA offices in rural areas. It provides training for toxic methamphetamine waste clean up, and authorizes federal reimbursement to states and localities for meth lab cleanup expenses.

H.R. 2987 also increases penalties for amphetamine production, trafficking in meth precursor chemicals, and drug manufacturing that creates a risk to human life or to the environment. The bill also contains provisions to address the problems associated with ''Ecstasy,'' gamma-hydroxbutyric acid (GHB) to so-called ''date rape drug,'' other enumerated ''club'' drugs, as well as similar controlled substances. And finally, the bill contains a number of provisions authorizing effective and science-based methamphetamine and club drug prevention and addiction treatment programs and federal resources for those programs.

Mr. Speaker, by passing this bill today we will be upholding our responsibility to provide additional federal resources that will help local law enforcement take back our cities and towns from the rising tide of methamphetamine and club drugs. I thank all the Members who worked on this bill for their efforts, and urge my colleagues to support this legislation.

Mr. OSE. Mr. Speaker, when the Children's' Health Act was passed by the Senate, the Anti-Methamphetamine Proliferation Act was added as an amendment. I wish to speak about the importance of this provision in the fight against methamphetamines.

Those of us who live on the east coast have not experienced the devastation that methamphetamines can wreak on a community. Unfortunately, in California, where 80 percent of the Nation's Meth supply is produced, we know all too well the dangers of this drug. Methamphetamines are a powerful drug that leaves a path of destruction in its wake. Meth is highly addictive, giving the user a sense of power and paranoia. As a result, a staggering proportion of violent crime in many communities is tied to Meth use. Would you believe that in Sacramento, 27 percent of male arrestees tested positive for Meth? In other western cities, the numbers are equally alarming: San Diego—26 percent; Salt Lake City—25 percent; San Jose—24 percent; Spokane—20 percent; Portland—19 percent; Las Vegas—16 percent; Phoenix—16 percent.

The Meth crisis is full of youth tragedies as well. Since Meth is largely produced on kitchen stoves, children are extremely vulnerable to exposure to lethal chemicals. In addition, I have personally heard horrific stories of child abuse at the hands of Meth users.

In March of this year I hosted a congressional field hearing in Woodland, CA to discuss the Meth crisis. During the hearing I heard from State and local law enforcement officials who fight the Meth crisis. From them I learned the unique challenges that this drug presents. The Anti-Methamphetamines Proliferation Act, for the first time ever, takes a comprehensive approach to fighting Meth and addresses those very problems that I heard from my local sheriffs and police chiefs.

The Anti-Meth Proliferation Act would: increase penalties for possession of precursor chemicals used to make Meth; add $15 million to the High Intensity Drug Trafficking Areas (HIDTAs) specifically targeted towards fighting Meth; increase funds to help state and local officials clean up Meth labs, which are filled with dangerous chemicals that threaten both human lives and the environment; adds funds for research and treatment of Meth.

I congratulate the gentleman from Utah, Mr. CANNON and the gentleman from Florida, Mr. MCCOLLUM for their hard work on this important bill. With this legislation, we are finally giving our law enforcement officials the resources they need to fight Meth production and distribution.

Let's pass this bill and get serious about fighting the scourge of methamphetamines.

Mr. WAXMAN. Mr. Speaker, I rise to express my strong support for H.R. 4365, the Children's Health Act. I am very pleased this bill represents a bipartisan, consensus combination of the children's health legislation and a long overdue reauthorization of the Substance Abuse and Mental Health Administration [SAMHSA].

This legislation contains many important provisions which will advance the treatment, cure and prevention of many childhood diseases and disorders. Among other benefits, they promise to make significant advances in the treatment and prevention of childhood asthma and of autoimmune diseases, like multiple sclerosis, juvenile diabetes and lupus, as well as in education and outreach regarding Tourette Syndrome. And children participating in clinical research will be afforded stronger protections under Federal law.

Title V of this bill consists of H.R. 2840, the Children's Asthma Relief Act of 1999, introduced by Congressman FRED UPTON and myself. Title XIX is based on H.R. 2573, the NIH Office of Autoimmune Diseases Act of 1999, which was authored by Congresswoman CONNIE MORELLA and myself. Title XXIII consists of an amendment, ''Children and Tourette Syndrome Awareness,'' authored by myself. Title XXVII includes enhanced protections for children participating in clinical research, based on H.R. 4605, the Human Research Subjects Protection Act introduced by Congresswoman DIANA DEGETTE, Congressman JOHN MICA and myself.

Equally important, this legislation authorizes programs and grants administered by SAMHSA which are essential to the health of many Americans. The reauthorization of this agency's statutory authority is long overdue and comes at an important juncture in our efforts to improve our health care services

NIH INITIATIVE ON AUTOIMMUNE DISEASES

I am pleased that H.R. 4365 establishes a new initiative at NIH to ''expand, intensify and corrdinate'' research and education on autoimmune diseases.

Last year, Congresswoman MORELLA and I introduced the NIH Office of Autoimmune Diseases Act of 1999. This legislation created an office in the NIH Office of the Director to ensure that federal funding of autoimmune disease research is used optimally and that clinical treatments are developed as rapidly as possible.

There are more than 80 autoimmune diseases—including multiple sclerosis, lupus, and rheumatoid arthritis—in which the body's immune system mistakenly attacks healthy tissues. These diseases affect more than 13.5 million Americans and are major causes of disability. Most striking of all, three-quarters of those afflicted with an autoimmune disease are women.

Research on autoimmune diseases is spread through many institutes of the National Institutes of Health [NIH], just as treatments involve many clinical specialties. Increasingly, however, scientists are identifying the common risk factors and symptoms of autoimmune diseases. This is why greater coordination and additional resources are needed in our Nation's autoimmune research effort.

Title XIX of H.R. 4365 adopts our office, transferring its activities and mission to an Autoimmune Diseases Coordinating Committee. Composed of NIH institute directors and permanently staffed with scientists and health professionals, the coordinating committee would be advised by a public advisory council.

Most significantly, the coordinating committee, in close consultation with the advisory council, will develop a plan for research and education on autoimmune diseases. The plan will establish NIH priorities and the Director of NIH will ensure the plan is fully and appropriately funded. The strategic plan would create crucial new funding opportunities for autoimmune research, based on the professional and scientific judgements of researchers, patients and clinicians. Finally, the committee would report to Congress on implementation of the plan, including the actual amounts dedicated by NIH to autoimmune disease research. The committee will also prospectively identify areas and projects of great promise which Congress should support. I cannot overstate the importance of these activities. In conjunction with the strategic plan, these reports will provide an objective, scientifically sound roadmap to Congress and NIH to follow in the pursuit of new treatments and cures for autoimmune diseases.

ASTHMA SERVICES FOR CHILDREN

Title V will benefit the more than five million American children who have asthma, one of the most significant and prevalent chronic diseases in America. Surgeon General David

Satcher recently concluded that the United States is ''moving in the wrong direction, especially among minority children in the urban communities.''

That is why the Children's Asthma Relief Act provides new funding for pediatric asthma prevention and treatment programs, allowing states and local communities to target and improve the health of low-income children suffering from asthma. The act would also increase the enrollment of these children into Medicaid and state Children's Health Insurance Programs [CHIP], such as California's Healthy Families.

I am particularly pleased that Title V includes mobile ''breathmobiles'' among the community-based programs eligible for funding. These school-based mobile clinics were developed by the Southern California chapter of the Asthma and Allergy Foundation of America, in conjunction with Los Angeles County, Los Angeles Unified School District and the University of Southern California.

Finally, this title reflects the leadership and work of Senators DICK DURBIN and MIKE DEWINE. It also has the strong support of leading child health and asthma organizations, including the American Lung Association, the American Academy of Pediatrics, Association of Maternal and Child Health Programs, the National Association of Children's Hospitals, the American Academy of Chest Physicians and the Children's Health Fund.

CHILDREN AND TOURETTE SYNDROME AWARENESS

Because I had intended to offer title III of this legislation as an amendment to the House legislation, I am very pleased it has been included. This title provides grants to develop and implement outreach programs, with a particular emphasis on children. These programs will target health providers, community groups and educators with enhanced information about the etiology, diagnosis and treatment of Tourette Syndrome [TS], a serious, often misunderstood and frequently misdiagnosed inherited neurological disorder.

I am particularly pleased that this provision reflects the contributions and expertise of the Tourette Syndrome Association, a national organization dedicated to providing information about TS, its treatment and support services and current research to individuals with TS and their families.

RESEARCH SUBJECT PROTECTIONS FOR CHILDREN

I am also very pleased that provisions from Congresswoman DEGETTE's Human Research Subjects Protection Act have been included in title XXVII of this legislation. This bipartisan legislation represents the first comprehensive reforms of research protections in a quarter century. This provision benefitting children is a downpayment on the additional reforms which are urgently needed in informed consent and our national system of Institutional Review Boards [IRBs]. These protections are indispensable to medical research, and recent abuses and failures have understandably shaken public confidence.

In the past, Congress has acted to protect research volunteers in the face of crisis or scandals like Tuskeegee, Willowbrook, and the government's cold war radiation experiments. But today, there is a clear consensus that we must strengthen and expand current protections. In doing so, we will restore the confidence of courageous people who are willing to put their health and welfare on the line to help find new cures and treatments. Without their trust, research simply cannot continue.

ADOPTION POLICY

Finally, the adoption awareness provisions in title XII were the subject to great controversy and debate. The original language raised many serious objections concerning adoption policy as well as abortion policy. These objections were made by Members, including myself, and important public health organizations including the American College of Obstetricians and Gynecologists, the National Association of Community Health Centers, and the National Abortion and Reproductive Rights Action League.

I recognize the sincerity of Chairman TOM BLILEY's concern on the issue of adoption and the significant efforts he has made to achieve a compromise and to remove the more troubling provisions from this Title.

SAMHSA REAUTHORIZATION

With respect to the reauthorization of SAMHSA, substance and alcohol abuse remain complex, troubling issues which elude simply or quick solutions. In light of surveys which indicate a recent increase in teenage drug use, it was particularly troubling to recently learn that nearly half of all parents are simply resigned to having their teenage children be exposed to illegal drugs. Unmet treatment needs continue to drive the annual $160 billion in societal costs from substance and alcohol abuse. Instead of receiving appropriate care, millions of Americans actively seeking treatment are being forced onto waiting lists. This is an unacceptable situation, especially as we have begun to receive conclusive data on the cost-effective health outcomes and dramatic savings produced by effective treatment.

For these reasons, I want to commend Congresswoman LOIS CAPPS on her authorship of the provisions on youth alcohol and fetal alcohol syndrome, Congressman TED STRICKLAND for his hard work on the mental health provisions, and Congresswoman DEGETTE on her provision strengthening protections against the use of seclusion and restraints. I am also particularly pleased that the grant programs targeting homeless individuals, the Grants for the Benefit of Homeless Individuals [GBHI] and the Projects for Assistance in Transition from Homelessness [PATH] have been reauthorized.

CHARITABLE CHOICE

There is one provision which I regret has been included in the SAMHSA reauthorization. It relates to ''charitable choice,'' and wholly exempts faith-based organizations from the application of Federal employment and discrimination laws in the provision of services funded by SAMHSA. I am also concerned that ''pervasively sectarian'' organizations may receive such funding, weakening the clear constitutional separation of church and state. Finally, I question whether this provision weakens the standards for certifying facilities and personnel providing substance abuse or mental health services, and for measuring and assessing the delivery of such services by a faith-based organization.

In conclusion, I urge my colleagues to support H.R. 4365 and commend the House staff for their hard work and dedication on this important public health legislation, particularly Judith Benkendorf, Eleanor Dehoney, Anne Esposito, John Ford and Marc Wheat.

Mr. TOWNS. Mr. Speaker, I'm very pleased that the House approved H.R. 4365, the Children's Health Act of 2000, reflecting a compromise agreement that was reached on a bipartisan basis with the Senate last week. This legislation will establish various children's health research and prevention programs conducted through federal public health agencies. The legislation will amend the Public Health Service Act to authorize additional federal resources targeted at many children's diseases, such as traumatic brain injury, autism, Fragile X, juvenile arthritis, childhood skeletal malignancies, diabetes, birth defects, hepatitis C, and epilepsy.

Today, however, I want to specifically make mention of title 22 of the legislation, which mandates increased research by the National Institutes of Health into Muscular Dystrophy. Passage of this title represents the first time that Muscular Dystrophy, and specifically Duchesne Muscular Dystrophy, has been acknowledged in a federal statute. This is long overdue.

As a member of the Health Subcommittee of the Commerce Committee, I am greatly heartened by the efforts of the gentleman from Ohio, ranking member SHERROD BROWN, to include this title in the legislation. Duchesne Muscular Dystrophy is the world's most prevalent lethal childhood genetic disease, cutting equally across all races and all citizens. To look at the record of research on this disease is to realize that despite our country's enormous resources, sometimes many children are left behind. Today, despite all the advances in medical science, victims of this disease—which afflicts one of every 3,500 boys—have no cures and no effective treatments available to them.

Children afflicted with Duchesne Muscular Dystrophy have no ability to produce the protein dystrophin, the protein that binds the muscle cells together. First, they lose their ability to climb and walk, then the disease spreads to their arms, and ultimately pulmonary or cardiac failure results by the late teens or early twenties. It is an exceptionally cruel disease that slowly robs boys of their independence and ultimately immobilizes them, leading invariably to an untimely and early loss of life.

Sadly, the federal response to this disease has been exceptionally poor. This year, in a NIH budget of more than $18 billion, research into Duchesne and Becker Muscular Dystrophies totals $9.2 million. Because it is a difficult disease that affects only tens of thousands of children—not millions—there is no current commitment from private drug manufacturers to conduct research on this disease. If you want to understand why there is nothing available to treat these children, you need look no further than the weak federal response to this disease. The gene that is flawed in this disease is readily identifiable, and has been so for 14 years. But astonishingly, the pace of research on DMD actually slowed down after the gene was discovered.

It is not that the scientists of NIH do not care about the victims of this disease. Rather, there are significant structural problems that have inhibited leadership at the Institutes in creating the platform for expanded research. Specifically, research into DMD is spread among the institutes of NIH. The National Institute of Child Health and Development does nothing on DMD, even though DMD victims exclusively are children. Of even more concern is the reality that of the more than 100 separate study sections at NIH through which scientists seek grants for research, none are devoted to muscle, the largest organ of the

body. The scientists who work in this area are frequently frustrated by the wide array of study sections through which they must apply for grants, and the lack of affinity that the peer review processes afford them.

Mr. Speaker, passage of this legislation will improve coordination of research into the various forms of Muscular Dystrophy. This is imperative. But beyond that, NIH should take additional steps to ensure that DMD gets a fair share of federal resources based on the severity and prevalence of the disease. An Office of Dystrophinopathies, or a branch devoted to study of Muscular Dystrophy, is certainly called for. A study section is essential. I believe that the Commerce Committee should conduct ongoing oversight of NIH's compliance with the Children's Health Act, specifically in this important area.

While I am neither a scientist nor a doctor, I think it is highly probable that sooner or later gene therapy is going to be able to cure diseases of this nature, particularly those that involve flaws on a single, identifiable gene. Yet the words ''sooner'' and ''later'' have profound consequences in the lives of tens of thousands of American children and their families that are suffering with this disease. With the passage of H.R. 4365, we move a step closer to giving those families hope.

Thank you, and I thank the bipartisan leadership of the Commerce Committee for their hard work in producing this important piece of legislation.

Mrs. EMERSON. Mr. Speaker, I'd like to take this opportunity to show my commitment and support to the children's health bill before us today. This comprehensive children's health legislation was cultivated out of several individual bills, including the Healthy Kids 2000 Act that I introduced last year with my colleague Senator KIT BOND. It was a tremendous pleasure working with Representatives BILIRAKIS and BROWN in developing the first version of this comprehensive children's health legislation, and I applaud their dedication and commitment to seeing the important issue of children's health addressed this year.

Specifically within this bill, there are three key components that I am especially proud of the conferees for including. The first provision is with respect to safe motherhood. Most Americans are surprised to learn that total maternal mortality has not declined in the United States since 1982. Between 1982 and 1996, the national maternal mortality ratio has remained approximately 7.5 maternal deaths per 100,000 live births. Additionally, the CDC estimates that of the 10,000 women who give birth in the United States every day: 2–3 women die from pregnancy-related conditions; 2,100 women experience major pregnancy related complications before labor; 2,500 women have Caesarean section delivery; 2,600 women experience severe labor-related complications.

These rates of mortality and morbidity are simply unacceptable. Fortunately, with passage of the children's health bill today, the CDC will now have the ability and resources to increase surveillance research on maternal health issues, and also implement additional prevention and maternal health promotion programs nationwide.

A second provision I was pleased to sponsor and support earlier this year with my colleague Representative LUCILLE ROYBALL-ALLARD was the folic acid education initiative. This bill contains the authorization of a comprehensive national health education campaign promoting folic acid to prevent serious birth defects. In 1991, research proved that the B vitamin folic acid could prevent serious birth defects of the brain and spine, known as neural tube defects [NTDs]. Spina bifida and anencephaly are two common NTDs. The Centers for Disease Control and Prevention [CDC] has stated that if all American women of childbearing age consumed 400 micrograms of the B vitamin folic acid each day up to 70 percent of all cases of neural tube defects could be prevented.

However, this scientific breakthrough has not been translated into a reduction in neural tube defects because millions of women are not aware of the role of folic acid in preventing NTDs. While public awareness is improving, a majority of women are uninformed about the benefits of folic acid and they are not consuming the recommended daily amount. According to a June 2000 March of Dimes national survey conducted by the Gallup Organizations, only 34 percent of women of childbearing age reported taking a multivitamin with folic acid on a daily basis. The survey also found that 9 out of 10 women do not know that folic acid must be consumed before pregnancy to be effective, and that only 1 in 7 know that folic acid prevents birth defects.

This provision outlines the components of a comprehensive national campaign that would enable CDC to assist states and others to develop and implement programs to reduce the incidence of neural tube birth defects which effect an estimated 2,500 babies each year.

Lastly, I want to take a moment to express my support for title XXII of the bill, which directs the National Institutes of Health to develop a more coordinated research strategy with regards to muscular dystrophy, giving particular attention to Duchenne Muscular Dystrophy. This form of the disease is the most common and most devastating of the muscular dystrophies. One in 3,500 male children born worldwide will be born with Duchenne and will lose the ability to walk by age 10; however, most children are diagnosed between the ages of two and three. Muscle deterioration will continue in the back and chest making it more and more difficult to breathe. The deterioration process will continue until it takes the life of a child some where in their late teens or early twenties. This is a process that no family should ever have to undergo, and I am happy to see that the National Institute for Neurological Disorders and Stroke has been challenged with the task of ensuring a stronger federal focus at NIH towards finding a cure and alternative treatments for Duchenne Muscular Dystrophy. I applaud and thank my colleagues for pushing NIH to take a more responsible role in finding a cure for this devastating disease, and for their commitment to ensuring passage of this important legislation impacting the lives of millions of children throughout the country.

Mr. BENTSEN. Mr. Speaker, I rise today in strong support of the Children's Health Act (H.R. 4365), legislation that would reauthorize children's health research and prevention programs, graduate medical education programs for children's hospital, substance abuse and drug abuse prevention and treatment programs, and safety of children care programs.

As an original cosponsor of many of initiatives that were included in this comprehensive bill, I am pleased that Congress will be acting to protect children's health. One of the most important provisions is the reauthorization for 5 years of the graduate medical education program for independent children's hospitals. I strongly support the role that pediatric hospitals play in advancing pediatric medicine and the training of physicians dedicated to children's health care needs. Under current law, Medicare does not provide funding for pediatric residencies for freestanding children's hospitals such as Texas Children's Hospital in my district because these hospitals do not treat a large number of Medicare patients. Last year, we enacted a law that provided a one-time capped entitlement for pediatric graduate medical education programs. This legislation would extend this valuable program for five years.

I am also working to ensure that the pediatric graduate medical education program receives sufficient funding through the annual appropriations process. Earlier this year, the House of Representatives approved the Fiscal Year 2001 Labor, Health and Human Services and Education appropriations bill (H.R. 4577) that includes $80 million for the pediatric graduate medical education program, an increase of $40 above this year's program. I am committed to maintaining this funding level as the budget is finalized.

Another important issue is the bill is the Pediatric Research Initiative that would require the National Institutes of Health (NIH) to conduct pediatric biomedical research at the NIH. In particular, this initiative will ensure that more research is done on how diseases affect children as compared to adults. In most cases, clinical trials are conducted on adults without any consideration of how these drugs will affect children.

This initiative would also encourage the development of pediatric clinical trials to ensure that safe and effective drug treatments are available for children. When children face life-threatening diseases, it is very difficult to determine how much and what types of treatments should be given to them, because there is insufficient information about how these treatments affect children. With more data and clinical trials, there will more options for children who are fighting for their lives.

This bill would also direct the National Institutes of Health to conduct more research on diseases which directly affect children such as hearing loss, autism, asthma, and juvenile diabetes. For autism, this legislation requires the NIH to establish five Centers for Excellence on autism research as well as three regional centers at the Centers for Disease Control. For asthma, this legislation would establish a grant program to provide comprehensive asthma services to children, equipping mobile health care clinics and conducting patient and family education on managing asthma. For juvenile diabetes, this bill establishes a national database at the Centers for Disease Control. With more information about juvenile diabetes, it will be easier to delineate potential environmental triggers related to type 1 diabetes. This bill would also provide funding for research related to a vaccine to prevent juvenile diabetes.

Another important initiative in this legislation is the creation of a nationwide toll-free phone number for parents to call to get information about poison control centers. Regrettably, the number of accidental poisonings is a real threat to our children. This initiative will ensure

that parents have one location to call to determine what is the best treatment for an accidental poisoning. This legislation also includes funding for a national public information campaign to educate the public about poison prevention and how to access poison control centers in their area. With appropriate information, parents can learn how to reduce the number of poisonings each year.

I am also supportive of provisions in this legislation that would provide new funding to prevent birth defects. In particular, this legislation would authorize the Centers for Disease Controls to conduct a public health program about the effects of folic acid in preventing birth defects in pregnant women. This bill would also establish a National Center on Birth Defects and Development Disabilities to collect and analyze available data on birth defects. With more information, I believe we will discover new ways to prevent birth defects.

This bill would also provide several new programs to address the mental health of our children. This measure authorizes $75 million for a program to provide grants to public and nonprofit organizations to prevent suicide among children and adolescents. This bill also authorizes $300 million next year for grants to prevent substance abuse among children. The legislation also creates a High-Risk Youth Program to help public and nonprofit organizations to combat drug abuse for high-risk youths.

Another importation provision in this bill would create a grant program to improve the health and safety of children in child care facilities. This bill authorizes $200 million next year to ensure that child care facilities are safe for our children. These grants can also be used to improve the training for child care providers as well as rehabilitating existing centers to meet current health and safety requirements. Today, with more children enrolled in child care centers, it is critically important that these facilities are well-equipped so that our children will learn and prosper.

I strongly urge my colleagues to support this effort and vote for H.R. 4365.

Mrs. MINK of Hawaii. Mr. Speaker, I rise today in very strong support of this legislation. I also wish to thank the Senate Committee on Health, Education, Labor and Pensions for including language in H.R. 4365 that will help those who have suffered traumatic brain injury receive cognitive therapy. Traumatic brain injury or TBI is one the leading causes of death and disability among young persons in the United States. The Centers for Disease Control and Prevention recently announced that there are currently 5.3 million Americans living with a serious long-term disability as a result of brain injury.

This important measure will, for the first time, clarify that cognitive therapy is necessary for individuals who have suffered traumatic brain injury. In many cases, rehabilitation focuses exclusively on physical treatment without regard for cognitive treatment, such as reading, speaking, comprehension, reasoning and deductive capabilities.

This provision is based on H.R. 477, which I introduced on February 2, 1999, to clarify that cognitive therapy is a necessary component of treatment for TBI.

There is no widely accepted nor standardized long-term procedure for TBI treatment. The availability of cognitive therapy varies by state, which causes inequitable and varying treatment for TBI victims. But this measure seeks to change that. It clarifies that the National Institutes of Health should conduct research on cognitive therapy needed for TBI patients and that cognitive therapy for TBI should be funded by the Health Resources and Services Administration under its TBI grant program.

Persons with traumatic brain injuries are greatly in need of help to rehabilitate and recover their mental, as well as their physical, capabilities. By passing H.R. 4365, we can help those persons do just that.

I urge all Members to vote for this important legislation.

Mr. WELDON of Florida. Mr. Speaker, I rise in strong support of this bill. I am particularly pleased with the provisions authorizing the Healthy Start Project and pursuing an aggressive effort to address the epidemic of autism in America today. I was pleased to play a role in moving both of these initiatives forward. The Healthy Start project will reduce the rate of infant mortality and improve prenatal care by providing grants to areas with high rates of infant mortality and low birth weight infants. Healthy Start authorizes new grants to provide research and services like mobile health clinics which will provide poor women and their developing child access to ultrasound screenings. This will undoubtedly enhance access to prenatal care, ultrasound services, and prenatal surgery.

I have become increasingly concerned about the rapid increase in the incidence of autism among our children. I have spent a considerable amount of time over the past year on this very issue. I believe this bill will be a great help in addressing this issue. This bill ensures that the Director of National Institutes of Health [NIH] expands of NIH's autism research initiatives. The centers of excellence in autism research that are established under this program will lead to significant advances in basic and clinical research into the cause, diagnosis, early detection, prevention, control, and treatment of autism.

Ms. PELOSI. Mr. Speaker, I serve on the Subcommittee on Labor, Health and Human Services, and Education of the Committee on Appropriations. Our subcommittee's jurisdiction concerns the welfare of America's children in many ways: their health, their education and well-being, and the economic security of their families, which is certainly related to their well-being.

What we see in that subcommittee, from the scientists who come in and tell us what the possibilities are now in science and what they know about the development of children, is how essential it is for children to have quality health care even before they are born. The research has shown time and time again that investments in their good health are very good investments for our country indeed.

The opportunities are great. The knowledge that we have gained through our investments in biomedical research increases the opportunities to help our children not only reach their own personal fulfillment and strengthen the families from which they come, but also enrich our country in terms of our family values and our economic strength. So we all have a responsibility to all children. Every parent, of course, has a responsibility to his or her child, but on the Subcommittee we must think of every child in America as our child, all the children as our children, because indeed they are our responsibility. So in Congress, we have a responsibility to do all that we can to prevent and treat childhood disease. The Children's Health Act comprehensively addresses this responsibility by increasing our commitment to children's health research, health promotion, and disease prevention activities.

Although I strongly support the Children's Health Act, I would like to join my colleagues who have expressed their concerns about the Charitable Choice provisions included in the bill. These provisions would weaken important anti-discrimination civil rights protections; violate the constitutional separation of church and state; and entangle religious institutions in the purview of government. These provisions explicitly enable faith-based organizations to proselytize to those receiving public services and discriminate in employment decisions with public funds.

I am disappointed that the Republican leadership did not allow an amendment to strengthen prohibitions against proselytizing and prevent discrimination against beneficiaries. These needed protections are very important to ensure that the religious rights and the civil rights of Americans can be exercised, and where they overlap, there is an appropriate balance. They also would serve to protect the separation of church and state. Despite these concerns, I do support the underlying language in this bill, and I urge my colleagues to vote yes on the Children's Health Act.

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

The SPEAKER pro tempore (Mr. OSE). Pursuant to House Resolution 594, the previous question is ordered.

The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS).

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

Mr. BILIRAKIS. 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, the 15-minute vote on this motion will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 5272, as amended, on which the yeas and nays were ordered yesterday.

The vote was taken by electronic device, and there were—yeas 394, nays 25, not voting 14, as follows:

[Roll No. 496]

YEAS—394

Abercrombie	Becerra	Boucher
Ackerman	Bentsen	Boyd
Aderholt	Bereuter	Brady (PA)
Allen	Berkley	Brady (TX)
Andrews	Berman	Brown (FL)
Archer	Berry	Bryant
Armey	Biggert	Burr
Baca	Bilbray	Burton
Bachus	Bilirakis	Buyer
Baird	Bishop	Callahan
Baker	Blagojevich	Calvert
Baldacci	Bliley	Camp
Baldwin	Blumenauer	Canady
Ballenger	Blunt	Cannon
Barcia	Boehlert	Capps
Barr	Boehner	Capuano
Barrett (NE)	Bonilla	Cardin
Barrett (WI)	Bonior	Carson
Bartlett	Bono	Castle
Barton	Borski	Chabot
Bass	Boswell	Chambliss

Chenoweth-Hage
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
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 (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sawyer
Scarborough
Schaffer
Schakowsky
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Young (AK)
Young (FL)

NAYS—25

Clay
Clayton
Clyburn
Conyers
Cummings
Davis (IL)
Fattah
Gejdenson
Hastings (FL)
Hilliard
Jackson (IL)
Johnson, E. B.
Kilpatrick
Lee
Lewis (GA)
McKinney
Meeks (NY)
Miller, George
Payne
Sanford
Scott
Slaughter
Towns
Waters
Watt (NC)

NOT VOTING—14

Brown (OH)
Campbell
Ewing
Jones (OH)
Klink
Lazio
McCollum
McIntosh
Paul
Rush
Sandlin
Saxton
Vento
Wynn

1216

Messrs. CONYERS, CLAY, TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. GEJDENSON, HASTINGS of Florida, LEWIS of Georgia, MEEKS of New York, GEORGE MILLER of California, and Ms. KILPATRICK changed their vote from ''yea'' to ''nay.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PEACE THROUGH NEGOTIATIONS ACT OF 2000

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The unfinished business is the question of suspending the rules and passing the bill, H.R. 5272.

The Clerk read the title of the bill.

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 pass the bill, H.R. 5272, 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 385, nays 27, answered ''present'' 4, not voting 17, as follows:

[Roll No. 497]

YEAS—385

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth-Hage
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kleczka
Knollenberg
Kolbe
Kuykendall
LaFalce
LaHood
Lampson
Lantos
Largent
Larson
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Morella
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogan
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanders
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
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Stupak
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Turner

Udall (CO)	Watkins	Whitfield
Udall (NM)	Watts (OK)	Wicker
Upton	Waxman	Wilson
Velazquez	Weiner	Wise
Visclosky	Weldon (FL)	Wolf
Vitter	Weldon (PA)	Woolsey
Walden	Weller	Wu
Walsh	Wexler	Young (AK)
Wamp	Weygand	Young (FL)

NAYS—27

Bonior	Johnson, E. B.	Rahall
Carson	Lee	Rohrabacher
Clay	McDermott	Sabo
Clayton	McKinney	Serrano
Conyers	Miller, George	Stark
Danner	Moran (VA)	Sununu
Dingell	Murtha	Traficant
Hilliard	Obey	Waters
Jackson (IL)	Payne	Watt (NC)

ANSWERED ''PRESENT''—4

Capuano	Kucinich
DeFazio	Rivers

NOT VOTING—17

Campbell	Klink	Pickett
Doolittle	Lazio	Sandlin
Ewing	McCollum	Thomas
Goodling	McIntosh	Vento
Hilleary	Meek (FL)	Wynn
Jones (OH)	Paul	

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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. Pursuant to the provisions of 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, if postponed, will be taken after debate has concluded on all motions to suspend the rules.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING ESTABLISHMENT ACT

Mr. BURR of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1795) to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering, as amended.

The Clerk read as follows:

H.R. 1795

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Institute of Biomedical Imaging and Bioengineering Establishment Act''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Basic research in imaging, bioengineering, computer science, informatics, and related fields is critical to improving health care but is fundamentally different from the research in molecular biology on which the current national research institutes at the National Institutes of Health (''NIH'') are based. To ensure the development of new techniques and technologies for the 21st century, these disciplines therefore require an identity and research home at the NIH that is independent of the existing institute structure.

(2) Advances based on medical research promise new, more effective treatments for a wide variety of diseases, but the development of new, noninvasive imaging techniques for earlier detection and diagnosis of disease is essential to take full advantage of such new treatments and to promote the general improvement of health care.

(3) The development of advanced genetic and molecular imaging techniques is necessary to continue the current rapid pace of discovery in molecular biology.

(4) Advances in telemedicine, and teleradiology in particular, are increasingly important in the delivery of high quality, reliable medical care to rural citizens and other underserved populations. To fulfill the promise of telemedicine and related technologies fully, a structure is needed at the NIH to support basic research focused on the acquisition, transmission, processing, and optimal display of images.

(5) A number of Federal departments and agencies support imaging and engineering research with potential medical applications, but a central coordinating body, preferably housed at the NIH, is needed to coordinate these disparate efforts and facilitate the transfer of technologies with medical applications.

(6) Several breakthrough imaging technologies, including magnetic resonance imaging (''MRI'') and computed tomography (''CT''), have been developed primarily abroad, in large part because of the absence of a home at the NIH for basic research in imaging and related fields. The establishment of a central focus for imaging and bioengineering research at the NIH would promote both scientific advance and U.S. economic development.

(7) At a time when a consensus exists to add significant resources to the NIH in coming years, it is appropriate to modernize the structure of the NIH to ensure that research dollars are expended more effectively and efficiently and that the fields of medical science that have contributed the most to the detection, diagnosis, and treatment of disease in recent years receive appropriate emphasis.

(8) The establishment of a National Institute of Biomedical Imaging and Bioengineering at the NIH would accelerate the development of new technologies with clinical and research applications, improve coordination and efficiency at the NIH and throughout the Federal government, reduce duplication and waste, lay the foundation for a new medical information age, promote economic development, and provide a structure to train the young researchers who will make the pathbreaking discoveries of the next century.

SEC. 3. ESTABLISHMENT OF NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING.

(a) IN GENERAL.—Part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following subpart:

''Subpart 18—National Institute of Biomedical Imaging and Bioengineering

''PURPOSE OF THE INSTITUTE

''SEC. 464z. (a) The general purpose of the National Institute of Biomedical Imaging and Bioengineering (in this section referred to as the 'Institute') is the conduct and support of research, training, the dissemination of health information, and other programs with respect to biomedical imaging, biomedical engineering, and associated technologies and modalities with biomedical applications (in this section referred to as 'biomedical imaging and bioengineering').

''(b)(1) The Director of the Institute, with the advice of the Institute's advisory council, shall establish a National Biomedical Imaging and Bioengineering Program (in this section referred to as the 'Program').

''(2) Activities under the Program shall include the following with respect to biomedical imaging and bioengineering:

''(A) Research into the development of new techniques and devices.

''(B) Related research in physics, engineering, mathematics, computer science, and other disciplines.

''(C) Technology assessments and outcomes studies to evaluate the effectiveness of biologics, materials, processes, devices, procedures, and informatics.

''(D) Research in screening for diseases and disorders.

''(E) The advancement of existing imaging and bioengineering modalities, including imaging, biomaterials, and informatics.

''(F) The development of target-specific agents to enhance images and to identify and delineate disease.

''(G) The development of advanced engineering and imaging technologies and techniques for research from the molecular and genetic to the whole organ and body levels.

''(H) The development of new techniques and devices for more effective interventional procedures (such as image-guided interventions).

''(3)(A) With respect to the Program, the Director of the Institute shall prepare and transmit to the Secretary and the Director of NIH a plan to initiate, expand, intensify, and coordinate activities of the Institute with respect to biomedical imaging and bioengineering. The plan shall include such comments and recommendations as the Director of the Institute determines appropriate. The Director of the Institute shall periodically review and revise the plan and shall transmit any revisions of the plan to the Secretary and the Director of NIH.

''(B) The plan under subparagraph (A) shall include the recommendations of the Director of the Institute with respect to the following:

''(i) Where appropriate, the consolidation of programs of the National Institutes of Health for the express purpose of enhancing support of activities regarding basic biomedical imaging and bioengineering research.

''(ii) The coordination of the activities of the Institute with related activities of the other agencies of the National Institutes of Health and with related activities of other Federal agencies.

''(c) The establishment under section 406 of an advisory council for the Institute is subject to the following:

''(1) The number of members appointed by the Secretary shall be 12.

''(2) Of such members—

''(A) 6 members shall be scientists, engineers, physicians, and other health professionals who represent disciplines in biomedical imaging and bioengineering and who are not officers or employees of the United States; and

''(B) 6 members shall be scientists, engineers, physicians, and other health professionals who represent other disciplines and are knowledgeable about the applications of biomedical imaging and bioengineering in medicine, and who are not officers or employees of the United States.

''(3) In addition to the ex officio members specified in section 406(b)(2), the ex officio members of the advisory council shall include the Director of the Centers for Disease Control and Prevention, the Director of the National Science Foundation, and the Director of the National Institute of Standards and Technology (or the designees of such officers).

''(d)(1) Subject to paragraph (2), for the purpose of carrying out this section:

''(A) For fiscal year 2001, there is authorized to be appropriated an amount equal to the amount obligated by the National Institutes of

Health during fiscal year 2000 for biomedical imaging and bioengineering, except that such amount shall be adjusted to offset any inflation occurring after October 1, 1999.

''(B) For each of the fiscal years 2002 and 2003, there is authorized to be appropriated an amount equal to the amount appropriated under subparagraph (A) for fiscal year 2001, except that such amount shall be adjusted for the fiscal year involved to offset any inflation occurring after October 1, 2000.

''(2) The authorization of appropriations for a fiscal year under paragraph (1) is hereby reduced by the amount of any appropriation made for such year for the conduct or support by any other national research institute of any program with respect to biomedical imaging and bioengineering.''.

(b) USE OF EXISTING RESOURCES.—In providing for the establishment of the National Institute of Biomedical Imaging and Bioengineering pursuant to the amendment made by subsection (a), the Director of the National Institutes of Health (referred to in this subsection as ''NIH'')—

(1) may transfer to the National Institute of Biomedical Imaging and Bioengineering such personnel of NIH as the Director determines to be appropriate;

(2) may, for quarters for such Institute, utilize such facilities of NIH as the Director determines to be appropriate; and

(3) may obtain administrative support for the Institute from the other agencies of NIH, including the other national research institutes.

(c) CONSTRUCTION OF FACILITIES.—None of the provisions of this Act or the amendments made by the Act may be construed as authorizing the construction of facilities, or the acquisition of land, for purposes of the establishment or operation of the National Institute of Biomedical Imaging and Bioengineering.

(d) DATE CERTAIN FOR ESTABLISHMENT OF ADVISORY COUNCIL.—Not later than 90 days after the effective date of this Act under section 4, the Secretary of Health and Human Services shall complete the establishment of an advisory council for the National Institute of Biomedical Imaging and Bioengineering in accordance with section 406 of the Public Health Service Act and in accordance with section 464z of such Act (as added by subsection (a) of this section).

(e) CONFORMING AMENDMENT.—Section 401(b)(1) of the Public Health Service Act (42 U.S.C. 281(b)(1)) is amended by adding at the end the following subparagraph:

''(R) The National Institute of Biomedical Imaging and Bioengineering.''.

SEC. 4. EFFECTIVE DATE.

This Act takes effect October 1, 2000, or upon the date of the enactment of this Act, whichever occurs later.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. BURR) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. BURR).

GENERAL LEAVE

Mr. BURR of North Carolina. 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. 1795.

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

There was no objection.

Mr. BURR of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1795, the National Institute of Biomedical Engineering and Bioengineering Establishment Act, is supported by over 170 of our colleagues in the House. It passed out of the Committee on Commerce under voice vote, and I want to commend my colleague on the other side, the gentlewoman from California (Ms. ESHOO), for her great support and co-sponsorship of this legislation. H.R. 1795 establishes a new National Institute of Biomedical Imaging and Bioengineering at the NIH, the National Institutes of Health.

Mr. Speaker, in an age where we talk about producing more resources for the National Institutes of Health to do additional research, it is incumbent on this institution to create a structure that makes sure that we are chasing the best and the brightest. When we talk about the issue of biomedical imaging, we need to look at ways to detect at an earlier stage breast cancer and many other terminal and chronic illnesses.

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It is incumbent on this institution to make sure that this institute is there so that the resources that are made available for imaging changes the latest and greatest breakthroughs that could possibly be brought to the patient community.

MRIs and CT scans were not created in this country, but they were refined in this country because of the emphasis we put on research and development and on the refinement to make sure that every possible tool is available for early detection of disease.

H.R. 1795 creates a research environment in which new imaging and biotechnologies, techniques, and devices can be developed for clinical use much more rapidly than under the present system.

For those that might say this does not require a new institute, let me assure them that for 3 years we have tried to work with the National Institutes of Health to make sure that the proper attention was paid to this very important field of imaging and what we found was that every disease in its research stages uses basic imaging, but there was not an effort to move to the next generation of imaging that can mean the difference between the number of options that patients are provided in their treatment, in many cases the difference between life and death because of early detection.

In the last Congress, 80 bipartisan House Members cosponsored this bill, but it was to create only an imaging institute. Others supported a bill by my dear friend, the gentlewoman from California (Ms. ESHOO), to establish a bioengineering center. It was our belief that to combine these was in the best interest of both efforts and that we could rely on the administrative resources of a single institute versus dual.

Mr. Speaker, it is important that our colleagues know our effort here is to not create a new bureaucracy but it is to put somebody in charge of this new exciting field that is driven by technology to make sure that every patient in America has early detection as a tool against disease whether it is chronic or whether it is fatal.

My hope is that every Member will support this legislation and that we can move it so that it becomes law and this institute becomes a permanent part of the National Institutes of Health.

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

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

Mr. Speaker, H.R. 1795 amends the Public Health Service Act to require the director of the National Institutes of Health to establish a National Institute of Biomedical Imaging and Engineering for the purposes of conducting and supporting research, training scientists and health professionals, disseminating relevant information, and sponsoring other programs with respect to biomedical imaging, biomedical engineers, and associated technologies and modalities with biomedical applications, such as bioinformatics and telemedicining.

Bioimaging is truly the diagnostic tool of the 21st century. I am proud to be a cosponsor, and I am also particularly proud of the hard work that my colleagues, the gentleman from North Carolina (Mr. BURR) and the gentlewoman from California (Ms. ESHOO), have done on the legislation; and I commend them for this excellent bill.

More than any other area of medicine, medical imaging has radically changed the way physicians detect, diagnose, and treat disease. In the coming years, additional breakthroughs in imaging promise to save more lives and further reduce the need for expensive, invasive, and painful surgery.

This proposed institute fulfills all five of the criteria stipulated by the Institute of Medicine in its 1984 report responding to the health needs of the scientific community, the organizational structure of the National Institutes of Health. It would also coordinate all imaging research through the Federal Government in order to enhance communication and avoid duplicity, activities now sorely lacking.

I have been assured by my colleagues, the gentlewoman from California (Ms. ESHOO) and the gentleman from North Carolina (Mr. BURR), that the proposed institute has been structured to control administrative costs and mitigate against administrative growth.

Indeed, the numbers are sobering. Based on fiscal year 1998 figures, the biomedical imaging program at the National Cancer Institute administered a grant portfolio of nearly $60 million and 220 grants. Given a generous ratio staff-to-grant, the newly proposed institute should easily maintain itself with the 62 full-time employees already working in this discipline through the NIH institute and centers.

It would draw most heavily from currently funded positions at the National

Cancer Institute and have a responsibility for collection of 932 grants totaling $201.5 million.

These figures, together with this great promise of this cutting edge biomedical discipline, make a compelling case for moving forward with the new institute; and I, therefore, support wholeheartedly the legislation.

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

Mr. BURR of North Carolina. Mr. Speaker, I reserve the balance of my time.

Ms. DEGETTE. Mr. Speaker, I am pleased to yield such time as she may consume to the gentlewoman from California (Ms. ESHOO), the sponsor of the legislation.

Ms. ESHOO. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, I am very proud to join with the gentleman from North Carolina (Mr. BURR) in this very important effort, and I salute him for his leadership. I am pleased to have partnered with him, because I think this is a very important idea for the people of our country. So I am very, very proud of being the chief Democratic sponsor on H.R. 1795.

This legislation, as Members have already heard, creates a new institute, a Biomedical Imaging and Bioengineering, at NIH. Dramatic advances in both of these areas have really revolutionized medical practice in recent years. New noninvasive imaging techniques such as magnetic resonance imaging, MRI, and those three letters are mentioned with all the familiarity of patients across the country and many, many people speak of going in for an MRI; and also computed tomography, or CTs. These have both paved the way for earlier detection and diagnosis of diseases, and they have dramatically improved the quality of treatment for so many people across our country.

But the next generation of breakthroughs, Mr. Speaker, will be longer in coming, or they may not come at all unless we modernize the structure at NIH.

The MRI and the CT, I was really taken aback to learn that they were not developed in the United States. The lack of a dedicated research effort in our country has forced the greatest country in the world really to be relying on other countries for breakthroughs in medical imaging and bioengineering. And that really is the basis and the intent of the bill to change this.

H.R. 1795 ensures the continued and rapid development of new diagnostic technologies by creating an independent research institute at NIH which is focused specifically on medical imaging and bioengineering. Establishment of a National Institute of Biomedical Imaging and Bioengineering will reduce duplication, it will lay the foundation for a new medical information age, and it will provide a structure to train young researchers who will make the breakthrough discoveries for the rest of this very new and promising century.

At a time when the Congress is committed to doubling the NIH budget, we must ensure that research dollars are expended more efficiently and more effectively and that the field of medical science that has contributed the most to the detection, the diagnosis, and the treatment of disease receives appropriate emphasis.

I am very fond of saying that the NIH represents our national institutes of hope. And I think that with this legislation we extend that hope in an area that really holds a great deal of promise not only for the genius of America but how that genius is applied to the betterment of our people and for the breakthroughs that they are counting on to be made to fight the war of diseases that have not yet been conquered.

So, again, I want to compliment my colleague, the gentleman from North Carolina (Mr. BURR), and everyone that has joined this effort. I think it is a worthy one, and I urge all of my colleagues to support it.

Ms. DEGETTE. Mr. Speaker, again I thank the sponsors of this legislation, and I yield back the balance of my time.

Mr. BURR of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I take this opportunity to once again thank my friends, the gentlewoman from California (Ms. ESHOO) and the gentlewoman from Colorado (Ms. DEGETTE) and all the members of our committee and staff who have worked on what I think is very important legislation.

I will end with a quote from the hearing that we had on this bill. It was given by Dr. Nick Bryant, a former Director of Diagnostic Radiology at the NIH.

Dr. Bryant said, ''I believe that the creation of a National Institute of Biomedical Imaging and Bioengineering is essential to promote the development of new imaging techniques and technologies. In order to flourish and grow consistently at the NIH, a scientific field requires an organization with the mandate, the responsibility, the authority, and the resources to direct and drive investigation in that field. In the NIH structure, only institutes possess those attributes.''

I believe his testimony to our committee best sums up why every Member of Congress should support this legislation.

Most Members of Congress strongly support an increase in NIH funding. Additional resources are important. But we should pass H.R. 1795 before we commit more money. Our legislation will ensure a greater return on our investment in medical science.

Mr. DINGELL. Mr. Speaker, I continue to have major doubts about the wisdom of H.R. 1795, the National Institute of Biomedical Imaging and Bioengineering Establishment Act. Because this rushed process has not resolved my doubts, I oppose this legislation.

At the September 14 Commerce Committee markup on this bill, I expressed my longstanding concern about the administrative burdens and duplication that come with authorizing new Institutes at the National Institutes of Health. I understand that the intent of this bill is to bring together programs in biomedical imaging and bioengineering that support clinical research in other disciplines, thereby fostering basic research in the development of improved diagnostic technologies. This is a laudable goal, yet all Institutes come with Directors who appoint administrative personnel, and new Institutes create opportunities for needless duplication of existing work. NIH's budget is finite, and we must be careful to use it wisely.

Do we need to spend more money on administrative bureaucracy or risk duplication of existing work to achieve the goals of this legislation? I think not, and neither does Secretary Shalala. Her attached letter to me, received last night, concludes that a newly created Office of Bioengineering, Bioimaging, and Bioinformatics ''ensures the most effective and efficient deployment of resources to foster research in this area.''

Are we prepared to say she is wrong, before the Office has a chance to work? Are we prepared to substitute our judgment for that of the National Institutes of Health? Are we prepared to take money from research to spend on administrative support?

My answer to these questions is no. I cannot support this legislation at this time.

THE SECRETARY OF HEALTH AND HUMAN SERVICES,
Washington, DC, September 25, 2000.

Hon. JOHN D. DINGELL,
Committee on Commerce, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE DINGELL: On September 14, the Committee on Commerce marked up and ordered reported H.R. 1795, which would establish a new National Institute on Biomedical Imaging and Bioengineering at the National Institutes of Health (NIH). During the markup, you raised questions about the impact of the legislation on the operations of NIH. I am writing in response a request made by your staff to address these concerns.

NIH invests heavily in this promising field of research. The majority of its Institutes and Centers (ICs) have significant research efforts underway in bioimaging and bioengineering. We believe that the application of imaging techniques to scientific questions about health and disease is part of the basic mission of NIH. We further believe it is imperative that the ICs maintain their support for imaging and engineering projects that are informed by compelling biological questions.

The discovery of new imaging modalities and approaches is being fostered in this collaborative environment, since the engineers and physicists are constantly being challenged by their biologist/clinician colleagues to develop new approaches to studying the body. A critical mass of engineers and physicists is present in many of these programs, providing the necessary technical and theoretical insight to develop advances in the biological sciences. There are many examples in the various ICs of this synergy leading to significant discoveries.

Three Institutes—the National Institute of Neurological Disorders and Stroke, the National Institute of Mental Health, and the National Institute on Aging—are using bioimaging advances to evaluate cognition. The

National Heart, Lung and Blood Institute is collaborating with other Government as well as private sector researchers to develop new cardiac magnetic resonance imaging and ultrasound techniques. The National Cancer Institute is developing new, more sensitive diagnostic and treatment tools using bioimaging techniques to detect and cure malignancies that heretofore have been recalcitrant to current interventions.

These are but a few examples of the tremendous amount of research being conducted within the ICs, where collaborations among scientists, physicists, and engineers are essential to developing new technologies.

The establishment of another NIH Institute would require an expensive administrative structure, for which additional resources would be required, so as not to rob the existing NIH ICs of their expertise and funds. While this Department and NIH are thoroughly committed to this rich and exciting research area, we have concluded that the newly created Office of Bioengineering, Bioimaging, and Bioinformatics in the Office of the Director, NIH, ensures the most effective and efficient deployment of resources to foster research in this area. The mission of the Office, for which a director is no being recruited, is to provide a focus for biomedical engineering, bioimaging, and biomedical computational science among the ICs and other Federal agencies. The Office will develop programs aimed at fostering basic understanding and new collaborations among the biological, medical, engineering, physical, and computational scientists and among the various ICs. The purpose of the Office is to develop effective research strategies while maintaining the core of the research at the individual ICs that have the necessary expertise to ask the appropriate questions and conduct the best research. In sum, we have carefully considered various approaches and are convinced that at this time a new Office, rather than a new Institute with its attendant organizational layers and administrative costs, offers the best and most practical opportunity to exploit the many potentials of this critical research. Experience with the new Office will contribute to the evaluation of the need for a separate Institute for bioengineering and bioimaging at NIH.

I would be delighted to answer any further questions that you may have regarding bioimaging and bioengineering research at NIH, and I look forward to working with you as you consider legislation that would enhance our research efforts. An identical letter on this subject has been sent to Chairman Bliley.

The Office of Management and Budget has advised that there is no objection to the transmittal of this letter from the standpoint of the Administration's program.

Sincerely,

DONNA E. SHALALA.

Ms. ESHOO. Mr. Speaker, I'm proud to join my colleague from North Carolina, Representative BURR, in sponsoring H.R. 1795—legislation to create a new Institute of Biomedical Imaging and Bioengineering at NIH.

Dramatic advances in bioimaging and bioengineering have revolutionized medical practice in recent years. New noninvasive imaging techniques, such as Magnetic Resonance imaging (MRI) and Computed Tomography (CT), have paved the way for earlier detection and diagnosis of disease, dramatically improving the quality of treatment.

But, the next generation of breakthroughs will be longer in coming, or may not come at all, unless we modernize the structure at NIH. The MRI and CT were not developed here in the United States. The lack of a dedicated research effort makes us rely on other countries for breakthroughs in medical imaging and bioengineering.

H.R. 1795 ensures the continued and rapid development of new diagnostic technologies by creating an independent research institute at NIH focused specifically on medical imaging and bioengineering. Establishment of a National Institute of Biomedical Imaging and Bioengineering will reduce duplication, lay the foundation for a new medical information age, and provide a structure to train young researchers who will make the breakthrough discoveries of the next century.

At a time when Congress has committed to doubling the NIH budget, we must ensure that research dollars are expended more efficiently and effectively and that the fields of medical science that have contributed the most to the detection, diagnosis, and treatment of disease receive appropriate emphasis. This is the goal and the effect of H.R. 1795 and I urge the support of the full House.

Mr. BILIRAKIS. Mr. Speaker, I rise in support of H.R. 1795, the National Institute of Biomedical Imaging and Engineering Establishment Act. This legislation, introduced by Representatives RICHARD BURR and ANNA ESHOO, would establish a National Institute of Biomedical Imaging and Engineering at the National Institutes of Health.

Earlier this month, members of my Subcommittee heard testimony from three distinguished professors from Radiology departments throughout the country. They indicated that breakthroughs in imaging, such as magnetic resonance imaging (MRI) and computed tomography (CT), have revolutionized the practice of medicine in the past quarter century.

However, these technologies are inadequate in diagnosing some diseases. The NIH itself has recognized the importance of this discipline by designating imaging as one of the top four research priorities at the National Cancer Institute. However, testimony indicates that NIH's focus on imaging research should be broadened beyond cancer.

Representatives BURR and ESHOO have introduced this legislation to create an institute at NIH to focus on imaging research. This will create a climate that promotes discovery and innovation in imaging, as NIH has done in other fields of scientific discovery.

By approving the legislation before us, we can move into an era of non-invasive medicine. I urge Members to support passage of H.R. 1795, the National Institute of Biomedical Imaging and Engineering Establishment Act.

Mr. BENTSEN. Mr. Speaker, I rise in strong support of legislation, H.R. 1795, that would establish a National Institute of Biomedical Imaging and Bioengineering at the National Institutes of Health [NIH]. As an original cosponsor of this bill, I am pleased that the House of Representatives will be considering this legislation today.

The National Biomedical Imaging and Bioengineering Institute would conduct and support research on biomedical imaging and bioengineering and associated technologies that have biomedical applications. There are current 25 Institutes at the NIH. This new Institute would help in the development of innovative imaging technologies to help patients.

Today there are currently two types of imaging technologies called magnetic resonance imaging [MRI] and computed tomography [CT or ''CAT'' scans]. These technologies are critically important to physicians who use them to diagnose disease. As a result of these diagnostic tools, physicians can avoid costly and invasive surgeries because they can determine whether operations are necessary to help their patients. Regrettably, many of these technologies have been developed in other nations.

In addition, there is not one Institute at the NIH which is conducting this type of cutting-edge research technologies that will save lives and reduce health care costs. Under the current system, the NIH focuses its research on disease-specific or organ-specific research. However, imaging and bioengineering is not disease-specific or organ-specific and therefore does not fit well into the structure of the NIH.

This legislation would correct this inequity by ensuring that the NIH conduct basic biomedical research on imaging techniques and devices, including those involving molecular and genetic biology. This research would include scientific projects on engineering, mathematics, and computer science. This legislation would authorize funding for this Institute through 2003. In order to be fiscally responsible, this bill does not include any funding to purchase land or construct an Institute. Rather, it would require the NIH to coordinate research being done at other NIH facilities into one Institute. The measure also establishes a 12 member Advisory Council of health care professionals who are directly involved in biomedical imaging and bioengineering to help in the establishment and research priorities of this Institute.

I believe that this bill will benefit our nation's health care system. First, it would accelerate the development of new technologies by funding clinical and research applications. Second, it would require coordination at the NIH and throughout the Federal Government on biomedical imaging. Third, it would provide a foundation for the new medical information age. Fourth, it would help to ensure that young scientists have the resources they need to conduct cutting-edge research projects. Without this investment, I am concerned that many of our brightest scientists will abandon their academic research to join private sector firms which do not fund these basic research programs. For these reasons, I urge my colleagues to vote for this bill.

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

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from North Carolina (Mr. BURR) that the House suspend the rules and pass the bill, H.R. 1795, 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 Public Health Service Act to establish the National Institute of Biomedical Imaging and Bioengineering.''.

A motion to reconsider was laid on the table.

SUPPORTING EFFORTS TO INCREASE CHILDHOOD CANCER AWARENESS, TREATMENT, AND RESEARCH

Mr. BURR of North Carolina. Mr. Speaker, I move to suspend the rules and agree to the resolution (H.Res. 576) supporting efforts to increase childhood cancer awareness, treatment, and research.

The Clerk read as follows:

H. RES. 576

Whereas an estimated 12,400 children will be diagnosed with cancer in the year 2000;

Whereas cancer is the leading cause of death by disease in children under age 15;

Whereas an estimated 2,300 children will die from cancer in the year 2000;

Whereas the incidence of cancer among children in the United States is rising by about one percent each year;

Whereas 1 in every 330 Americans develops cancer before age 20;

Whereas approximately 8 percent of deaths of those between 1 and 19 years old are caused by cancer;

Whereas a number of opportunities for childhood cancer research remain unfunded or underfunded;

Whereas limited resources for childhood cancer research hinder the recruitment of investigators and physicians to pediatric oncology;

Whereas peer-reviewed clinical trials are the standard of care for pediatrics and have improved cancer survival rates among children; and

Whereas a recent study indicates that, based on parental reports, 89 percent of children with cancer experienced substantial suffering in the last month of life: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that Congress should support—

(1) public and private sector efforts to promote awareness about the incidence of cancer among children, the signs and symptoms of cancer in children, and treatment options;

(2) increased public and private investment in childhood cancer research to improve prevention, diagnosis, treatment, and long-term survival;

(3) policies that provide incentives to encourage medical trainees and investigators to enter the field of pediatric oncology;

(4) policies that provide incentives to encourage the development of drugs and biologics designed to treat pediatric cancers;

(5) policies that encourage participation in clinical trials; and

(6) medical education curricula designed to improve pain management for cancer patients.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. BURR) and the gentlewoman from Colorado (Ms. DEGETTE) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. BURR).

Mr. BURR of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 576 concerning childhood cancers.

Sadly, most of us have had a personal experience with cancer. We have seen it attack a family member or a friend, a coworker, or we have been diagnosed ourselves. But even more sadly, cancer takes the lives of some 2,300 American boys and girls every year. Imagine a school of 100 classrooms empty because of childhood cancer.

We stand with our colleagues, the gentlewoman from Ohio (Ms. PRYCE) and the gentleman from Ohio (Mr. HALL), who have both lost children to cancer, in resolving to ensure that opportunities for childhood cancer research are funded, that we attract the best and the brightest scientists to pediatric oncology, and that as many children as possible participate in and benefit from the discoveries made through clinical trials. We will work together so that no other parent has to feel the loss of a child due to cancer.

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

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

Mr. Speaker, House Resolution 576, supporting efforts to increase childhood cancer awareness, treatment and research, introduced by the gentlewoman from Ohio (Ms. PRYCE), is a sobering reminder of the rising incidents of pediatric cancer.

We cannot overemphasize the importance of protecting America's children. They are our Nation's future and its most precious resource. Hence, they deserve the same breadth of our Nation's biomedical resources as we devote to fighting cancer in adults, namely, cutting-edge research, targeted treatments, and medical education initiatives based on their unique needs and physiology.

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Children are not simply ''little adults.'' The recommendations in this resolution are critical to decreasing the burden of childhood cancers and should guide public policy.

With that said, I am also pleased to remind the Members of this Chamber that the bill we just passed, H.R. 4365, the Children's Health Act of 2000, contains an expanded provision from its original title on skeletal cancers in childhood to authorize the Secretary of HHS to devote research resources to learning more about all childhood cancers and improving treatment outcomes. Indeed, these are all steps in the right direction and a clear message to all children and the families whose lives have been forever altered by this disease.

I am pleased to support the gentlewoman from Ohio's resolution. I look forward to working with her over the years to increase funding for research into childhood cancer and all pediatric diseases in this Congress. In addition, I would like to highlight one of the provisions from this resolution that Congress should support:

''Public and private sector efforts to promote awareness about the incidence of cancer among children, the signs and symptoms of cancer in children, and treatment options.''

As such, I think that it is important to point out that 11 million children in this country still remain uninsured despite passage of the Children's Health Improvement Act. Uninsured children often do not get the same prevention, diagnosis or treatment needed to save their lives. Consequently, we should take action in this Congress to address the barriers that exist to health insurance coverage that continue to harm the health of children. We should take action to streamline enrollment of kids into Medicaid and CHIP. We should improve outreach efforts to get eligible children enrolled. We should expand coverage to pregnant women which would reduce infant mortality, another leading cause of mortality in children.

We should also do everything to encourage States to spend all the money that we have provided them to get children into CHIP. It is a terrible shame that 40 States have failed to spend $1.9 billion. For example, the State of Texas is scheduled to return over 70 percent of its CHIP allocations. That is unfortunate. I encourage Members to consider passage of the Improved Maternal and Children's Health Coverage Act this year. My own State of Colorado also stands to lose money because it has not covered all of the children in Colorado. If we have health insurance for children, parents will be able to take the children to their physicians at the first hints, at the first physical symptoms of cancer, and if that happens, then we should be able to diagnose and treat that cancer at an earlier stage and to save many thousands of lives every year.

Again, I commend my colleague for raising this issue. I urge its passage.

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

Mr. BURR of North Carolina. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. I thank the gentleman for yielding me this time.

Mr. Speaker, as the sponsor of H. Res. 576, the Childhood Cancer Awareness, Research and Treatment Act, I rise today in strong support of efforts to increase awareness of this disease, one which is stealing the very life from our children.

I would also like to thank the lead Democratic sponsor, my distinguished colleague and good friend, the gentleman from Ohio (Mr. HALL), for all the support he and his wife Janet have provided. Sadly, they also know all too well the importance of this fight to raise awareness. I also want to thank my colleague the gentleman from New York (Mr. FORBES) for his early leadership on this initiative.

A year ago, my daughter Caroline, just 9 years old, succumbed to an ailment we too often view as only an adult disease, that is, cancer. This is, however, a tragically flawed assumption, as the devastation of cancer knows no age limits. Cancer is the leading cause of death by disease in all children, killing more children than any other disease, more than diabetes, cystic fibrosis, asthma, congenital defects and AIDS combined.

Cancer strikes 46 children like Caroline every school day, forcing them into a cycle of pain, test tubes, needles, multiple medications and debilitating limitations. The median age at diagnosis is 6, placing the child's entire lifetime at risk.

Unfortunately, Caroline was not accurately diagnosed when she first complained of pain in her leg just more than 2 years ago. Her doctors, while well intentioned and caring, lacked the expertise to correctly identify her early symptoms. In fact, she was sent home twice from her pediatrician with a casual observation that she must be suffering from shin splints and ''growing pains.'' Compounding the nightmare, the initial diagnosis of the type of cancer she had was incorrect, causing further delays as specific treatments vary for different forms of cancer. As a result, our little girl did not receive the necessary attention early on in treating her cancer which most likely reduced her chances for survival. My husband and I still spend a part of every day wondering if Caroline's death could have been prevented if she had been able to get treatment sooner. Sadly, we are not alone in this melancholy world of ''what if.''

Caroline's story illustrates an issue we must confront as a Nation, how to ensure the best possible treatment of children and teenagers with cancer.

One vitally important step is the recent merger of the four main childhood cancer research cooperatives into one, the Children's Oncology Group, or COG. It will address the dilemma faced by parents like us when one set of doctors recommends a certain type of treatment plan while another group aggressively pushes a different treatment plan. How are terrified parents supposed to sort that one out?

This new merger will lead to a single recommended treatment plan for each type of childhood cancer, and it will ensure that 90 percent of children in North America have access to the best standardized care no matter where they live. But we must do more. Childhood cancer has a unique set of characteristics and problems, yet research into childhood cancer is at one of the bottom rungs of the funding ladder. Our goal should be to increase funding to a level commensurate with the public health issues and personal challenges that our children face.

Clinical research remains the brightest hope for stemming the tide of childhood cancer. So cutting the bureaucratic red tape that slows funding to support some of the most successful cooperative research of our time, that of childhood cancer research, is a must. And we must ensure that children have early access to cutting-edge cancer-fighting drugs, and pediatricians should be trained to look for even the most subtle signs of cancer. In addition, we must do more to deal with the pain that our children endure as they go through their cancer treatments, especially those in the final days of a losing battle with the disease.

As a parent watching my child suffer, I could not comprehend why more relief could not be provided in a hospital compared to what was available in hospice care. The average medical student receives only 4 hours of training in palliative care, or pain relief. Four hours. The cycle of myth and ignorance surrounding the treatment of pain, even in our own medical community, has to change. However, I do not believe that discussions about childhood cancer need to be confined to hospital corridors or public policy debates. During this month of September, people have demonstrated their support for childhood cancer research by wearing a gold ribbon to commemorate Childhood Cancer Month. This gold ribbon is a symbol for hope, for innovation through continued research, for the courage of children in need and for their families. Wearing the gold ribbon demonstrates our willingness to hold this issue, and our precious children, close to our hearts.

During Childhood Cancer Month, many of these families, friends, doctors and supporters came to Washington to share their personal experience and to participate in a variety of events designed to raise awareness about the incidence of childhood cancer and the work we have to do to find a cure. This is just the beginning of an annual tradition that will serve to educate Congress and recruit people to our cause. Over 30 witnesses came from across the country to testify on this issue which has touched each of them in a profound and too often devastating way. I hope these firsthand accounts of courage and frustration will spur my colleagues into action.

Mr. Speaker, House Resolution 576, the Childhood Cancer Awareness, Research and Treatment Act, formalizes this fight to raise awareness and find a cure by stating that Congress should:

Support public and private sector efforts to promote awareness about the incidence of cancer among children, the signs and symptoms of cancer in children, and treatment options.

Support increased public and private investment in childhood cancer research to improve prevention, diagnosis, treatment, and long-term survival.

Support policies that provide incentives to encourage medical trainees and investigators to enter the field of pediatric oncology.

Mr. Speaker, it is hard to enter a field and be prepared to watch children suffer and die every day. But we must encourage these brave professionals. They are our hope.

Support policies that provide incentives to encourage the development of drugs and biologics designed to treat pediatric cancers.

Support policies that encourage participation in clinical trials; and finally, to support medical education curricula designed to improve pain management for cancer patients.

In passing this resolution today during Childhood Cancer Month, my hope is to take an important step forward in our fight to help more 9-year-olds with cancer reach age 10 and for all children to celebrate even more birthdays in the years ahead.

Once again, I thank the gentleman for yielding me this time and for all his support. I am grateful to the gentleman from Virginia (Mr. BLILEY) and the Committee on Commerce for clearing this resolution so that we may consider it today.

Finally, I would like to thank the Members on both sides of the aisle who have cosponsored this resolution. I urge adoption of it.

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

GENERAL LEAVE

Mr. BURR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BURR of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

In concluding, Mr. Speaker, let me urge my colleagues to support this resolution. I think that it is time that we move towards an era that in this great country we can create an atmosphere that ensures hope and eliminates what-ifs.

Mr. GILMAN. Mr. Speaker, I rise today in support of H. Res. 576, which calls for increased efforts for childhood cancer awareness, treatment and research. I am pleased that we are able to bring this bill to the floor in September, during National Childhood Cancer Month.

H. Res. 576 expresses the sense of Congress supporting public and private efforts to promote awareness of signs and symptoms as well as treatment options for childhood cancer; increased investments in research to improve prevention, diagnosis, treatment, and long-term survival; policies to encourage medial professionals to enter the field of pediatric oncology; policies to encourage the development of drugs and biologics to treat pediatric cancers; policies to encourage participation in clinical trials; and medical education curricula to improve pain management for cancer patients.

Cancer does not discriminate based on race, sex, religion, economic position or age. This legislation demonstrates the need for more awareness of and research in childhood cancer. This commitment will help thousands of children each year and allow them the opportunity to grow into healthy and productive adults. I applaud my colleague from Ohio, Ms. PRYCE for her personal strength and commitment to this issue and I urge my colleagues to support this measure.

Mr. HALL of Ohio. Mr. Speaker, I commend my good friend and colleague from Ohio, DEBORAH PRYCE, for offering H. Res. 576, a ''Sense of the House Resolution'' supporting efforts to increase awareness, treatment, and research of childhood cancer.

September is Childhood Cancer Month. Unfortunately, the incidence of cancer among children in the United States is a growing problem. It is estimated that this year 12,400 children will be diagnosed with cancer, and 2,300 children will die from this dread disease. In fact, cancer is the leading cause of death by disease in children under age 15.

Our colleagues on the Appropriations Subcommittee on Labor-HHS-Education have recognized the seriousness of the problem of cancer by increasing the appropriation for the National Cancer Institute over the past five years from $2.761 billion to $3,793 billion for FY 2001. Despite this increase, we still hear that opportunities for childhood cancer research remain unfunded or underfunded. For this reason, it appropriate for us to consider this resolution.

It is important to increase the resources directed toward childhood cancer research. Children are amazingly resilient and can often tolerate higher doses of experimental drugs. Therefore, clinical trials on children can offer insights on the treatments of all cancers.

From personal experience, I know of the dedication of the doctors, nurses, and other medical personnel who treat children with cancer, and of the researchers who have devoted their lives to finding cures. With significant advances such as completing the mapping of the human genome, I think that we are on the verge of a new understanding of how cancer develops and how it can be cured. Childhood cancer is a problem that can be conquered.

Mr. REYNOLDS. Mr. Speaker, ask anyone you know or even someone you pass on the street if they know someone who has cancer and nearly every single person will respond with a heart-wrenching ''Yes.'' Today I come before my colleagues on both sides of the aisle to ask for their support in helping the littlest cancer warriors—children.

Anthony Peca is a grandfather from my district who recently lost his granddaughter, Catie, to cancer. Catie had neuroblastoma and was denied access to a clinical trial. She fought valiantly like only a child can, but in the end the cancer overcame her. And now, Anthony Peca and his family are left with a hole in their hearts, knowing from experience that eight years old is too young to die.

According to the National Childhood Cancer Foundation, cancer kills more children than any other disease. Each year cancer kills more children than asthma, diabetes, cystic fibrosis, congenital anomalies, and AIDS, combined. In recent years, cancer research has made leaps and bounds in progress, yet the incidence of cancer among children in this country is rising almost 1 percent per year. The research is simply not keeping up. And children are suffering because of it.

And it's not just the disease itself that exacts such a heavy toll. How much do families suffer emotionally and financially? How do we rebuild a child's youthful spirit and innocence once it has been shattered by the disease inside them? There isn't a medicine strong enough to mend the soul of a child.

That's why this resolution is so important. Thanks to the tireless and courageous efforts of Congresswoman DEBORAH PRYCE, Congress has the opportunity to address childhood cancer awareness, treatment, and research. We have the power to encourage both the public and private sectors to conduct research, expand medical education, and open up more clinical trials to children. Childhood should be something that you grow out of, not something that gets ripped out from underneath you.

Mrs. FOWLER. Mr. Speaker, I rise in strong support of House Resolution 576, which expresses Congress' advocacy for improved efforts to battle childhood cancers.

Every one of us has a friend or family member who has fought or is fighting a personal battle with cancer. We have colleagues who show us daily the strength that comes from living with cancer and recovering from its effects. But nothing touches our hearts more than a child stricken with this devastating disease, and no one has shown us courage like our colleagues, DEBORAH PRYCE, whose young daughter succumbed to cancer only a year ago.

It is in her memory and for the 46 children who will be diagnosed with cancer today and every school day that we must pass this resolution. Innovative research and aggressive treatment have improved the odds that these children will live longer, happier lives.

In fact, 70 percent of children diagnosed today will be alive 5 years from now. By passing this resolution, and standing firmly behind its call, we can give the other 30 percent hope and a future.

Mr. BURR of North Carolina. 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 North Carolina (Mr. BURR) that the House suspend the rules and agree to the resolution, House Resolution 576.

The question was taken.

Mr. BURR of North Carolina. 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.

CORRECTIONS CALENDAR

The SPEAKER pro tempore. Pursuant to the order of the House of September 26, 2000, this is the day for the call of the Corrections Calendar.

The Clerk will call the bill on the Corrections Calendar.

KNOW YOUR CALLER ACT OF 1999

The Clerk called the bill (H.R. 3100) to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made, and for other purposes.

The Clerk read the bill, as follows:

H.R. 3100

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 ''Know Your Caller Act of 1999''.

SEC. 2. PROHIBITION OF INTERFERENCE WITH CALLER IDENTIFICATION SERVICES.

Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following new subsection:

''(e) PROHIBITION ON INTERFERENCE WITH CALLER IDENTIFICATION SERVICES.—

''(1) IN GENERAL.—It shall be unlawful for any person within the United States, in making any telephone solicitation, to interfere with or circumvent the ability of a caller identification service to access or provide to the recipient of the call the information about the call (as required under the regulations issued under paragraph (2)) that such service is capable of providing.

''(2) REGULATIONS.—Not later than 6 months after the enactment of the Know Your Caller Act of 1999, the Commission shall prescribe regulations to implement this subsection which shall—

''(A) require any person making a telephone solicitation to make such solicitation in a manner such that a recipient of the solicitation having a caller identification service capable of providing such information will be provided by such service with—

''(i) the name of the person or entity on whose behalf the solicitation is being made; and

''(ii) a valid and working telephone number at which the caller or the entity on whose behalf the telephone solicitation was made may be reached during regular business hours for the purpose of requesting that the recipient of the solicitation be placed on the do-not-call list required under section 64.1200 of the Commission's regulations (47 CFR 64.1200) to be maintained by the person making the telephone solicitation; and

''(B) provide that any person or entity who receives a request from a person to be placed on such do-not-call list may not use such person's name and telephone number for any other telemarketing, mail marketing, or other marketing purpose (including transfer or sale to any other entity for marketing use) other than enforcement of such list.

''(2) PRIVATE RIGHT OF ACTION.—A person or entity may, if otherwise permitted by the laws or rules of court of a State, bring in an appropriate court of that State—

''(A) an action based on a violation of this subsection or the regulations prescribed under this subsection to enjoin such violation;

''(B) an action to recover for actual monetary loss from such a violation, or to receive $500 in damages for each such violation, whichever is greater; or

''(C) both such actions.

If the court finds that the defendant willfully or knowingly violated this subsection or the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (B) of this paragraph.

''(3) DEFINITIONS.—For purposes of this subsection:

''(A) CALLER IDENTIFICATION SERVICE.—The term 'caller identification service' means any service or device designed to provide the user of the service or device with the telephone number of an incoming call.

''(B) TELEPHONE CALL.—The term 'telephone call' means any telephone call or other transmission which is made to or received at a telephone number of any type of telephone service. Such term includes calls made by an automatic telephone dialing system, an integrated services digital network, and a commercial mobile radio source.''.

SEC. 3. EFFECT ON STATE LAW AND STATE ACTIONS.

(a) EFFECT ON STATE LAW.—Subsection (f)(1) of section 227 of the Communications

Act of 1934 (47 U.S.C. 227(f)(1)), as so redesignated by section 2(1) of this Act, is further amended—

(1) in subparagraph (C), by striking ''or'' at the end;

(2) in subparagraph (D), by striking the period and inserting ''; or''; and

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

''(E) interfering with or circumventing caller identification services.''.

(b) ACTIONS BY STATES.—The first sentence of subsection (g)(1) of section 227 of the Communications Act of 1934 (47 U.S.C. 227(f)(1)), as such subsections is so redesignated by section 2(1) of this Act, is further amended by inserting after ''this section,'' the following: ''or has engaged or is engaging in a pattern or practice of interfering with or circumventing caller identification services of residents of that State in violation of subsection (e) or the regulations prescribed under such subsection,''.

The SPEAKER pro tempore. Pursuant to the rule, the bill is considered read for amendment.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the amendment in the nature of a substitute recommended by the Committee on Commerce.

The Clerk read as follows:

Committee amendment in the nature of a substitute: Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Know Your Caller Act of 2000''.

SEC. 2. PROHIBITION OF INTERFERENCE WITH CALLER IDENTIFICATION SERVICES.

Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by inserting after subsection (d) the following new subsection:

''(e) PROHIBITION ON INTERFERENCE WITH CALLER IDENTIFICATION SERVICES.—

''(1) IN GENERAL.—It shall be unlawful for any person within the United States, in making any telephone solicitation—

''(A) to interfere with or circumvent the capability of a caller identification service to access or provide to the recipient of the telephone call involved in the solicitation any information regarding the call that such service is capable of providing; and

''(B) to fail to provide caller identification information in a manner that is accessible by a caller identification service, if such person has capability to provide such information in such a manner.

For purposes of this section, the use of a telecommunications service or equipment that is incapable of transmitting caller identification information shall not, of itself, constitute interference with or circumvention of the capability of a caller identification service to access or provide such information.

''(2) REGULATIONS.—Not later than 6 months after the enactment of the Know Your Caller Act of 2000, the Commission shall prescribe regulations to implement this subsection, which shall—

''(A) specify that the information regarding a call that the prohibition under paragraph (1) applies to includes—

''(i) the name of the person or entity who makes the telephone call involved in the solicitation;

''(ii) the name of the person or entity on whose behalf the solicitation is made; and

''(iii) a valid and working telephone number at which the person or entity on whose behalf the telephone solicitation is made may be reached during regular business hours for the purpose of requesting that the recipient of the solicitation be placed on the do-not-call list required under section 64.1200 of the Commission's regulations (47 CFR 64.1200) to be maintained by such person or entity; and

''(B) provide that any person or entity who receives a request from a person to be placed on such do-not-call list may not use such person's name and telephone number for telemarketing, mail marketing, or other marketing purpose (including transfer or sale to any other entity for marketing use) other than enforcement of such list.

''(3) PRIVATE RIGHT OF ACTION.—A person or entity may, if otherwise permitted by the laws or rules of court of a State, bring in an appropriate court of that State—

''(A) an action based on a violation of this subsection or the regulations prescribed under this subsection to enjoin such violation;

''(B) an action to recover for actual monetary loss from such a violation, or to receive $500 in damages for each such violation, whichever is greater; or

''(C) both such actions.

If the court finds that the defendant willfully or knowingly violated this subsection or the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (B) of this paragraph.

''(4) DEFINITIONS.—For purposes of this subsection:

''(A) CALLER IDENTIFICATION SERVICE.—The term 'caller identification service' means any service or device designed to provide the user of the service or device with the telephone number of an incoming telephone call.

''(B) TELEPHONE CALL.—The term 'telephone call' means any telephone call or other transmission which is made to or received at a telephone number of any type of telephone service and includes telephone calls made using the Internet (irrespective of the type of customer premises equipment used in connection with such services). Such term also includes calls made by an automatic telephone dialing system, an integrated services digital network, and a commercial mobile radio source.''.

SEC. 3. EFFECT ON STATE LAW AND STATE ACTIONS.

(a) EFFECT ON STATE LAW.—Subsection (f)(1) of section 227 of the Communications Act of 1934 (47 U.S.C. 227(f)(1)), as so redesignated by section 2(1) of this Act, is further amended by inserting after ''subsection (d)'' the following: ''and the prohibition under paragraphs (1) and (2) of subsection (e),''.

(b) ACTIONS BY STATES.—The first sentence of subsection (g)(1) of section 227 of the Communications Act of 1934 (47 U.S.C. 227(g)(1)), as so redesignated by section 2(1) of this Act, is further amended by striking ''telephone calls'' and inserting ''telephone solicitations, telephone calls, or''.

SEC. 4. STUDY REGARDING TRANSMISSION OF CALLER IDENTIFICATION INFORMATION.

The Federal Communications Commission shall conduct a study to determine—

(1) the extent of the capability of the public switched network to transmit the information that can be accessed by caller identification services;

(2) the types of telecommunications equipment being used in the telemarketing industry, the extent of such use, and the capabilities of such types of equipment to transmit the information that can be accessed by caller identification services; and

(3) the changes to the public switched network and to the types of telecommunications equipment commonly being used in the telemarketing industry that would be necessary to provide for the public switched network to be able to transmit caller identification information on all telephone calls, and the costs (including costs to the telemarketing industry) to implement such changes.

The Commission shall complete the study and submit a report to the Congress on the results of the study, not later than one year after the date of the enactment of this Act.

Mr. BURR of North Carolina (during the reading). Mr. Speaker, I ask unanimous consent that the committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. BURR) and the gentleman from Massachusetts (Mr. MARKEY) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. BURR).

Mr. BURR of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3100, the Know Your Caller Act, deals with the business practice of telemarketing. There are thousands of reputable telemarketing companies that provide a benefit to consumers by offering a broad range of consumer options and opportunities. Some companies are helping to grow our economy, employing thousands of citizens and fueling the economy with literally billions of dollars. Increasingly, however, telemarketers are the cause of complaints. Consumers are concerned that telemarketers are intruding into their homes. We continue to see stories about telemarketing schemes that separate consumers from their hard-earned money.

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In fact, the telemarketing complaints lodged with the Federal Trade Commission seem to underscore these concerns. In 1997 there were 2,260 complaints. In 1999 that number rose to 17,423. Today's bill takes these complaints seriously.

Thanks to the excellent work of the bill's sponsor, the gentleman from New Jersey (Mr. FRELINGHUYSEN), the legislation strips away the ability of telemarketers to hide behind anonymous telephone calls.

H.R. 3100 prohibits telemarketers from blocking the transmission of caller identification information. In addition, the bill affirmatively requires telemarketers to transmit caller identification in their equipment, if their equipment is capable of doing so. I believe this bill strikes the appropriate balance between the consumer's right to privacy and safety and the telemarketer's legitimate business interests.

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

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

Mr. Speaker, I want to begin by complimenting the gentleman from New Jersey (Mr. FRELINGHUYSEN). He did good work here. In our committee process, we were able to take his legislation, fine tune it a little bit, and to ultimately bring it out here to the floor of the House for action by every Member.

Consumers who want to exercise their right to be placed on a do-not-call list or to take a telemarketer to small claims court after being called are often frustrated when they cannot get the Caller ID information from the telemarketer to identify them. This legislation addresses whether telemarketers may actively block Caller ID information, and contains a prohibition against anyone making a telephone solicitation who interferes with or circumvents the capability of Caller ID services to work with consumers.

An amendment was made in the Committee on Commerce. The gentleman from North Carolina (Mr. BURR) and I and other members of the committee worked to construct an amendment to make clear that telemarketers will not be forced to buy all new equipment, and that the use of equipment that is incapable of transmitting Caller ID information is not in and of itself a violation.

In my view, however, telemarketers who solicit the public in their homes for commercial gain should not be permitted to evade the purpose and functionality of Caller ID services. This bill will prevent telemarketers from doing so, while further empowering consumers to control the communications going to and from their home.

Mr. Speaker, the bottom line is that the telecommunications revolution gives enormous opportunities for telemarketers, but it also gives to consumers powers, and those powers should include the ability, using Caller ID, to prevent information from going to their family which they believe is inappropriate. I think that this balances something which is very much consistent with the nonpartisan, nonideological way in which we have been constructing telecommunications policy over the last generation in Congress.

I again congratulate the gentleman from New Jersey.

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

Mr. BURR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

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

Mr. FRELINGHUYSEN. Mr. Speaker, I want to thank the gentleman from North Carolina (Mr. BURR) for yielding me time and for his leadership and assistance, and particularly the gentleman from Virginia (Mr. BLILEY), the chairman of the Committee on Commerce, and the staff on the Committee on Commerce for their assistance with this bill, and also thank the gentleman from Massachusetts (Mr. MARKEY) for his kind words and for his assistance in fine-tuning this bill as well.

Mr. Speaker, I also need to thank the gentleman from Louisiana (Chairman TAUZIN) and the ranking member of the Committee on Commerce, the gentleman from Michigan (Mr. DINGELL), and their staffs for their help with this bill.

Further, I want to thank the chairman of the Corrections Advisory Group, the gentleman from Michigan (Mr. CAMP), the gentleman from California (Mr. WAXMAN), and members of the Corrections Advisory Group for their prompt acceptance of this proposal.

Mr. Speaker, the Know Your Caller Act will provide a simple but important consumer protection. Many consumers purchase and pay for the Caller ID service and Caller ID equipment for several reasons: to protect their privacy, to provide security by identifying an incoming call, and to allow them the opportunity to decide before picking up the receiver whether or not to answer that call.

But, guess what? Some of the most frequent calls, those from telemarketers, appear with the message on Caller ID box, ''Out of the area; caller unknown.''

Mr. Speaker, telemarketing is a commercial enterprise. As such, what would be the reason for not disclosing your business telephone number? There simply is no reason.

I believe that all commercial enterprises that use the telephone to advertise or sell their services to encourage the purchase of property or goods or for any other commercial purposes should be required to have the name of their business and their business telephone number disclosed on Caller ID boxes.

Some telemarketer enterprises purposely block out Caller ID, yet these same companies know your name, your address, and your telephone number. Is it not only fair that they share their company name and their telephone number so a person can make sure that they are a legitimate company?

Also, if you are like me and politely ask to have your name removed from their list, I think you should also be able to track the name and number of these telemarketing callers to ensure that they do not call back again repeatedly. My legislation will simply require any person making a telephone solicitation to identify themselves on Caller ID devices.

Mr. Speaker, this legislation I think will greatly help separate legitimate telemarketers from fraudulent telemarketers. While a majority of these telemarketers are legitimate business people attempting to sell a product or service, there are some unscrupulous individuals and companies violating existing telemarketing rules and scamming consumers.

Consumers pay a monthly fee to subscribe to a Caller ID service because they want to protect their privacy and their pocketbooks, but they have little recourse because most telemarketers intentionally block their identity from being transmitted to Caller ID devices.

Mr. Speaker, we already require telemarketers under present law to identify themselves over the telephone and via telephone fax transmissions. This bill simply extends that protection to consumers with Caller ID devices.

Mr. Speaker, in closing, when someone knocks at your door, do you not usually look out the window to see who it is before you answer it? Well, Caller ID acts as a window for consumers to let them know who is calling before you answer the telephone.

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

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

Mr. Speaker, again I echo what the gentleman from New Jersey (Mr. FRELINGHUYSEN) just said. I urge all Members of the House to support this good legislation.

Mr. KING. Mr. Speaker, I rise today in support of H.R. 3100, the Know Your Caller Act, which will help protect the privacy of consumers from telemarketers. I cannot begin to tell you how many constituents have complained to me about the number of annoying telephone calls they get at home. These calls come from credit card companies and other telemarketers trying to make a sale. These calls are intrusive and are wrong. H.R. 3100 would prevent telemarketers from interfering with consumers' caller-identification machines and require the companies to make their name readable to applicable caller ID services. Most importantly, because consumers have very little recourse, telemarketers would have to provide a phone number to the ID service that consumers can call to have their names and numbers removed from call lists. In addition, consumers could sue telemarketers for up to $500 per unidentified call. Because we live in a very fast paced world where every free moment with our family and friends is valuable, we cannot allow these companies and businesses to violate our privacy. I support this measure and urge my colleagues to do the same.

Mr. CAMP. Mr. Speaker, I would like to thank Chairman BLILEY of the Commerce Committee for all of the work he has done on this bill. I would also like to thank Mr. FRELINGHUYSEN for authoring this bill. He has demonstrated his dedication and leadership on this issue.

On July 25, Mr. FRELINGHUYSEN presented H.R. 3100 before the Speakers advisory group on corrections. The corrections group is a bipartisan group that seeks to fix, update or repeal outdated or unnecessary laws, rules or regulations.

H.R. 3100 would prohibit telemarketers from intentionally hiding their identity by blocking caller ID devices. This would ensure someone knows if a telemarketer is calling them. One simple rule of telemarketing is that once you get a person on the phone your chances to make a sale are greatly increased. This is especially true with senior citizens who are seen as easy targets by telemarketers. That is why

this bill is supported by the American Association of Retired People, the National Senior Citizens Law Center and the Federal Trade Commission.

During the meeting several Members shared stories about how their constituents have been affected by telemarketers who hide their identity.

I am proud as chairman of the advisory group to speak in favor of H.R. 3100 and would advise my colleagues from both sides of the aisle to support it.

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

GENERAL LEAVE

Mr. BURR of North Carolina. 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. 3100, as amended.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BURR of North Carolina. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the amendment recommended by the Committee on Commerce and on the bill.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken.

Mr. BURR of North Carolina. 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.

AUTHORIZING ENFORCEMENT OF REGULATIONS ON CITIZENS BAND RADIO EQUIPMENT

Mr. BURR of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2346) to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment.

The Clerk read as follows:

H.R. 2346

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

SECTION 1. ENFORCEMENT OF REGULATIONS REGARDING CITIZENS BAND RADIO EQUIPMENT.

Section 302 of the Communications Act of 1934 (47 U.S.C. 302a) is amended by adding at the end the following:

''(f)(1) Except as provided in paragraph (2), a State or local government may enact a statute or ordinance that prohibits a violation of the following regulations of the Commission under this section:

''(A) A regulation that prohibits a use of citizens band radio equipment not authorized by the Commission.

''(B) A regulation that prohibits the unauthorized operation of citizens band radio equipment on a frequency between 24 MHz and 35 MHz.

''(2) A station that is licensed by the Commission pursuant to section 301 in any radio service for the operation at issue shall not be subject to action by a State or local government under this subsection. A State or local government statute or ordinance enacted for purposes of this subsection shall identify the exemption available under this paragraph.

''(3) The Commission shall provide technical guidance to State and local governments regarding the detection and determination of violations of the regulations specified in paragraph (1).

''(4)(A) In addition to any other remedy authorized by law, a person affected by the decision of a State or local government enforcing a statute or ordinance under paragraph (1) may submit to the Commission an appeal of the decision on the grounds that the State or local government, as the case may be, enacted a statute or ordinance outside the authority provided in this subsection.

''(B) A person shall submit an appeal on a decision of a State or local government to the Commission under this paragraph, if at all, not later than 30 days after the date on which the decision by the State or local government becomes final, but prior to seeking judicial review of such decision.

''(C) The Commission shall make a determination on an appeal submitted under subparagraph (B) not later than 180 days after its submittal.

''(D) If the Commission determines under subparagraph (C) that a State or local government has acted outside its authority in enforcing a statute or ordinance, the Commission shall preempt the decision enforcing the statute or ordinance.

''(5) The enforcement of statute or ordinance that prohibits a violation of a regulation by a State or local government under paragraph (1) in a particular case shall not preclude the Commission from enforcing the regulation in that case concurrently.

''(6) Nothing in this subsection shall be construed to diminish or otherwise affect the jurisdiction of the Commission under this section over devices capable of interfering with radio communications.

''(7) The enforcement of a statute or ordinance by a State or local government under paragraph (1) with regard to citizens band radio equipment on board a 'commercial motor vehicle', as defined in section 31101 of title 49, United States Code, shall require probable cause to find that the commercial motor vehicle or the individual operating the vehicle is in violation of the regulations described in paragraph (1). Probable cause shall be defined in accordance with the technical guidance provided by the Commission under paragraph (3).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. BURR) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. BURR).

GENERAL LEAVE

Mr. BURR of North Carolina. 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. 2346.

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

There was no objection.

Mr. BURR of North Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 2346. It is an important initiative to improve compliance with FCC rules governing citizens band radio service.

Citizens band radio service can serve some very important functions. For instance, many people use CB radios in order to communicate in times of emergency. America's trucking community uses CB radios to report accidents and traffic problems on our Nation's highways and roadways. Many other people use CBs for simply short-distance communications, and others use it as a source of entertainment.

These constructive uses, however, are being overshadowed by the practice of a few bad actors. A number of individuals have taken advantage of the unlicensed nature of CB radio to operate outside the boundaries of FCC rules. In particular, a recurrent problem is CB users boosting their signal strength with power amplifiers. Further, some CB users operate outside the permit frequencies allocated for CB radio service.

When these violations occur, unexpected and potentially harmful interference can result for others who use the service. Traditionally, Congress has looked to the FCC to enforce its rules. In fact, current communications statutes give the FCC great authority to enforce its rules and take remedial action when the rules are not followed.

Unfortunately, the FCC has made clear that reported violations regarding CB radios will be investigated only as time, manpower and priorities permit. The FCC has also indicated that it will only investigate CB violations where there is convincing evidence that results from a violation of the rules has occurred, and then only on a low-priority basis.

H.R. 2346 is an effort to provide a back-up enforcement mechanism. Under H.R. 2346, a State or local government is given authority to enact a statute or ordinance requiring operators of CB radio service within their jurisdiction to obey FCC rules. Violators would be subject to enforcement by State or local government.

The bill is carefully drafted so as not to interfere with the FCC's enforcement authority and provides suspected offenders with an appeals process.

This noncontroversial bill was reported from the Committee on Commerce by voice vote and enjoys bipartisan support.

I commend the gentleman from Michigan (Mr. EHLERS) for his work on

this bill, and ask all Members to support its passage.

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

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

Mr. Speaker, the gentleman from Michigan (Mr. EHLERS) and the gentleman from Michigan (Mr. DINGELL) from Michigan have spent a considerable amount of time dealing with an issue which I think should be of great concern to everyone because of the increase in its occurrence as a phenomenon.

We have millions of CB operators across the country. They have a lot of fun with it, and they do not really cause anybody any problems at all. They are kind of like the original Internet, in a lot of ways. They are out there with their own separate sets of networks on which they are able to communicate, and it is really a great thing for our country.

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But there has been a rising incidence of individuals using CB frequencies abusively. They actually build towers in their neighborhoods, and they start broadcasting over the CB frequency.

It has several severe adverse consequences for all of the rest of the people who live in the neighborhood. It has the effect of interfering with television broadcast reception. It has the impact of interfering with telephone reception. It has the impact of interfering with every electronic piece of equipment in the home.

Moreover, it has even more consequences. That is, the content of many of these CB frequency broadcasters is profane, and it interferes with the ability of families to be able to live in peace and quiet without having someone in the neighborhood broadcasting in a way that actually goes into the homes of others who live in that community.

The Federal Communications Commission does not have the resources to be able to deal with this essentially local phenomenon, this set of brush fires that are cropping up increasingly across the country in community after community.

What this legislation does is to give to the States the ability to move in and to enforce the laws which ensure that these neighborhood nightmares, these nuisances are shut down, and that those individuals use the CB frequency in the same way that the millions of others in America who use the CB frequency use it, that is, for their own enjoyment and not in a way which creates a nuisance for everyone else in their community.

Mr. Speaker, the gentleman from Michigan (Mr. EHLERS) and the gentleman from Michigan (Mr. DINGELL), in my opinion, have done an excellent job on this legislation. I thank the gentleman from North Carolina (Mr. BURR) for bringing it out to the floor at this time.

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

Mr. BURR of North Carolina. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. EHLERS), the bill's author.

Mr. EHLERS. Mr. Speaker, I thank the gentleman from North Carolina (Mr. BURR) for yielding me this time.

Mr. Speaker, I rise in support of the legislation that is before us which will combat unlawful use of citizen band radios. First of all, I want to thank the gentleman from Virginia (Chairman BLILEY), the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Michigan (Mr. DINGELL), and the gentleman from Massachusetts (Mr. MARKEY) for their assistance in bringing this legislation to the floor. I also thank the gentleman from North Carolina (Mr. BURR) for his active efforts here.

Mr. Speaker, I appreciate the time that they all have taken to address this problem and pass it through the Committee on Commerce.

This legislation is not only important to my district, but to many other cities that are dealing with the same problems that this bill addresses. For several years, many of my constituents have been fighting a losing battle against illegal CB radio operators. Most CB radio operators use their equipment within the low-power levels prescribed by the FCC rules and regulations and do not cause any problems. However, some users illegally boost the range of their home-based CB equipment by using high-powered external linear amplifiers. Also, occasionally, they modify the frequencies illegally.

When the CB level is amplified above legal levels, or the frequency is changed, it causes interference with television, radio and phone signals and damages other electronic equipment in the surrounding houses. The interference can be so bad that surrounding residents hear CB conversations over their televisions, radios, and phones. This can be extremely frustrating as telephone conversations can be cut off, television signals can be distorted, and other electronic equipment can suffer interference.

Sometimes it is so bad that neighbors have to suffer through profane and abusive language that is being picked up by their own television sets, radios, or telephones.

This is not an isolated problem. Most of the cosponsors of this legislation have exactly the same problems in their districts, and that is true of many other areas of the country as well.

The Federal Communications Commission (the FCC), knows about the problem and has outlawed the sale and the use of these amplifiers. However, they are still on sale for other purposes and can be easily modified for use with CB radios. Even worse, the FCC does not have the personnel to enforce the law. Localities are powerless to help, because the FCC has a total preemption over enforcing regulations regarding CB radio use.

The legislation before us will allow State and local authorities to enforce the FCC regulations regarding CB equipment and frequencies. This would be a narrow exemption from the total Federal preemption of CB radio regulation enforcement and would give residents recourse against an unlawful CB operator by capitalizing on the enforcement capabilities of local government and on the FCC's years of experience in setting rules governing CB use. In other words, the best of both worlds.

The intent of this provision is to allow State and local governments to pass ordinances that will mimic Federal law and allow for its enforcement.

Mr. Speaker, this legislation, let me emphasize, does not change what equipment is and is not legal. People who are operating CB equipment in accordance with the FCC rules will not be affected at all by this legislation. I have also worked with the ham radio operators (amateur radio operators) on this provision to ensure that their concerns about this legislation were addressed. Frankly, the ham radio operators in my district are very pleased with the bill. They were the ones who initiated it by asking me to address this particular problem, because it affected them as well.

The bill also contains a provision that exempts anyone who possesses a ham radio license from this legislation.

Lastly, the legislation contains a provision that specifically restates that local law enforcement officials must have just cause to investigate whether or not someone is operating an illegal amplifier before they take action against someone.

Just to summarize in a nutshell, we have a real Catch-22 at the moment. The Federal Government has the power to enforce these laws. Not only that, we preempt the law from other communities so that they cannot enforce them. And yet the Federal Government, through the FCC, does not enforce them. So we tell people we will enforce it, but we cannot enforce it. This bill resolves that problem by allowing those on the scene, the local law enforcement agencies, to deal with the problem that the Federal Government has preempted but does not enforce. I believe that this will be beneficial to everyone.

Mr. Speaker, in closing, I urge the House to approve this legislation. It is supported by the Committee on Commerce, the FCC, and local law enforcement officials. Again, I thank the leaders of the Committee on Commerce for bringing this bill to the floor.

Mr. MARKEY. Mr. Speaker, I do not have any other requests to speak at this time; and with the request to all Members to support this good piece of legislation, I yield back the balance of my time.

Mr. BURR of North Carolina. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MARKEY). Again, I

thank the gentleman from Michigan (Mr. DINGELL) and the gentleman from Michigan (Mr. EHLERS), the authors of this bill. I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentleman from North Carolina (Mr. BURR) that the House suspend the rules and pass the bill, H.R. 2346.

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.

MAKING TECHNICAL CORRECTIONS TO TITLE X OF ENERGY POLICY ACT OF 1992

Mrs. CUBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2641) to make technical corrections to title X of the Energy Policy Act of 1992, as amended.

The Clerk read as follows:

H.R. 2641

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

SECTION 1. DATE EXTENSIONS.

Section 1001 of the Energy Policy Act of 1992 (42 U.S.C. 2296a) is amended—

(1) in subsection (b)(1)(B)(i), by striking ''2002'' and inserting ''2007'';

(2) in subsection (b)(1)(B)(ii), by striking ''placed in escrow not later than December 31, 2002,'' and inserting ''incurred by a licensee after December 31, 2007,''; and

(3) in subsection (b)(2)(E)(i) by striking ''July 31, 2005'' and inserting ''December 31, 2008''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Wyoming (Mrs. CUBIN) and the gentleman from Virginia (Mr. BOUCHER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming (Mrs. CUBIN).

GENERAL LEAVE

Mrs. CUBIN. 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 this legislation.

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

There was no objection.

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

Mr. Speaker, H.R. 2641 will make date extensions to title X of the Energy Policy Act of 1992, which specifies how and when the Federal Government reimburses the private sector licensees for the Federal Government's share of the cost of cleaning up uranium and thorium milling sites. We have learned that it costs a lot more and takes a lot longer to clean up these mill sites than we originally anticipated back in 1992, due in large part to the difficulties of dealing with groundwater contamination.

Therefore, H.R. 2641 makes some adjustments to the time line of the current reimbursement scheme to recognize these realities and to make sure that the government continues to pay its fair share of the cleanup costs.

The current scheme of reimbursement on an annual basis is due to end in 2002, with DOE required to place into escrow sufficient funds to cover the estimated post-2002 costs. Both industry and the Department of Energy want to continue the current arrangement of reimbursement of actual costs on an annual basis for several more years until all or almost all of this cleanup work is completed.

This bill was changed significantly as it moved through the committee process. I commend the Members and staff on both sides of the aisle, particularly the gentleman from Oklahoma (Mr. LARGENT), for working to improve this bill. What is before the House today was reported out of the Committee on Commerce with unanimous bipartisan support.

Mr. Speaker, H.R. 2641 represents an effective compromise measure that has the full support of the Department of Energy and the industry. I urge Members on both sides of the aisle to vote for this bill.

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

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

Mr. Speaker, I rise in support of H.R. 2641, which makes constructive and noncontroversial changes to title X of the Energy Policy Act of 1992.

I want to thank the gentlewoman from Wyoming (Mrs. CUBIN), the gentleman from Texas (Chairman BARTON) of our Subcommittee on Energy and Power, the gentleman from Oklahoma (Mr. LARGENT), and their respective staffs for working with us at the subcommittee level and at the level of the full House Committee on Commerce to address a range of concerns that the minority originally had concerning these provisions.

As the gentlewoman from Wyoming indicated, the bill reported by the Committee on Commerce makes a number of useful administrative changes to the uranium and thorium mill tailings cleanup program. First, it extends for 5 additional years the period during which licensees may apply to the Department of Energy for reimbursement of their share of the costs of approved cleanup projects.

Secondly, the bill eliminates the requirement that certain funds be placed in escrow which will benefit all licensees by providing more flexibility to provide reimbursements for completed projects.

And third, the bill extends the date by which the Secretary of Energy must determine that there are excess funds for cleaning up the gaseous diffusion plants. These changes reflect the reality that while the title X cleanup program has been largely successful, the work has taken longer than expected. I would stress, however, that the bill does not alter the formula for Federal reimbursement or in any way increase the program's previously authorized spending ceiling.

The bill reported by the Committee on Commerce is supported by both the administration and industry. It has bipartisan support, and I am pleased to join with the gentlewoman in urging the approval by the House of this measure. I want to thank her, the gentleman from Texas (Chairman BARTON) of our Subcommittee on Energy and Power, and the leadership of the full Committee on Commerce for their cooperation in addressing the concerns we originally had.

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

Mrs. CUBIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Oklahoma (Mr. LARGENT).

Mr. LARGENT. Mr. Speaker, I thank the gentlewoman from Wyoming (Mrs. CUBIN) for yielding me just a moment of time to talk about H.R. 2641.

Mr. Speaker, I rise in support of H.R. 2641 to make technical corrections to title X of the Energy Policy Act of 1992. This legislation is a clean reauthorization that extends the program of annual reimbursements for 5 more years to clean up uranium and thorium mill tailings sites by extending these reimbursements for 5 more years. It eliminates the requirement for DOE to place into escrow sufficient funds to cover estimated post-2002 cleanup costs, and it changes the date when the Secretary must determine whether any excess funds remain from 2005 until 2008.

H.R. 2641 is a bipartisan bill reported out unanimously by the Committee on Commerce. The bill is supported by the Department of Energy, by industry, and by the PACE union which represents workers at the gaseous diffusion plants.

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H.R. 2641 will keep the industry licensees focused on completing their cleanup work and will keep DOE focused on reimbursing its fair share of the cleanup costs.

Finally, I want to thank Kevin Cook from the Committee on Commerce for all of his fine work; Sue Sheridan from the staff of the gentleman from Michigan (Mr. DINGELL) for her efforts and cooperation and from the staff of the gentlewoman from Wyoming (Mrs. CUBIN), Bryan Jacobs for all of his work and time on this bill.

Mr. Speaker, finally, I would just add that this bill is environmentally sound and responsible and economically sound, fiscally sound and responsible as well.

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

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

Mr. Speaker, once again I want to thank the staffs on both sides of the

aisle. I want to thank the gentleman from Virginia (Mr. BOUCHER), his cooperation and good temperament is always a joy to work with and I thank him very much.

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

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The question is on the motion offered by the gentlewoman from Wyoming (Mrs. CUBIN) that the House suspend the rules and pass the bill, H.R. 2641, 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.

LANCE CORPORAL HAROLD GOMEZ POST OFFICE

Mr. MCHUGH. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1295) to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the ''Lance Corporal Harold Gomez Post Office.''

The Clerk read as follows:

S. 1295

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

SECTION 1. DESIGNATION OF LANCE CORPORAL HAROLD GOMEZ POST OFFICE.

The United States Post Office located at 3813 Main Street in East Chicago, Indiana, shall be known and designated as the ''Lance Corporal Harold Gomez Post Office''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the post office referred to in section 1 shall be deemed to be a reference to the ''Lance Corporal Harold Gomez Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. MCHUGH) and the gentleman from Pennsylvania (Mr. FATTAH) each will control 20 minutes.

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

GENERAL LEAVE

Mr. MCHUGH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1295.

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

There was no objection.

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

Mr. Speaker, we have before us S. 1295 introduced by the distinguished senator from Indiana, Senator LUGAR, on June 6, 1999. The legislation passed the Senate on November 19, 1999 and was received in the House soon thereafter.

Mr. Speaker, the gentleman from Indiana (Mr. VISCLOSKY) introduced identical legislation, H.R. 2358, on June 24 of 1999 and, pursuant to the policy on the Committee on Government Reform, the entire House delegation of the State of Indiana cosponsored H.R. 2358, and the committee passed the bill.

Both of these bills has been noted to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana as the Lance Corporal Harold Gomez Post Office.

Mr. Speaker, we have had the opportunity and, indeed, the honor to do a number of these bills in this session as in previous years, and it is always truly a pleasure. I want to begin by extending my compliments both to Senator LUGAR and to the gentleman from Indiana (Mr. VISCLOSKY) for their efforts in bringing this worthy nominee to our attention.

One of the true joys of having the opportunity to handle these kinds of proposals, Mr. Speaker, is that it provides us with the opportunity to honor the widest possible range of United States citizens and to, in that fashion, recognize their achievements, and they are the kinds of achievements that really do span the entire horizon of contributions to country, contributions to community, and all worthy points in between.

Mr. Speaker, today, we have in Corporal Gomez just such an example. The corporal was a fire team leader in a rifle company of the Third Marine Division when in 1967, he was killed by a land mine explosion in South Vietnam. He was the first citizen from Northwest Indiana to die of casualties in that war.

Corporal Gomez received numerous awards, including the Purple Heart, the Combat Action Ribbon, the Presidential Unit Citation, the National Defense Service Medal, the Vietnam Service Medal, RVN, Military Merit Medal, RVN Gallantry Cross Medal, the Vietnam Campaign Medal and the Rifle Sharp Shooters Badge.

Corporal Gomez was posthumously awarded the Silver Star Medal for his courageous leadership and heroism. As these medals so eloquently attest, Mr. Speaker, Corporal Gomez was truly a hero.

He was a man who put the needs and the safety of his troops, of his fellow servicepeople before himself; and through him, we have again underscored the history of this Nation, a Nation founded upon the principle that in the pursuit of life and liberty and happiness, there is no cost too great, no price too high, that citizens like Corporal Gomez are willingly to extend it, even when that means the loss of their life. That kind of lesson can never be restated too often, I would suggest respectfully, Mr. Speaker.

Certainly, his heroism, his example was felt far and wide. And in his hometown, I think it is important to note that after his death, Central High School in East Chicago, the place from which Corporal Gomez had graduated, named and dedicated the library to him and the American GI Forum of the United States chartered the Harold Gomez Chapters in East Chicago.

I am proud, Mr. Speaker, to join with Senator LUGAR, the gentleman from Indiana (Mr. VISCLOSKY), with the entire House delegation from that great State, and in working with, as always, the minority on the Subcommittee on Postal Service, particularly the gentleman from Philadelphia, Pennsylvania (Mr. FATTAH), the ranking member, in ensuring that these kinds of worthy initiatives are brought quickly to this floor.

Mr. Speaker, just one final word of urging that all of our colleagues join us in supporting of this bill.

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

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

Mr. Speaker, let me thank the gentleman from New York (Mr. MCHUGH), the chairman of our Subcommittee on Postal Service, for his efforts in helping us bring to the floor this very important legislation.

Mr. Speaker, I want to make a note, even though we act today on a Senate bill, it was the House bill of the gentleman from Indiana (Mr. VISCLOSKY) that was introduced, as the gentleman from New York (Chairman MCHUGH) has indicated, first and in cooperation with obviously the entire congressional delegation, we now move this Senate bill. I want to commend the gentleman from Indiana for introducing this bill decades after the death of this young man in service to his country.

The gentleman, my good friend, took it upon himself to introduce this legislation to acknowledge the sacrifice of Mr. Gomez and his family on behalf of a grateful Nation.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Indiana (Mr. VISCLOSKY), my good friend.

Mr. VISCLOSKY. Mr. Speaker, I thank the gentleman from Pennsylvania (Mr. FATTAH) for yielding the time to me.

Mr. Speaker, I do rise today to urge my colleagues to support S. 1295, a bill that was sponsored in the United States Senate by Senator LUGAR, a bill to rename the Harbor Branch Post Office at 3813 Main Street in East Chicago in honor of a true hero, Lance Corporal Harold Gomez.

I did have the privilege of introducing the House version of this measure, as the gentleman from Pennsylvania (Mr. FATTAH) mentioned, H.R. 2358 and would like to thank each of my colleagues from the State of Indiana, Republican and Democrat alike, for their complete bipartisan support of the measure.

Mr. Speaker, I would also like to give special thanks to the gentleman from Indiana (Chairman BURTON), chairman of the Committee on Government Reform, for all of his assistance in bringing this bill to the floor and would like to thank the gentleman from New York (Chairman MCHUGH) and the ranking member, the gentleman from Pennsylvania (Mr. FATTAH), for all of

their diligent service in ensuring that this legislation would be heard.

Mr. Speaker, as the first resident of East Chicago, Indiana to be killed while in service to his country during the Vietnam war, Corporal Gomez is a hero and his community would like to honor him in this special way.

The gentleman from New York has already reiterated on the House floor the numerous awards and battle ribbons that the corporal has received and though Harold Gomez' life was tragically cut short, he touched many lives and was admired by both friends and colleagues alike.

Mr. Speaker, I am deeply honored to offer this legislation to honor a true hero of Northwest Indiana. Corporal Gomez distinguished himself in combat and is a source of inspiration to both the residents of East Chicago and the rest of our Nation.

He is worthy of the recognition. On behalf of all of the citizens of Northwest Indiana, particularly our young people and our veterans, I am proud to support this legislation to name the East Chicago Post Office in honor of Corporal Harold Gomez and do ask my colleagues to support it.

Mr. FATTAH. Mr. Speaker, let me say in conclusion, because we have no further speakers on our side, that I thank the gentleman from New York (Chairman MCHUGH) and I would hope that the naming of this post office, even though it is in East Chicago, Indiana, in some symbolic way represents our appreciation for so many young men who gave their lives in service to this country in the conflict that we now refer to as the Vietnam War.

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

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

Mr. Speaker, I have no further requests for time but let me just state for the RECORD what many of us understand, but I think it is an important note, that was very legitimately raised by the gentleman from Indiana (Mr. VISCLOSKY) who has worked tirelessly on this beginning in 1998, the adoption of the Senate bill today is merely a parliamentary procedure that in no way reflects his lack of concern and, indeed, I would suggest that without his hard work and without his ensuring that indeed the Committee on Government Reform has considered his bill and, to my recollection, unanimously endorsed it, we may not be here today. So I want to pay a final compliment to him and to his diligence and a word of thanks again for his bringing to us a very worthy individual. With that, Mr. Speaker, I urge all of our colleagues to join us in support of this initiative.

Mr. ROMERO-BARCELO. Mr. Speaker, I am pleased to speak in support of H.R. 2358, a bill to honor Lance Corporal Harold Gomez, a hero of the Vietnam War. My colleague, PETE VISCLOSKY, has introduced the bill to name the East Chicago, Indiana, Post Office for this young hero, the first resident of East Chicago to be killed during the Vietnam War. It is appropriate to recognize Corporal Gomez' bravery and gallantly in battle.

Corporal Gomez was born in East Chicago in 1946 and perished in action on February 21, 1967, at the young age of 21. His adventuresome spirit and love for America led him to volunteer in the Marine Corps. He was sent to Vietnam in 1966, where he became a fire team leader in a rifle company of the Third Marine Corps. In the brief one year period he fought in Vietnam, he received numerous military awards, including the Purple Heart Medal, Combat Action Ribbon, Presidential Unit Citation, National Defense Service Medal, Vietnam Campaign Medal and the Rifle Sharpshooters Badge. Posthumously, he was awarded the Silver Star Medal for valiant leadership and bravery during the battle that took his life.

This young man of Hispanic (Mexican) heritage of the East Chicago neighborhood represents the best of what it means to be an American. His heroism is a proud symbol of his love for his country and his willingness to defend American democratic principles at the expense of his own life.

His spirit lives on and today we have the opportunity to honor this young hero, whose audacity and fighting spirit will shine as an example for his fellow citizens in the East Chicago, Indiana, neighborhood.

In addition, I think it is important to note that Corporal Gomez is only survived by his mother. She stands as a symbol of the thousands of parents who share in the ultimate sacrifice of losing their only son. Nobody can prepare another for battle, however, it is clear that parents such as Mrs. Gomez ingrained the desire for liberty, courage and selflessness that was so exemplary in their sons. Of such Americans is our country made of.

Mr. MCHUGH. Mr. Speaker, I y8ield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. MCHUGH) that the House suspend the rules and pass the Senate bill, S. 1295.

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.

1345

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Pursuant to clause 8 of rule XX, the Chair will now put the question on H.R. 3100, the bill on the Corrections Calendar, and then on the motion to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order: H.R. 3100, by the yeas and nays, and House Resolution 576, 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.

KNOW YOUR CALLER ACT OF 1999

The SPEAKER pro tempore. The pending business is the question of passage of the bill, H.R. 3100, on which further proceedings were postponed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 13, as follows:

[Roll No. 498]

YEAS—420

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
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)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
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
Lofgren
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)
Meeks (NY)

Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
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
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—13

Campbell
Ewing
Gutknecht
Jackson-Lee (TX)
Jones (OH)
Klink
Lazio
McCollum
McIntosh
Paul
Rangel
Sandlin
Vento

1407

So (three-fifths having voted in favor thereof) 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. GUTKNECHT. Mr. Speaker, I was unable to be present earlier today for rollcall Vote No. 498 due to a previously scheduled radio debate with my challenger in the upcoming election. Had I been present, I would have voted "aye".

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Pursuant to the provisions of clause 8 of rule XX, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the motion to suspend the rules on which the Chair has postponed further proceedings.

SUPPORTING EFFORTS TO INCREASE CHILDHOOD CANCER AWARENESS, TREATMENT, AND RESEARCH

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 576.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. BURR) that the House suspend the rules and agree to the resolution, House Resolution 576, 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 415, nays 0, not voting 18, as follows:

[Roll No. 499]

YEAS—415

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Capps
Capuano
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth-Hage
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crowley
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Filner
Fletcher
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
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
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
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
Lofgren
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)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
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
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—18

Campbell
Ewing
Ganske
Gordon
Hastings (FL)
Hunter
Jackson-Lee (TX)
Jones (OH)
Kingston
Klink
Lazio
McCollum
McIntosh
Paul
Pickett
Rangel
Sandlin
Vento

1418

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. NEY). Under the Speaker's announced policy of January 6, 1999, and under a

previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN 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 Illinois (Mr. PORTER) is recognized for 5 minutes.

(Mr. PORTER 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 American Samoa (Mr. FALEOMAVAEGA) is recognized for 5 minutes.

(Mr. FALEOMAVAEGA 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 Washington (Mr. METCALF) is recognized for 5 minutes.

(Mr. METCALF 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 South Dakota (Mr. THUNE) is recognized for 5 minutes.

(Mr. THUNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PRESCRIPTION DRUGS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan (Ms. STABENOW) is recognized for 5 minutes.

Ms. STABENOW. Mr. Speaker, I rise once again to focus attention on the topic of prescription drugs. The topic of affordable prescription drugs for seniors is a critical one for families in Michigan and across the nation. Last summer I set up a hot line in Michigan asking those who had stories to tell to call and share them with me, and also for individuals to write me letters and send me copies of their prescription drug bills.

I have received hundreds from across the state, and I have heard heartbreaking stories from seniors about their struggles—about having to choose between putting food on the table and paying the utility bill or being able to get their medications. Because this is such a pervasive problem, it is critical that we pass prescription drug coverage under Medicare, that modernizes the Medicare program to cover the way health care is provided today.

On April 12 of this year, I led an hour of debate on the topic of prescription drug coverage for senior citizens, I read three letters from around the state from seniors who shared their personal stories. At that time, I made a commitment to continue to read a different letter every week until the House enacts reform. This week I will read a letter form Paul and Lois Van Valkenburgh of Buckley, Michigan:

DEAR CONGRESSWOMAN STABENOW: You say three out of four Americans do not have adequate prescription drug coverage. My wife and I have no prescription drug coverage; how is that for not having adequate coverage? We have never found prescription drug insurance we could afford.

Attached to this letter are copies of our prescription drug bills. They cost us over $2,200 per year, which we really cannot afford. If we had prescription drug coverage like people [who are not retired] (and make much more money than we), then we could afford to pay the premium on insurance coverage for prescription drugs. But the premium has got to be affordable and the deductible reasonable. . . .

Anything you can do to either lower the prices or get retired people a prescription drug insurance that's affordable will be appreciated.

Thank you for giving us this opportunity to talk to someone about this awful situation.

Sincerely yours,
PAUL AND LOIS VAN VALKENBURGH.

The Van Valkenburghs have a combined income of $13,500 a year. Under the Democratic prescription drug plan which I have cosponsored they would be entitled to significant help with their drug costs. I would like to thank the Van Valkenburghs for sharing their story, and on their behalf and the others that need this assistance, I will continue to work to pass an affordable, voluntary prescription drug benefit for all of our seniors during the 106th Congress.

THE MESSAGE MATTERS: WORDS THAT WORK

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. FOLEY) is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, as we enter the final stretch of legislative business for this Congress and as we prepare to engage in the campaigns back home, as a member of Florida and a member of the Committee on Ways and Means of Congress, I wanted to assure residents in Florida that, in fact, Republicans have initiated prescription drug coverage for seniors in our community.

Back in 1994, then Governor Lawton Chiles was running for reelection to the governorship and was being challenged by Jeb Bush. Governor Chiles ran negative ads saying, if Jeb Bush was elected the governor, he would take away Social Security.

Now, everyone knows the governor of a State does not control Social Security. But the scam worked and, in fact, Jeb lost. The governor went on later to apologize after a thorough investigation found that the campaign did, in fact, make those spurious claims that were false and misleading.

Now we are being told that if we do not elect a majority to the other side of the aisle that we will not see prescription drug coverage for senior citizens.

Let us put people before politics; and let us make certain that, at the end of the day, we come together in a bipartisan fashion to bring about prescription coverage for our seniors.

In town hall meetings in Florida, I meet with seniors all the time of every political stripe, not just Republicans, but Democrats and Independents. Their first thought to me is, we do not want something free, but we certainly do not want to be forced into a government-run HMO-style system that makes everyone in the same system one size fits all. They would like access to prescription drugs. Yes, they would like lower pricing of prescription drugs.

In this House, we are trying do that. We recognize the cost is becoming a big burden on many seniors in our community. But we want to make certain that we only cover the poorest and the sickest.

When the President's drug plan first came to our Committee on Ways and Means, there was no provision for catastrophic coverage. We are most concerned in our bill of finding a way for the sickest Americans who may have diabetes, who may have hypertension, who may have suffered from cancer, who may have to depend daily on a multiple dose of medications that they, in fact, have some safeguard against financial ruin.

Our bill does that. But our bill also provides a voluntary system in which they can decide whether they want to enroll in a new drug plan.

Senator EDWARD KENNEDY of Massachusetts stated that two-thirds of Americans currently have prescription drug coverage who are 65 and older. So it begs the question, why are we going to upturn, if you will, or turn over the entire prescription drug benefit to those two-thirds when it is really the one-third we should be seeking to remedy.

Those may again be the poorest. And we can help through our plan to provide for prescription drug coverage both through the States and the Medicaid system and through our innovative care.

Again, people before politics.

We want to put families back in charge of the decisions they make relative to their prescription coverage and their health care and what policies they may or may not want to join, not a forced plan by the Federal Government.

But we also have to recognize some of the other things that we have to consider, long-term care insurance, another serious issue facing Americans. We should not just be talking, Mr. Speaker, about prescription drugs. We have to face reality that our community and our country is growing older and that the need for long-term health care insurance or coverage will become even more profound in the years ahead.

Now, fortunately this Congress is on its way to paying down with surplus dollars, 90 percent of that surplus, to pay down the Federal debt. When we first came to Congress, many of us prescribed a bill that would in fact use

any anticipated surplus for paying down debt, strengthening Social Security and Medicare, and providing some tax relief for our citizens.

I think we are on the threshold of greatness in being able to announce to the people that, yes, both sides of the aisle can take credit, because $356-some billion of the debt has been retired in the last 3 years of this Congress's existence.

Now, that is a monumental achievement in as much as now the interest that was going to be paid on that $356 billion can now be used to fund and strengthen Social Security, fund and strengthen Medicare and, yes, provide prescription drugs.

So before people who are listening to our voices get scared by TV ads suggesting that some party is going to do more for them than the other, at least listen to the facts at hand and recognize that I believe so many people in Congress on both sides of the aisle are in fact striving to provide the coverage to make certain our seniors have the drugs they need that they may not be able to afford; but thankfully for the pharmaceutical industry, which has brought some miraculous drugs to the forefront, we will provide a way to provide them cheaper, more affordably and more accessibly.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN 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 Connecticut (Mr. SHAYS) is recognized for 5 minutes.

(Mr. SHAYS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

UNIFIED BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. BARTLETT) is recognized for 5 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, I just wanted to spend a few minutes talking about some terminology associated with the debt. There are a lot of terms that are used.

I hear terms like the ''public debt,'' the ''trust fund debt,'' the ''national debt.'' The other day I heard someone say ''Federal debt.''

What are all these debts, and how do they relate to each other?

Before we can talk about debt, though, we have to talk a little bit about the balanced budget and what the balanced budget means.

The budget that we had hoped to balance and have balanced, as a matter of fact, is the unified budget. The unified budget is all the money that comes into Washington and all the money that leaves Washington, and that budget is balanced.

But about 10 percent of the money that comes into Washington should not be Washington's money to spend because a big percent of that is monies that come from the American people taken from them presumably to be put in trust for them.

The two biggest trust funds are the Social Security trust fund and the Medicare trust fund.

But in the unified budget, which looks at all the money that comes into Washington and all the money that leaves Washington, we take that trust fund money, we took it all up in the lockbox for Social Security and now the lockbox for Medicare, we took all that money and spent it.

And what is in the trust fund is not money. There are IOUs in there. And it is a very special IOU. It is an IOU; it is a non-negotiable U.S. security.

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Although the Social Security trust fund should have about $900 billion in it and the total trust fund should have roughly double that in it, there is in fact no money in the trust funds. All that is in the trust funds is IOUs.

In the past years when we were running a $300 billion deficit, the real deficit in terms of accounting for the trust funds which we took and spent, the real deficit would have been about $160 billion more than that.

What we have done is just phenomenal. At the beginning of this administration, the President never thought that we could balance the budget, and he was showing $300 billion deficits which were really $460 billion deficits if we account for the trust fund. He was showing those out as far as the eye could see. When we balanced the unified budget, the total debt, the national debt, continued to go up. If you will look at national debt figures, you will see that they went up.

Now, let us come to the debt and what we are doing today. What we are doing today is paying down the publicly held debt. The publicly held debt is the Wall Street debt. It is the debt which is owed to people who have bought bonds and securities, government bonds and securities and so forth. That publicly held debt represented, or it did until we started paying it down, we are now paying it down, represented about two-thirds of the total debt and the other debt was the trust fund debt. We are now paying down the publicly held debt but we are doing that largely with moneys from the trust funds, so as we pay down the publicly held debt, we are accumulating an equivalent amount of trust fund debt, which would mean that, all things being equal, the national debt or the total debt would stay at exactly the same figure. But all things are not equal and the truth of the matter is that at least for the next couple of years or so, the national debt, which is the total debt, will continue to go up a little. If this roaring economy continues, we will in fact have a true surplus and the total debt, the national debt, will begin to go down.

What we are doing is very advantageous and it is what we ought to do, because as we pay down the publicly held debt, the Federal Government is competing less for dollars, which means that interest rates will drop, and we expect interest rates to drop by about 2 percent. That is great good news if you are buying a home or buying a car or putting your kid through college. But the flip side of that is that as we pay down that publicly held debt, we are, and by law we can do nothing else but invest the moneys in these nonnegotiable U.S. securities.

We are driving up the trust fund debt. That trust fund debt now becomes a liability. We will not have to pay that. I will not. But my kids and my grandkids are going to have to pay that money. And starting about 2012 or 2013 or 2014 depending upon your projections the way our economy is going, not enough money will come in Social Security to meet the obligations, and we are going to have to go to the trust fund. There is no money there. There is only IOUs there. And so we are going to have to borrow the money to make good on that. It is great good news for the present, but we must really do something about Social Security or it is not all that great good news for our children and our grandchildren.

H. RES. 587, EXPRESSING THE IMPORTANCE OF THE U.S. RELATIONSHIP WITH THE PEOPLE OF OKINAWA

The SPEAKER pro tempore (Mr. NEY). Under a previous order of the House, the gentlewoman from Hawaii (Mrs. MINK) is recognized for 5 minutes.

Mrs. MINK of Hawaii. Mr. Speaker, I urge my colleagues to support H.R. 587, which expresses the appreciation of the United States to the people of Okinawa for hosting U.S. defense facilities, commends the Government of Japan for choosing Okinawa as the site of the recent summit meeting of the G–8 countries, and urges the President to work with the leaders of Japan to implement a joint U.S.-Japan education initiative.

In his speech at Peace Park in Okinawa, Japan, on July 21, 2000, President Clinton noted that he was the first American president to visit Okinawa in 40 years. He also acknowledged the vital role that Okinawa plays in hosting more than 50 percent of America's forces in Japan on just 1 percent of its land mass.

We know the tremendous impact that the presence of American troops has had on Okinawa's society and economy. Some 24,000 troops are headquartered there and military

bases and facilities use 11 percent of land in the prefecture.

In his speech, President Clinton acknowledged the United States' responsibility to be a good neighbor and to work to bring the benefits of peace and prosperity to Okinawa, which is one of Japan's poorest prefectures. President Clinton announced plans for a new scholarship program by the United States and Japan to send young Okinawan graduate students to the East-West Center in Hawaii.

The East-West Center is an internationally respected research and educational institution based in Hawaii. Established in 1960 through a bipartisan effort of the Eisenhower Administration and the Congress, the Center has worked to promote better relations and understanding between the United States and the nations and peoples of Asia and the Pacific through cooperative study, training, and research. It is an important forum for the development of policies to promote stability and economic and social development in the Asia-Pacific region.

Before the 1972 reversion of Okinawa from American control to Japan, Okinawans made up the largest percentage of students from any of the 34 countries at the East-West Center. Since 1972, Okinawa's status as only one of Japan's 47 prefectures meant that far fewer were selected for these prestigious scholarships. Last year, the Center had only one Okinawan participant. Despite this fact, the Center's most active alumni chapter is in Okinawa, primarily made up of graduates from programs in the 1960s and early 1970s. This new scholarship program will add a strong and symbolic non-military dimension to a U.S. relationship with Okinawa that is now dominated by the military bases.

I urge my colleagues to join me in sponsoring this resolution, which recognizes the importance of our connection to and friendship with the people of Okinawa.

CONGRATULATING LEONARD ''BULLY'' KAPAHULEHUA

I also wish to acknowledge the contributions of a remarkable man, Leonard ''Bully'' Kapahulehua of Kihei on the island of Maui. Bully Kapahulehua received the Excellence in Promoting Diversity in Coastal or Ocean Resource Management Award in the 1999 Walter B. Jones Memorial and National Oceanic and Atmospheric Administration (NOAA) Excellence Awards for Coastal and Ocean Resource Management. The award recognizes Mr. Kapahulehua's extraordinary commitment to integrating cultural or ethnic diversity into coastal or ocean resource management programs.

Bully Kapahulehua is the first person from the state of Hawaii to receive this national recognition. I am inserting the nomination summary that led to Mr. Kapahulehua's selection for this award because it eloquently describes why he is so deserving of this great honor.

He kane kupaianaha (an exceptional man)!

How does one begin to describe the difference that this man has made in the lives of thousands of Maui's youth? Bully Kapahulehua has devoted countless hours teaching, playing and working with the children of Maui to instill in them a sense of stewardship for the natural coastal resources of Hawai'i. He has the uncanny ability to transfer the ways and values of ka wa kahiko (time of old) to the children of today.

Bully has been able to increase public awareness of coastal issues by integrating them with hands-on projects. He not only teaches about the importance of canoeing to the Hawaiian culture but also enlists Hawai'i's youth to help prepare a canoe for a journey to Lana'i. He is also responsible for helping to create and organize the annual ''Celebration of Canoes'' festival. This annual festival draws thousands of residents and tourists to Lahaina for a week long celebration featuring South Pacific nations (Hawai'i, Tahiti, New Zealand, etc.). Canoe carving, haka ceremonies, food booths, an evening parade down Front Street, followed by an evening filled with the mele (music) of local musicians highlight the ancient art of canoe carving and navigation.

Mr. Kapahulehua has used innovative approaches such as creating youth programs (Ku l Ka Mana and Kamali'i programs) that provide an opportunity for children to not only learn a new sport, canoe paddling, but also stresses important values such as caring for the ocean and the land. He then channels their youthful energy into worthwhile projects such as beach clean-ups at Kamehameha 'Iki Park in Lahaina and pulling weeds and planting native Hawaiian coastal plants (naupaka and poehuehue) at Kealia Pond National Wildlife Refuge, Mai Poina 'Oe la 'u Beach Park and the Hawaiian Islands Humpback Whale National Marine Sanctuary. The children learn Hawaiian values, work hard and make a difference in Kihei's coastal zone.

In addition, Bully has taken his knowledge about ocean processes and native plants and, with the help of countless volunteers, has applied for and secured grants to fund projects like Kokua Kealia that grows and plants native plants. He has also been instrumental in erecting and maintaining a sand fence along North Kihei Road. The sand fence effectively serves three purposes: helps restore the sand dunes, prevents the endangered Hawksbill turtles from crossing onto the road and prevents 4-wheel drive trucks from driving on the sand dunes.

He is a kumu (teacher) who teaches by doing. He is a kumu of celestial navigation, canoe paddling, coral reef ecology (how coral reefs interact with sand dunes), coastal processes and cultural awareness. He is uniquely qualified to blend Hawaiian values about caring for the land and the ocean into educational programs for Maui's youth that actually help preserve Maui's coastal zone.

He kane kupaianaha (an exceptional man)!

I join all the people of our nation and Hawaii in honoring Bully Kapahulehua for his remarkable achievements. In his love of the land and his commitment to Hawaii's youth, Bully embodies the true spirit of aloha.

POWER AND POLITICS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. OSE) is recognized for 5 minutes.

Mr. OSE. Mr. Speaker, I have come to the floor today to share with my colleagues some of the information we dug out last week in a series of hearings in the Committee on Government Reform focusing on the energy challenges we face as a country. I would like to specifically address the issue of electricity and how it is generated and distributed throughout the country, particularly the Southwest of which California is a certain portion.

In our hearings last week, we had the various investor-owned utilities come and testify with us, a couple of environmental groups, we had the Department of Energy, we had the administrator for the EPA and we had one of the representatives of the Federal Energy Regulatory Commission come and visit with us.

What became apparent is that the mix of electricity in this country is quite complex. There are different generators of different sizes and utilities that contribute to us having electricity throughout our country. Interestingly enough, two of the largest electric generators in the country are the Bureau of Reclamation and the Army Corps of Engineers. I would like to specifically focus my comments today on those two entities.

In the West, the Bureau of Reclamation is a huge power generator. The Army Corps of Engineers more so in the Northwest at Bonneville but the Bureau, along the Colorado River and elsewhere, generates huge amounts of electricity. If you look at our electric markets and you consider different end users, California in fact is a huge end user of this electricity.

Now, the challenge we face is how do we plan for the delivery of electricity to the end users in a manner timely enough to make it possible for our economy to continue to thrive and for people to be cool in their homes in the summer and warm in the winter. If you look at the Bureau of Reclamation Web site, you will see on their map, they have four different regions in the West.

The two that I would like to specifically address today are the Sierra Nevada region and the Desert Southwest region. In particular, the Desert Southwest region focuses along the Colorado River and in fact includes southern California as part of its delivery market.

If you examine the facilities that the Bureau runs in the Desert Southwest region, you will see the Hoover Dam; and you will see a number of other facilities, one of which is the Glen Canyon Dam. In the midst of power shortages this summer in June, July and August, the interesting thing that you will see in this information is that the Bureau of Reclamation was running most of their facilities flat out, all the way to the red line, but the Glen Canyon Dam was running at a rate 50 percent of what it was running at last year. In other words, the Bureau had reduced generation by 300,000 megawatts in the face of severe energy shortages.

Now, that manifested itself in San Diego and elsewhere, because electricity is very fluid. It comes from somewhere, it goes somewhere, and when one is down, another might be up in terms of generating capacity. The consequence, the reality is that Glen Canyon's generating capacity was reduced, for what? For what purpose? If you track back the legislation or the historical data, you will see that in 1992, the 104th Session of this Congress, legislation was passed that allowed the Bureau, working with the Fish and Wildlife Service to try and experiment

with the water flow from Glen Canyon that is used to generate electricity in the turbines. The legislation is very clear. It says, you will test this low flow regime along the Colorado River to see its environmental benefit. But the legislation also includes a waiver provision that says in a period of huge or unexpected power disruptions, the Bureau is authorized to run the turbines flat out. In other words, abandon the low flow regime.

In June, July, and August, the Bureau chose, they elected, they made a conscious decision to keep generation low. What that did was it hammered areas like San Diego and Silicon Valley and others who rely on this electricity to power industry and provide jobs and to cool houses and the like. It is interesting. Last Monday, the Bureau issued a waiver and they ran those turbines up to respond to a peak demand for electricity in the Desert Southwest region. But that was the first time this summer they have done that.

Mr. Speaker, the very clear message here is that this administration chose to run Glen Canyon over the summer at 50 percent of capacity and the consequence in San Diego and elsewhere in California were brownouts, blackouts and seniors having to choose between maintaining a low temperature in their house, for instance, and being able to buy food or prescription drugs. That is a reality. It is as much a reality as any other comparison we have. The administration is at fault. I have yet to hear a rational explanation of why this had to occur.

IN HONOR OF MURRY ORMAND PHILLIPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 5 minutes.

Mr. ETHERIDGE. Mr. Speaker, Harnett County and the town of Coats lost one of its most indefatigable education, civic, and business leaders with the death on May 16, 2000, of Murry Ormand Phillips. His lifetime resume of accomplishments could well do credit to 10 men.

Born in 1913 in a Mississippi county that the U.S. Department of Commerce ranked the poorest in the entire United States, Mr. Phillips turned to education as a way out, eventually gaining entrance to Mississippi State University, where he graduated with a degree in vocational agriculture and a commission as a 2d Lieutenant in the Army Reserve. His graduation came in the midst of the Great Depression when jobs were almost nonexistent. The university placement center offered one opportunity—a teaching job in far off Coats, NC. Mr. Phillips set off for North Carolina and a lifelong love affair with his adopted state.

The teaching job in Coats turned out to be teaching vocational agriculture at Coats High School in the mornings and vocational agriculture in Angier in the afternoons. Mr. Phillips proved very popular with his students, so much so that one student introduced the teacher to a sister, Kathryn Stewart Smith. The two young people were married a year later. The marriage was to produce a daughter and a son. Mrs. Phillips died in 1998.

Mr. Phillips' career was interrupted by World War II. He entered active duty on February 14, 1942, barely 2 months after Pearl Harbor. He was to serve under Gen. George S. Patton and Gen. Mark Clark and see action in North Africa and Italy. He participated in the landing of Allied forces on Anzio Beach.

His military record was a distinguished one. Mr. Phillips was a liaison officer, company commander, and a headquarters executive officer, among other assignments. He received the Bronze Star, the Purple Heart, the American and Silver Star, European Service medals, the Legion of Merit Award, a Presidential Unit Citation, six campaign stars and two commendations for meritorious service, one from the Army and one from the Navy. One citation for battlefield merit detailed how Mr. Phillips ''disregarded his personal welfare and safety by carrying'' a message ''through artillery fire in an exposed one-fourth ton truck.'' He also received an Army commendation for his teaching methods in training tank commanders. After the war, Mr. Phillips came home to Coats. He remained a member of the Army Reserve, eventually retiring as a Major.

But it was to be in his chosen profession, education, that Mr. Phillips would make his greater contribution. Almost immediately upon his return to Coats, he began a night carpentry class for veterans. More than 1,500 veterans were to pass through that carpentry class. He and his agricultural students constructed a new agricultural building and later built and operated a cannery on the school grounds for use by the community every summer.

Mr. Phillips' educational career had many highlights. He taught vocational agriculture in Harnett County for more than 28 years, worked for the North Carolina Department of Public Instruction for more than 10 years as a curriculum specialist and supervisor for curriculum development, and designed the course of study for several divisions in vocational education. He wrote, photographed, and developed a fourth grade curriculum for the study of North Carolina that included a resume of six sound color filmstrips with a teacher's text and guide to utilization. He worked closely with NC State University, an institution from which he received the Master's Degree in 1958, over a period of 25 years and supervised some 100 student teachers during that period.

He received many honors for his activities. He received the Honorary American Farmer Degree in 1958, the highest honor that a vocational agriculture instructor can receive. He won the Teacher of Teachers Silver Award in 1968 from the National Vocational Agricultural Teachers Association. Former students established an ''M.O. Phillips Scholarship'' in 1966, and a day was set aside in Coats as M.O. Phillips Day with a large celebration and life story at the Coats school. This scholarship is given each year to an outstanding student who has been accepted to attend a four-year college or university. North Carolina State University award him its ''Outstanding Alumni Award'' posthumously in 1999–2000.

Mr. Phillips was active in all agriculture associations as well as the North Carolina Association of Educators and the National Education Association. One of his enduring gratifications was that he was a member of the Future Farmers of America nominating committee that nominated Jim Hunt for FFA president. Hunt won, then later went on to serve as North Carolina Governor for 16 years.

Under Mr. Phillips' leadership, the Coats FFA chapter won more honors than any other chapter in North Carolina. The chapter received the ''Gold Service Award'' twice, the highest award given by the national organization. A total of 23 Future Farmers received the ''American Farmer Degree,'' under Mr. Phillips' leadership.

Mr. Phillips was executive secretary of Meredith Publishing Company's Successful Farmers Teaching Aids for 13 years. As executive secretary, he recommended to the publisher what aides were to be published monthly and from those recommendations would prepare the monthly teaching aid kits which Successful Farming mailed to some 5,000 vocational education teachers each month. A lover of roses, he was the publication's rose editor for 13 years.

In 1994, Governor Hunt gave Mr. Phillips the ''Governor's Volunteer Award'' for his activities. Those activities included service to the American Legion, the Lions Club, the Chamber of Commerce, the Coats Development Group, and the Coats Senior Citizens Center, as well as numerous other civic endeavors. Mr. Phillips was founding member of the Coats Chamber of Commerce Board of Directors. He was named ''Coats Man of the Year'' in 1983 and was a grand marshal of the Coats 85th Farmers Day Parade in 1997. He was also a charter member of the Coats Lions Club and the Coats Senior Citizens Center.

A member of Coats Baptist Church for 64 years, Mr. Phillips taught Sunday school for 45 years and was Sunday school superintendent for 26 years. He was a deacon for 40 years and chairman of the Baptist Men for 11 years. He served as a tour escort for a tour group formed at the church and made some 30 trips with the group. He was a popular speaker in both Methodist and Baptist churches in North Carolina and in his home state of Mississippi.

Mr. Phillips survivors include one daughter and son-in-law, Carolyn S. and Ben Spears of Greensboro; one son and daughter-in-law, Murry T. and Dora Phillips of Dunn; one sister, Evelyn Collier, five grandchildren and one great granddaughter.

If an individual's role is to leave the world a better place than he found it, Murry Ormand Phillips did an inestimable job. When his country was threatened, he rallied to the colors. When courage was called for, he responded. When his community needed vision, he supplied it. When students needed inspiration, he offered it. When children needed an adult model from whom they could learn, he was always available.

Coats and North Carolina have lost an outstanding citizen. But we can thank a Kind Providence that placed us on the same highway of life as this good man.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam (Mr. UNDERWOOD) is recognized for 5 minutes.

(Mr. UNDERWOOD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

A BIPARTISAN SOLUTION TO EDUCATION CRISIS IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. SMITH) is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Speaker, of the many challenges that our country faces in this new century, there is none greater than education, educating our populace so that we have a skilled workforce and so that everybody has the level of education that they need in today's economy.

When I go around my district and go visit businesses and it does not matter what size or what level of skill they are looking for and I ask them what their greatest challenge is, the answer is always the same, finding employees. This is particularly true certainly of high-skilled jobs, computer, engineers, math, science, but it is also true across the board of just about any level of job that you could need in any business. We are not educating our population to fill the jobs that are available in our country. If we are going to maintain the economic growth that we have enjoyed for the last 7 or 8 years, we are going to have to start doing that.

Increasingly, the battle over education has broken down into an either/or partisan debate that is not benefiting either party or certainly not benefiting the people of this country. On the one side you have people saying that all we need to do is spend more money on public education and the problems will be solved. On the other side, you have people saying all we need to do is privatize the system and it will magically be solved. The truth is that neither answer really works or really applies to the challenge we face in this country.

I rise today to talk about a new solution to this that will bring some of the ideas from both sides and hopefully forge a bipartisan solution to the education crisis that we have in our country. As a member of the New Democrat Coalition, this is something that Members like the gentleman from Indiana (Mr. ROEMER) and the gentleman from California (Mr. DOOLEY) and the gentleman from Florida (Mr. DAVIS) and the gentleman from Wisconsin (Mr. KIND), myself, and many others have been working on to forge a solution to our education problem that gets away from the old partisan polemic, that gets away from the idea of trying to score political points on education and to actually work towards a solution. And it blends together a couple of very basic ideas. Yes, we need to support public education. Ninety percent of the students in this country, more in most places, are educated in public institutions. They need our support. Anyone who says money does not matter in education is not being realistic.

I do not think you would hear any businessman say that money does not matter in his or her ability to run their business. It matters. But it also matters every little bit as much how you spend that money. Not only do we need to support public education, we also need to make sure that there is accountability and choice at every level of the education establishment. Right now in K–12 education that really is not true. Either for the students or the employees, whether it is administrators, teachers, principals, students, whatever, we really do not have many methods to measure results, to measure how well our students are doing, how well our teachers are doing, how well our administrators are doing. The people of this country are demanding that accountability. They will support public education, they will support lower class sizes, better school construction, mandatory preschool, a variety of different things but they want to make sure they are getting their money's worth.

What we need to advocate is programs that give parents and students reasonable reason to believe that we are going to have that sort of accountability within our education system. We need to measure results. I understand that nobody is excited about having their results measured. If you show up to work and someone says, ''Okay, today we're going to do a 2-week evaluation of how well you're doing at your job.'' It is not something that anybody is looking forward to nor is it easy to do. I am not advocating that we simply have one multiple choice test fits all. It is a complicated process to evaluate. But some evaluation has to be done.

It is not enough for those of us who advocate public schools to stand up and say, ''Well, it's too tough to evaluate. We can't really tell you what schools are working and which ones are not.'' We need to figure that out.

We also need to give parents choice. Expanding charter schools in this country would give parents realistic public school choice. They could mold and shape their local community school and be invested in it. Those options would help improve public schools. But at the end of the day, we also need to fund schools. If we are going to tell teachers that we are going to hold them more accountable, we are going to have to pay them more. You will not attract people to the teaching profession if they know they are starting out at $24,000 and topping out at $50,000 when they have other options.

Another good idea, something that the gentleman from Florida (Mr. DAVIS) has worked on a lot, is the idea of alternative certification, the idea of taking people who have been working in the business world, have developed skills and giving them an alternative method to allow them to teach perhaps for a short period of time to help fill that quality issue. So we are going to have to increase quality through increasing pay and increasing accountability if we are truly going to move forward in education.

In this election year, I ask both parties to step up to this problem. This should not be an issue where we try to advance an idea or a piece of legislation for the political purpose of making the other party look like either, A, they do not support public schools or, B, they do not support accountability. We need people working together who both support public schools and support accountability and choice. I think that is the majority of this body, frankly. We just need to forge that coalition and work on that so that we can move forward.

Mr. Speaker, one final point. Local control is going to be a critical aspect of this. This cannot be solved from Washington, D.C. Local schools have to make the difference, and we have to empower them to make that difference.

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TRIBUTE TO JUDGE JOSEPH CLEMENS HOWARD, SR.

The SPEAKER pro tempore (Mr. NEY). Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Speaker, I rise to note the passing from this life on September 16 of a great American. I rise to pay homage to a man of peace, United States District Judge Joseph Clemens Howard, Sr.

Judge Howard served the cause of justice for many years, first on the Supreme Bench of Baltimore City, and later on the United States District Court for the District of Maryland.

Some may think it unusual that I characterize this man who was such a fierce and tenacious fighter for justice as a man of peace. We must never forget, however, what Dr. Martin Luther King taught this Nation when he said, ''Peace is more than the absence of war. Peace is the presence of justice.''

All too often in this life, we fail to recognize, Mr. Speaker, the greatness of the people around us. Judge Joseph Howard was a man, however, whose elevated stature as a human being, whose intellectual capability and moral character, as well as physical presence, demanded recognition.

As a consequence of that stature, Joe Howard was acknowledged in his own time as both a legal scholar and as a trailblazer for civil rights.

President Jimmy Carter nominated Judge Howard to serve on the United States District Court for the District of Maryland in 1979. That action on the part of President Carter was an historic event.

In recognition of Joe Howard's capabilities and proven accomplishments as a member of the Maryland judiciary, both Maryland Senator Charles Mathias and our Democratic Senator Paul SARBANES strongly supported Judge Howard's nomination. The Senate gave its advice and consent, and on October 25, 1979, Judge Joseph Howard was sworn in as the first African American to ever serve on Maryland's United States District court.

No one who loves justice has ever had cause to regret this historic event.

I have been taught that a true leader stands up for what is right, whatever adversity that may bring, hanging on to his principles until the rest of the world catches up. This is how I will always remember Judge Joseph Howard.

He cleared the path and set the standards of excellence and principle for all of us who followed him into the law. Those of us who were blessed to know Judge Howard understand that the principles he fought to advance are far from being secured. We will carry on in the certain knowledge that a man who loved humanity has chartered our course and won the opening argument.

Judge Howard used to remind us that justice must always seek to improve the human condition. He quoted Eleanor Roosevelt's words so often:

> Human rights must begin in small places close to home. They are the world of the individual person, where every man, woman and child seeks equal justice, equal opportunity and equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere.

Judge Howard understood the fundamental truth in Eleanor Roosevelt's words. That conviction was the source of his greatness.

Judge Howard's funeral last Friday was one of those brief moments when everyone, both black and white, became one heart and one mind. Baltimore came together last Friday to pay respect to the life of a man who taught us lasting lessons about the seeds of justice within the human spirit.

''There was a fury about Judge Joseph Howard, a sense of justice that lay at the center of his soul,'' recalled District Court Chief Judge J. Frederick Motz. ''At the same time, he was a man of compassion to all, whatever their station in life.''

Maryland's Chief Judge, Robert Bell, concurred, observing, ''Joe Howard was a man who built bridges so that those who followed could cross to opportunity on the other side.''

What touched me most deeply, Mr. Speaker, though, was the honesty and the candor with which those of us who spoke addressed the struggles in Joe Howard's life. We talked openly about how in 1968 as a young man and Assistant State's Attorney, Joe Howard had gone against the legal establishment of that time, challenging racial disparities in sentencing and pushing for a higher level of equity.

We remembered how the system attempted to punish Joe Howard's pursuit of justice during his campaign for a seat on the Supreme Bench. In a free society, the seeds of justice can take hold and grow only in the shared soil of our respect for ourselves and each other as human beings.

So, my colleagues and friends, I rise not to mourn the death of Joseph Clemens Howard, but to celebrate the life of a man who exemplified ''equal justice under the law.''

To the beloved ones in Judge Howard's life, his wife, Gwendolyn Lynn Howard; his son, Joseph; his brother, Lawrence; and the entire Howard family, we simply say thank you for sharing with us the life of a great man. Judge Joseph Clemens Howard was beloved by all who loved justice, and he will be sorely missed.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

(Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

INJURED COLD WAR VETERANS DESERVE ASSISTANCE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I rise during this unusual period of the day when we should be busy at work moving our appropriation bills on this floor in the full light of the public to talk and plead about an issue that should be resolved through the appropriations process and the defense authorization bill that is moving both through this body and the other body, and it concerns Americans who worked, who fought on behalf of this country's Cold War efforts, working in the nuclear industry, the beryllium industry, the gaseous diffusion industry, and who are now dying or have died because of illnesses contracted as a part of their working life.

We have tried to bring that issue to bear in the current bills being worked on in the back rooms here somewhere. We have been told that those provisions have now been dropped from the bill.

I am here this afternoon to say, pay attention to what I am saying, because these Americans are veterans, just like those who fought on foreign soil or defended us here at home.

It is terrible to be a Member of Congress and to have someone walk into your office on a breathing machine and say to you, ''Congresswoman KAPTUR, I worked in the beryllium industry, and I am dying, and I cannot get workman's compensation, I cannot get decent health benefits for myself, and what is going to happen to my family after my life is over?''

I stand here today in memory of Galen Lemke, just one of hundreds of people, patriotic Americans, who served, worked every day, and produced the weaponry that now has made America the premier military and economic power on the Earth. I would plead with the Defense conferees to listen to them, to care for their lives and their families, and to do what is right, what is just.

The Department of Energy, under the leadership of Secretary Bill Richardson, has produced a piece of legislation that covers most, but not all, of the workers who worked in the nuclear industry, the gaseous diffusion industry, and the beryllium industry.

We have a bipartisan effort here in the House comprised of people like the gentleman from Ohio (Mr. STRICKLAND) of Ohio, the gentleman from Kentucky (Mr. WHITFIELD), the gentleman from Texas (Mr. SMITH), the gentleman from Colorado (Mr. UDALL), myself, and, in the other body, several Members, including two Senators from my home state of Ohio, who are very supportive of this legislation.

There is absolutely no reason that this Congress cannot help these Americans, who are truly deserving of our respect, and, behind that respect, placing the kind of assistance they need in the most difficult moments of their lives.

If the American people were sitting here, they would vote on this 100 percent. They would not leave out one of those families. Yet we are poised to move bills through here which cast them aside. That is truly wrong, when we know it is a discrete number of workers, we know who they are, we know how they have suffered, and we have this time, this year, in the beginning of the year 2000, to put the unfinished business of the 20th century behind us and to take care of these families, as we properly should.

So I would say to the defense conferees, to the conferees on the appropriations bill, there is no better time than now. Do what is right, do what is in the interest of America, and treat these families like the true American patriots and veterans that they are. Include these beryllium workers, gaseous diffusion workers and nuclear workers in a compensation bill that is no different than any other Federal compensation program that exists.

I would say to Secretary Richardson, thank you; and I would say to the Secretary of Defense, where are you? Where are you lobbying on behalf of people who helped this country win the Cold War?

Please conferees, do not do this to Americans who truly deserve the support of the American people.

''THE REST OF THE STORY'' ON THE BUDGET SURPLUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Mr. STENHOLM) is recognized for 60 minutes as the designee of the minority leader.

Mr. STENHOLM. Mr. Speaker, we will be taking this hour, I will be joined by many of my fellow Democrats, Blue Dogs, and perhaps several others today, to talk about the budget, to talk about debt reduction, and, as Paul Harvey says quite often, to talk about ''the rest of the story,'' that which we are not hearing in much of the rhetoric that is going on today.

The first point I want to make is that through August 31, 2000, there has been no surplus, other than trust fund surpluses. You would not believe that with

the carried-away rhetoric that all of us have been guilty of using of late.

The $4.6 trillion projected surplus over the next 10 years, remember, that is projected. But, more important, remember that as of August 31 of this year, there still has been no surplus, other than trust funds, and, therefore, that is why many of us on this side of the aisle have been arguing that before we spend these projected surpluses, that we ought to fix Social Security and Medicare first, that we ought to be doing the Nation's business today. Instead of adjourning at 3 o'clock in the afternoon, or completing business at 2:15, we ought to be dealing in the respective committees with how do we fix Medicare and the tremendous needs of rural health care.

Why have we been on the floor for the last several weeks talking about tax cuts of $1.3 trillion, when you add them all up, again spending projected surpluses, before we fix Social Security and Medicare? Again, let us calm ourselves and acknowledge the fact that as of August 31, there is no surplus, other than trust fund surpluses.

That is why today the Blue Dog Democrats reiterated the plan that we were talking about at the beginning of this session of Congress, the same plan that we brought to the floor of the House that got, if memory serves me correct, 177 votes, 144 Democrats and I believe 37 Republicans joined with us. That would be 181. Not quite a majority, but there was a significant bipartisan group that recognized that you needed a plan if you were going to accomplish all of the rhetoric that both sides take part in from time to time.

Today we come to the floor to discuss in quite some detail the plan that the Blue Dogs put forward months ago that we reiterate today. The Blue Dog outline demonstrates that it is still possible to reach an agreement on a fiscally responsible budget plan that pays off the debt, maintains fiscal discipline and provides substantial tax relief, including estate tax relief and marriage penalty repeal.

The Blue Dogs have been advocating debt reduction since surplus projections first materialized 2 years ago. The Republican leadership has adopted Blue Dog rhetoric in the last few days on debt reduction, but only for 1 year, and the question we ask today of the leadership of this House is why only 1 year? If debt reduction is truly something that we all agree on in a bipartisan way, why not do it over a 10-year period?

The Blue Dogs believe that to be meaningful, a commitment to debt reduction must be long-term. That is why we are calling on the leadership of this House to extend the principles of their debt reduction lockbox for 10 years. Under the Blue Dog framework, $3.65 trillion, 80 percent of the unified surplus, would be devoted to debt reduction over 10 years. This would put us on the path to eliminate the publicly held debt by 2010.

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That is what we say we are for.

Why do we not have policies on this floor that do that which we say? Why do we continue on having political rallies talking about debt reduction when we really do not mean it except for 1 year? That is a question we ask, and hopefully someone will come to the floor and answer that question. It would be nice to have some simple discussions of these points, instead of just one side talking to the other in the absence of the other. We will be here.

By contrast, the debt reduction lockbox passed last week would only reserve 60 percent of the unified surplus for debt reduction over the next 10 years. Blue Dogs say 80, Republican leadership says 60, and still says we are doing a better job. We do not understand that.

The Blue Dog framework would result in the budget being balanced without counting any trust funds beginning in 2001.

The gentleman from Mississippi (Mr. TAYLOR) has been the one that continues to bring the record from Treasury, source monthly statement of the public debt that anyone can pick up, which is what I was talking about when I started my comments today. There is no surplus except trust fund surpluses. If we are conservative in our approach, we can begin paying off the debt without using any of the trust fund surpluses beginning in 2001.

If we can only reach an agreement on a 10-year debt reduction plan, it will establish a foundation that will make it much easier to reach an agreement on significant tax cuts, including estate tax relief and repeal of the marriage penalty, without jeopardizing fiscal discipline.

The Blue Dogs are prepared to work within the 90/10 framework for fiscal year 2001 to balance competing priorities. Ironically, where we have been talking about 50/25/25, for 10 years, 90/10 fits almost exactly with where we believe we ought to be in the year 2001.

The Blue Dogs believe that it is important that Congress and the President look beyond the short-term cost of legislation and keep in mind the long-term impact of budget decisions we make today. Before agreeing on any tax cuts or new spending programs, we need to know how all of these proposals add up over the next 5 to 10 years, even if they fit within the 90/10 framework for next year. It is important that this Congress consider the 10-year costs of any tax cuts and new spending initiatives, not just the cost in fiscal 2001.

Likewise, once Congress and the President agree on the level of discretionary spending for next year, and this is what is being fought out. It bothered me considerably when I see on the front page of the Washington Post this morning that members of the other body in the other party are talking about ''spending is going to go out of the window.'' It should not. All we have to do is agree on a framework of what spending should be this year, in a bipartisan way, working with the White House. I believe that is achievable. That is the Blue Dog plan.

Mr. Speaker, we have looked at the President's proposals. We have looked at the Republican budget, and we have said somewhere in between is where we need to be, close to the middle. I think if all of our colleagues on both sides of the aisle would look at this proposal, we hope they would find the same degree of enthusiasm for it that we bring to the floor today.

Once we get through the 90/10 for 2001, let us talk about the 10 percent. How do we propose spending that 10 percent of the projected surplus? Remember, there is no surplus as yet. It is projected. But we do believe if we stay fiscally conservative with our spending and our tax-cutting euphoria, that what I am saying today can be achieved.

We have a projected surplus of $268 billion for fiscal year 2001. Ten percent of that is $26.8 billion, and that is to be divided between tax cuts and spending, divided equally between Medicare provider restorations and discretionary spending and tax cuts. The Blue Dog framework would allow a tax cut of $8.5 billion in 2001 and $377 billion over the next 10 years. This will allow for estate tax and marriage tax penalty relief with room for other tax cuts of $4.4 billion in 2001 and approximately $200 billion over the next 10 years.

Why should we be considering today going home without dealing responsibly with the marriage tax penalty? Why should we be going home in a few weeks or days without dealing responsibly with the death tax, when everyone in this body knows there is a good, sound, conservative middle ground that would be very appealing to every single small businessman and woman in the United States and give significant relief to everyone above $4 million in estates? Why would we go home without completing our work?

Devoting an additional $8.5 billion for discretionary spending will provide room to increase spending in the appropriation bills to fund agricultural disaster relief, increase funding levels for education, health care, veterans and military retiree health care, all of which have bipartisan agreement that we do need to make some increases in those areas.

We also provide for $8.5 billion in 2001 to address problems facing health care providers as a result of the reductions of the 1997 balanced budget agreement, the kind that our rural hospitals are clamoring, praying for the relief so that they do not have to close. All of this can be achieved within the framework of debt reduction, sincere debt reduction, recognizing also that the surpluses that everybody talks about are projected.

One of the fundamental questions this body should be concerned a little bit about is when we look at this debt that we are talking about, one-third of

it is owned by foreign interests and the question that we all want to answer, I think, sooner than later, how much longer can our economy continue to grow at the unprecedented rate that it has for the last 8 years? How much longer can we go in the longest sustained peacetime economic expansion in the history of our country? Can we go another 2 months, 3 months, 6 months, 1 year, 2 years? No one knows the answer to that question.

But the Blue Dogs believe that the most conservative thing we can do right now is spend our time discussing how we fix Social Security and Medicare for the future. And until we do that, let us pay down the debt and let us be very fiscally prudent with the expenditure of our taxpayer dollars. That is our message.

Mr. Speaker, at this point I am glad to yield to the gentleman from Louisiana (Mr. JOHN).

Mr. JOHN. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) for yielding to me, and I also thank him for his work on this issue. He has been a real bulldog at dealing with fiscal matters of this Nation.

I just left a Blue Dog press conference just hours ago, and our message was very simple. It is that there is still time in this Congress to get something done. I believe that there are some people in this Congress that have thrown in the towel, have raised the white flag and said: we are not getting what we want, so we are going to go home. Go back to the American people and say they would not let us do anything.

Mr. Speaker, I believe that is the wrong approach. I think we give up a golden opportunity to do something because we have it in hand. What we heard the gentleman from Texas so eloquently articulate, our position, is not a new position. It is a position that we have been advocating for over 2 years now: 50 percent for debt reduction, 25 percent for targeted tax cuts, 25 percent for priority spending.

But we underscored today in our press conference that it was good 2 years ago, it was good last year, it was good 2 weeks ago, and it is better today because there is no other plan on the table as comprehensive as this is today.

I believe it is reasonable for this body to come together and do what I think the American people want us to do: be conservative with their money. I frankly think being conservative with their money is being conservative, is looking at it as we would in our families, in our businesses. What is the first thing we do with a windfall? Pay down our debt. The Blue Dogs have talked about debt reduction until we are blue in the face, frankly; and it finally caught some traction. Now everyone is talking about it. No one was talking about it a year ago; but now they are talking about it, and I think it is a good thing.

The best tax cut that we could give our children and our grandchildren is keeping down the interest rates on our credit cards and our mortgages. How do we do that? We get out of debt with this country. That is what the centerpiece of our proposal is. Whatever the surplus is, let us pay down the national debt.

Another piece of our puzzle is 25 percent to targeted tax cuts. We go home, and we have heard in this Congress a lot of rhetoric about tax cuts. Well, I am for this tax cut, I am for that tax cut, I am going to be for this, and I am going to be for that. But I believe that it has been all rhetoric up to this point in time.

Frankly, that is the legislative process. We take 2 years to debate, talk about different angles, let everyone come in. That is the American way. It is representative democracy at its best, and it has worked.

But now is the time to fish or cut bait, as we say back home in Louisiana. This is the only program on the table that can be done. It is doable. It is reasonable. It is affordable.

In the area of tax cuts, I believe we would be derelict in our duties in this Congress not to go home with a significant tax cut. A reasonable tax cut. Something we can afford. We could not afford a trillion dollars. That is why the program failed. But I believe there is room for it, and this is the way to go.

Estate tax. Everyone talks about estate tax. I left a press conference just 30 minutes ago, right after our Blue Dog press conference, where we unveiled the Estate Tax Relief Now plan of the gentleman from Tennessee (Mr. TANNER). A wonderful plan. If my colleagues are truly for estate tax relief, they must embrace this plan. It is the only plan on the table. It is a plan that my friends on the other side of the aisle have basically abandoned, saying we either want repeal or no repeal.

Well, I have come to this Congress to compromise. We do it in our business life every day. We do it in our married life every day. We do it in State legislatures, and it is done here every day. Compromise. And if we do not do it, we go home with nothing; and I think that is a serious mistake.

What does the Tanner bill do for estate tax? It cuts the rate in January 1, 2001, 20 percent. I have heard from every person in my district, from the coffee shops to the bus stops, to the rice fields, to the boats that we need to cut the rates. We ought not to pay 55 percent of our income just because one of our loved ones has passed away. Well, Mr. Speaker, I think they are correct; and that is what this bill does. And it does not backload it, and it does not phase in. It starts January 1. It cuts the rate 20 percent.

What else does it do? It doubles the deduction from $675,000 to $1.3 million, which is $2.6 million for couples. It is a reasonable plan. It covers most small businesses and also small farms, and it is what we should be doing. It fits in the Blue Dog proposal. It fits in any reasonable proposal. It fits very well.

The marriage penalty, I think we ought to do it. I have voted for it in the past. It was vetoed by the President. But what do we do? Take our marbles and go home? I do not believe that. I think if we look at marriage penalty and double the deduction, for a married couple double the deduction, that is marriage tax penalty relief in its truest form.

Mr. Speaker, I believe that there are so many more other smaller tax cuts that we can do if we live within the means and not just go off on some spending spree and say we are going to do all of these tax cuts or we are not going to do any. I would tell my colleagues, there is middle ground and this is it.

The other part of our program is 25 percent of whatever the surplus is to priority spending. My farmers in southwest Louisiana have been devastated. Salt water intrusions in our wells have killed our rice crop. Prices are low because this Congress has not been able to, I believe, fulfill our promise in the Freedom to Farm bill and open new markets, especially Cuba. We need to give our farmers a break.

Disaster relief. Something that we can do that fits in priority spending. Veterans and health care. Education. Our Conservation and Reinvestment Act that is now in the midst of being enacted into law. We need some priority spending and we ought to spend it on programs that are important to the American people.

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That is your program. Our program is very simple and very straightforward. And it is very serious. It is a proposal that I commend and I beg the other side that we need to get engaged with, with only 2½ weeks left, because I can say all I want about how I fought for my people of the seventh district, but I do not want to go home and say we could not get a budget package together, a framework, and bring us forward for the next 10 years, because I know I would do that in my business, and I know my constituents want me to do that.

Mr. Speaker, I ask my colleagues to look at the Blue Dog plan seriously. I beg of the Senate, the administration and the other aisle, because I think it is the way that we should go. And as we say so many times, ''follow the Dogs, we'll lead you out of this problem.''

Mr. STENHOLM. Mr. Speaker, I yield to the gentleman from the 4th District of Mississippi (Mr. SHOWS).

Mr. SHOWS. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) for allowing me to be up here and thank him for yielding to me.

Mr. Speaker, I guess this gets down to priorities; and when we are talking about priorities do we care more about tax cuts or do we care more about protecting and giving our country a future? I was talking to the Rotary Club and a lot of businessmen were in the

Rotary Club, and one of the gentlemen asked me a question, ''do you think it is more important to give tax cuts or pay down our national debt?'' I said to him paying down our national debt, and when I got on the stand, there was applause for me for making that recommendation, because it is true; the future in this country is in us paying down our national debt. The Blue Dogs have the right idea, that is the reason I am proud to be a Blue Dog.

We have our 50–25–25 plan to lower the national debt, protect Social Security and Medicare, lower taxes, secure health care, promote family life policy and in supporting and helping our farmers. It is the safest, most affordable and workable plan being offered today, and I am proud to be a part of it.

Let us think about what are we going to do with Social Security. Well, the first thing we ought to do, let us say this is the Social Security surplus, we ought to set it in a trust fund and take it off budget and let us leave it off budget and let us leave it for Social Security. The same thing with Medicare. That way we are working with a true budget surplus, 50 percent of the non-Social Security and nonbudget Medicare budget surplus will eliminate the national debt by 2010.

Let us think about it, 50–25–25. We take Medicare, Social Security, Medicare off budget, we operate from a true budget surplus. We take 50 percent of our budget surplus and pay down our national debt. Within several years, we will have our debt down to what it was in 1970. Helping to lower interest rates, what does that do? That keeps businesses going.

What started the economy going any way was lowering interest rates. These are the things that are going to give our children and our country a future.

What do we do with the rest of it? We have 25 percent that we can use for tax cuts. We were talking about this estate tax in the press conference that went on a while ago. And I guess all of us here supported some kind of elimination of the estate tax one way or the other or cutting down on it, that is something we should do.

The marriage penalty tax, we ought to do something about that. Tax incentives for retirement savings; tax incentives for small business for employers to provide their employees with insurance, give them tax credits for that; tax credits to expand access to health insurance, which we have already said; tax incentives for school construction and educational tax breaks; tax incentives to encourage economic development in distressed communities.

There are so many things that we can do to help reinvest into our people in this country, and we ought to be looking for that.

The other thing we ought to go look at is the other 25 percent of the balanced budget surplus, that ought to go into priority spending programs. We were talking about prescription medicine.

I will tell this story. I did a bus tour in our district last year. We made 17 speeches in 4 days, and what we did, we took 30 Federal agencies and State agencies in the district and we went to courthouses and we asked people to sit there, and the people who were having problems to meet there, having problems with housing, medical, health care, farming issues and agendas, something like this, to meet with us there and we would subdivide the group up.

Mr. Speaker, I was standing there in the front and this elderly couple came walking up to me and said we need to talk about our hospital bill and prescriptions and our health care. Well, I directed them over to the lady that was handling them. Well, I was talking to some other folks, and I looked over there and the elderly man was crying and his wife was crying and the lady who was helping them was crying. We all started crying because of the situation.

Well, what happened to this man? Here is a person, part of the greatest generation of this country, he worked hard, he was a carpenter. He provided for kids, they have good jobs and gone out on their own, and now he is having a problem with his health care. He was self-employed, and he cannot pay his hospital bills.

He cannot buy the medicine for his prescriptions, now he is being turned in for bad credit because he cannot pay his hospital bills.

These are the priorities we ought to be talking about. These are the priorities we ought to be investing into, we should be investing in our people. That is not throwing money away, reinvesting back into the people.

Think about it, 50 percent of the budget surplus going to national debt, 25 percent of it going to priority spending, tax cuts, and then 25 percent of it going for discretionary spending on priority programs, such as Medicare, prescription drug benefits, restored Medicare cuts that hurt our small health care providers, improving and extending safety net for our farmers who are going out of business and the gentleman from Texas was good enough to come talk to our farmers not too long ago, and our foreign military retirees, the men and women who have saved this country, who have given to this country so we can get on the floor and talk today about what we can do for this country. We are not keeping the promise to them, they are broken promises.

The military retirees should have better health care benefits. Veterans, we are not providing those kinds of benefits, because we need to take this budget surplus and reinvest back in the people. Also increase defense spending, pass a patients' bill of rights, discretionary spending, with some increases in inflation for these hospitals, and for education, health care to our veterans.

These are issues that are really close to our heart, and we feel really serious about it. Remember the formula, 50–25–25. It is the best deal in town, and we ought to take. I appreciate the gentleman from Texas (Mr. STENHOLM) for this time.

Mr. STENHOLM. I thank the gentleman from Mississippi (Mr. SHOWS) for his contribution today and for his contribution to the 106th Congress and to the Blue Dogs. He has been one of our real bulldogs, as we heard him saying, in sticking with the plan.

Before I yield to the gentleman from Texas (Mr. TURNER), my fellow colleague, let me kind of refocus why we are here. We are supposed to complete our work in this body by September 30, that is what the Constitution requires. We do not always do that. When Democrats were in control, we quite often did not accomplish that goal, but usually we ended up with a plan of how we were going to complete our work.

We now have only two appropriation bills that have been completed. It seems to those of us on the outside of the appropriation process that the leadership of the House and the Senate are having a difficult time coming up with a plan to get us out of here. We are submitting the Blue Dogs' perspective that this is a plan that can get bipartisan support. We believe that it not only can get bipartisan support here, but that it can get Presidential support, that is what it is going to take for us to complete our work. And when we complete our work, it is something that we all want to go home and take a little credit for and take credit for it in an honest way.

Mr. Speaker, so often around here, most of us tell the truth most of the time, if not all of the time, but many of us do not tell the truth, the whole truth and nothing but the truth, and what the Blue Dogs are trying to say today is the rest of the story, the truth, the whole truth and nothing but the truth. There is no surplus yet through August the 31st.

When we hear $4.6 trillion in projected surpluses, the word that should be emphasized is projected. We readily acknowledge that this is your money and we are just trying to give some of it back to you. And in the rhetoric prior to last week, certainly Congress has no money, other than what we take from the American people in the way of taxes, it is your money.

But the Blue Dogs also remind you it is your debt, the $5 trillion 678 billion debt as of August 31, 2000, which is $21 billion more debt than we had 1 year ago.

It is your debt, and that is why we have suggested the 50–25–25, and that is why we come back to the floor today and reiterate debt reduction, program priorities, tax cuts targeted carefully towards meeting a real human need.

Mr. Speaker, I yield to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) for yielding to me, and I certainly want to thank him for the leadership that he has shown for so many years now on these budgetary issues.

I am pleased to join with him and my fellow colleagues in the Blue Dog Democrat Coalition, our group of about 30 or so Democrats, who believe in the balanced budget, who believe in paying off the debt, who believe in a responsible tax cut plan. I think that the reason that we have come to the floor today is because of our mutual sense that the leadership of this Congress has failed in the area of budgetary policy.

The Republican leadership started off this year with a big tax cut plan. Now, we all know it was based on some estimates of a future surplus that may never arrive, and so the Blue Dog Democrats put together our own budget plan.

As has been said by previous speakers, it is really a pretty simple plan. It says keep your hands off the surplus and the Social Security trust fund, keep your hands off the surplus that accrues in the Medicare trust fund. And with regard to the general fund surplus, we call it the on-budget surplus, let us use 50 percent of that money to pay down the national debt, 25 percent to give reasonable and meaningful tax cuts to the American people, and let us reserve 25 percent for spending priorities. That is the plan shown on the chart to my right, the Blue Dog budget.

Mr. Speaker, it provides debt reduction of $955 billion over the next 10 years from the on-budget surplus, a net tax cut of $387 billion plus the savings of $91 billion in interest costs since we are paying down the debt with $955 billion. And program priorities, things like being sure we save our rural hospitals, who are struggling today to keep the doors open, to be sure that we have money set aside so that when the baby boomers retire and the stresses and strains come on the Social Security trust fund and the Medicare trust fund, we will be able to take care of that generation; priorities like strengthening national defense.

Within the Blue Dog budget, we take care of program priorities, areas where we can all agree we need to spend dollars, and yet we provide a meaningful tax cut for the American people.

Our Blue Dog plan, I think, is the most fiscally responsible plan, and it is also the plan that recognizes as a priority debt reduction.

On the chart that I am showing my colleagues now, we can see the comparison of the debt reduction plans that have been presented to this Congress. The first one that is mentioned is the Blue Dog plan that I have referred to which reduces the national debt $3.6 trillion over the next 10 years. That reduction, debt reduction plan, will totally eliminate the publicly held debt over the next 10 years.

We went 30 years in this Congress spending more money every year than we took in. We are just now at the point where we are able to say we have a balanced Federal budget, that is because of the fiscal restraint that we have exercised, and that is because the American people have worked hard to produce a prosperous economy. And those additional tax revenues have brought us to the balanced Federal budget.

While times are good, we need to take advantage of what is, I think, a historic opportunity to pay off that national debt so our children and our grandchildren will not inherit the free spending practices of the past generation. And if we can pay off the national debt, we will, in fact, give our people the best tax cut they could ever have.

Even the trillion dollars tax package that the Republican leadership advocated in this House, that would only give middle-income families about a dollar a day in tax relief. If we pay down the national debt, economists tell us that it will lower interest rates across the board for everybody that has to borrow money.

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In fact, the economists tell us, and Alan Greenspan himself has testified before this Congress many times, that the best use of the surplus is to pay off the national debt. If we get the government out of the business of borrowing so much money every year and rolling that debt over year after year, the economists say that it will take this pressure off the credit markets, and interest rates will go down.

So folks trying to borrow money to own a home, folks borrowing money to buy a car, people who borrow money to send their children to college, they will all experience lower interest rates. A 2 percent reduction in interest rates for a family that has a $100,000 home mortgage they are paying on, it would save them $2,000 a year. That is a much better tax cut than the $323 that a middle-income family would get under the trillion dollars Republican tax cut plan.

Yes, we Blue Dog Democrats and all Democrats believe in tax cuts, but we believe that they must be granted within the context of reality. The reality is that, even though the surplus we are talking about is about $2 trillion over the next 10 years, it is just an estimate. If we cut taxes with about 70 to 80 percent of that number, which is Governor Bush's plan, we may very well find out that the surplus has never materialized. If the economy is not as strong as we assume it may be, that surplus may never arrive; and we, as the Federal Government, will be back into deficit spending again.

Our Blue Dog plan leaves room for $77 billion of tax cuts over 10 years. That is a conservative plan. That is a realistic plan. That is a plan that will keep us on the road to economic prosperity by lowering interest rates for the American people.

But let us compare the plans. The Blue Dog plan reduces the national debt $3.65 trillion over the next 10 years. That is equal to using 80 percent of what we call the unified surplus for debt reduction. The unified surplus simply means we devote all of the Social Security trust fund surplus to paying down that debt. We devote 100 percent of the Medicare trust fund to paying down debt, and we devote 50 percent of the general fund, the so-called on-budget surplus, to paying down debt. So 80 percent of the surplus that will accrue over the next 10 years goes to debt reduction.

The Clinton administration budget allocates 75 percent of the unified surplus to paying down debt. Vice President GORE's proposal that he has talked about in his campaign dedicates 68.5 percent of the unified surplus to paying down the debt.

If we look on the other hand at the Republican proposals, the Republican proposal in this House would dedicate 60 percent of the unified surplus to paying down debt. Governor Bush's proposal would dedicate only 58 percent of the unified surplus to paying down the national debt.

The question I ask my colleagues is, who are the fiscal conservatives in the Congress? I think it is the party that advocates paying off the national debt. The Blue Dog plan would pay it off the fastest. This plan would pay it off in 10 years. Governor Bush's plan, by our calculations, would still, after 10 years, leave us owing a trillion dollars. We believe the thing that we should do for the American people is pay down the national debt over the next 10 years.

It is interesting that our 50/25/25 budget plan has received bipartisan support. During the budget debates on the floor of this House, our plan was presented. As the gentleman from Texas (Mr. STENHOLM) mentioned, it received over 170 votes in this 435 Member House. Thirty-three Republicans joined with Democrats in supporting that Blue Dog plan.

It is the right plan for the American people. It will ensure our future prosperity. It represents what my daddy always taught me, and that is, the first thing you do if you have a little extra money is pay off what you owe. That rule applies at my colleagues' house, it applies at my house, and it should apply in the people's house here in the United States House of Representatives.

So we hope that our Republican leadership will adopt our plan. Frankly, I was disappointed in the Republican leadership after they so vigorously pushed for over a trillion dollars in tax cuts, not setting the priority that we wanted to on paying down the national debt. After their plans were vetoed, as the President vetoed tax cut after tax cut, they threw in the towel and said, well, we will just forget about tax cuts.

Democrats in this House believe the American people need tax relief. We just believe that we need to give that

tax relief within the framework of a sound and sensible Federal budget.

With $377 billion in tax cuts under our plan, we can eliminate the marriage penalty; we can reduce estate tax. For all estates of $2 million or less, that means a family, husband and wife, could be worth $4 million and pay absolutely no estate tax under our plan. It reduces all estate tax rates above that 20 percent.

We believe that within our $377 billion plan, we can increase the amount that families can put in an IRA or put in their 401(k) plan, saving more for the future, and being able to deduct more on their income tax return.

We believe we can provide some relief for our seniors, many of whom have to pay tax on their Social Security benefits. We believe we can provide meaningful tax relief to allow urban and rural areas some incentives to invest and do projects that would renew their communities.

These are tax cuts that make sense for the American people. They are tax cuts that fit within an overall budget plan that will allow us to pay off the national debt over the next 10 years.

I believe and I hope that our Republican colleagues will listen to this plan and listen to our appeal and join with us in these closing weeks of this session to put America on the right course for the next decade.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman from Texas (Mr. TURNER) for his contribution today and, again, for the last several months as he has been, again, one of our Blue Dog bulldogs.

When my colleagues sit here and they listen to what we are saying today and they listen to what our colleagues from the other side of the aisle are saying, I get confused sometimes as to what are we fussing about. What is it that divides us so much? What is it that causes colleague after colleague on the other side of the aisle to come over and point the finger at this side of the aisle and blame us for the impasse in the Congress?

We Democrats are in the minority. We got there the old fashioned way in 1994. We earned it. We are no longer in the majority.

It is my understanding the majority leader will be coming over to take his hour after we finish. I would be glad to yield the remainder of my time for an honest discussion with the gentleman from Texas (Mr. ARMEY) regarding the plan that we are talking about and what is wrong with it. Perhaps we can change it.

The Blue Dogs have suggested all along that bipartisanship is what it is going to take for us to do the Nation's work. A lot of times, we will hear we are spending too much. Well, perhaps we are. But let us work that out.

The Committee on Appropriations gets blamed for doing a lot of things. But if we give them the numbers of what they have to spend, they usually stay within that. But it is the majority of this body that determines what we are going to spend, and the majority is now in the other side of the aisle's hands.

If we do not want to spend any more money on Medicare, say so. Let us tell our hospitals we are not going to spend any additional money. The solution for our Nation is to close the hospitals that cannot cut it with the balance-the-budget agreement, the plan that was put into effect in 1997 that was supposed to be the salvation of health care. Well, it has not worked out that way.

Come to the floor and say we are not going to spend on Medicare. Come to the floor and say we are not going to deal with veterans and military retirees; that we are not going to deliver on the promise that we have made; that we have been shortchanging. Come to the floor and say we are not going to recognize the disasters that have occurred, weather related, fire, drought. Come to the floor and say we do not give a rip whether communities will not have drinking water because we do not wish to spend any more than the budget we submitted 6 months ago.

That is an honest debate. It is an honest discussion to have. I think we will find that we will have bipartisan agreement, that we can find something close to what the Blue Dogs are suggesting.

Do not take our marbles and go home because we did not get the tax cuts we were for. Respect some of us on this side of the aisle that say we are for dealing with the estate tax, the death tax. We just believe it ought to be done from a fiscally responsible way; that we ought not to leave the problems of Social Security 10 years from today to some future Congress because we want to deal with the repeal of the death tax in 2010. Some of us believe we ought to deal with it in 2001, but deal with it in a fiscally responsible way, an honest discussion, an honest debate. I feel very strongly that we could come to a bipartisan agreement.

Understand the process around this place. The process is, if we have got 218 votes and 51 votes and a presidential signature, it becomes law. If we do not have 218 votes, 51 votes, and a presidential signature, it does not become law. That means we have to sit down and, in a good-faith effort, with folks on the other side of the aisle, if one is in the majority, to find that middle ground. That is the way our Founding Fathers intended that this place should work.

Where have we lost that? Why is there no sincere effort ever to reach out to this side of the aisle from the current leadership when we are here extending the hand of saying we are prepared to work with you, and we offer a plan to start with? Did we say it is perfect? No. Can it be improved? Absolutely.

Spending. We proposed today that we should not have abandoned caps on discretionary spending that worked pretty darn good for 3 years before we began to run into the unrealistic level of the caps. Because even those in the majority party refuse to live up to what they said we were going to do because it could not have been done. We would have gutted Defense had we done that.

We are suggesting now, let us agree on the spending levels for this year within the 90/10 philosophy that we have heard espoused. Then let us set a new set of caps for the next 5 years at this year's level with inflation and demographic adjustment. We believe that that is a very fiscally prudent way for us to handle the prospects of future spending. If my colleagues disagree, come to the floor and disagree with us.

October 6 is going to be here before we know it. What is the plan for getting out? Remember, we have to get a presidential signature or we do not go home, nor should we. But what is the plan? What is the plan that can get the kind of bipartisan support that is going to be required?

This is what the Blue Dogs are saying today, and we say it not in a confrontational way. We remind our friends on the other side of the aisle, we were here in February, in March, in April, in May, in June and July and August. Now here we are in September saying the same thing that we have been saying all year. Here is a plan that can get support including presidential support. But somehow, some way, and I do not point this finger in an accusing way, because I was reminded a long time ago, when you point the finger, Mr. Speaker, there is always three pointing back at you. I accept the three pointing back at me.

But I do not sincerely understand why the leadership of this House has chosen not to come forward and to have a serious discussion regarding how do we get out of this place and complete the 106th Congress.

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

Mr. STENHOLM. I am happy to yield to the gentleman from Texas.

Mr. TURNER. Mr. Speaker, I think one of the points that the gentleman from Texas (Mr. STENHOLM) made there deserves our further discussion. I noted, when the Republican leadership abandoned their plans for tax cuts, they came back and began to talk as we have for 2 years now about debt reduction as a priority. I think they have said for this year it would be okay with them to use a portion of that surplus for debt reduction.

I believe that when we look at what they have proposed for the next year, if we could just persuade them to put that in place, that plan for the next 10 years, we could basically have the Blue Dog budget plan that we have advocated.

So I think we are really at a point where we could possibly reach some accord with regard to the future Federal budget and probably do the American people a great service by letting them

know now that, in 10 years, we will pay down the publicly held national debt, and we will provide some meaningful tax relief to the American people.

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I think it all comes down to what the gentleman said earlier, and that is it comes down to one's view of how this process is supposed to work. The Republican leadership knew before they passed their almost trillion dollar tax cut bill that the President was going to veto it. He told them that. It was passed anyway. And that is fine, that is the process working its will. But once that occurred, then it seems to me that the right thing to do was to realize that a half a loaf, from their point of view, would have been better for the American people than none at all.

And if we come back to a more realistic Federal budget plan that puts a priority on the national debt and that provides about $377 billion, as we have in our plan, in tax cuts, then we can tell the American people that we have done the people's work; that we have set our Nation on a course of fiscal responsibility and we have taken the good times that we have and the projected surplus and we have allocated it in a way that is going to work for the American people and work to keep this prosperous economy going.

So I hope that this hour has not been spent in vain. I hope our Republican leadership will take a look at the Blue Dog plan, which we have advocated for 2 years now, and perhaps get us back to the point where we can come together and do the job the American people expect us to do, both Democrats and Republicans, and do the right thing. Even though it might not be what everybody wants, it will at least represents a true compromise. And after all, that is what the legislative process is all about.

So I really appreciate the time that we have had here to talk about this issue. And again I thank the gentleman from Texas (Mr. STENHOLM) for his leadership on this issue on our side of the aisle.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman, and will now yield to the gentleman from the 19th District of Illinois (Mr. PHELPS), one of our Blue Puppies, that has now achieved the full rank of Blue Dog in this year.

Mr. PHELPS. Mr. Speaker, I thank the gentleman from Texas (Mr. STENHOLM) and the gentleman from Texas (Mr. TURNER), and I want to also commend the gentleman from Alabama (Mr. CRAMER) and the gentleman from Tennessee (Mr. TANNER) and many others. The leadership of the Blue Dog organization has been right on target and made me feel very comfortable in being a part of the membership. I have learned a lot as a new Member in looking at this budget.

And I want to thank the Blue Dogs for being consistent. To me that is very important. My father gave me some advice a long time ago. He said, ''Don't reject an idea just because it is not your own.'' I think that is what we are coming down to here.

Mr. Speaker, as the budget discussions continue, I encourage my colleagues on both sides of the aisle to look at the Blue Dog budget framework as a workable fiscally sound solution. This budget framework shows that it is still possible to responsibly pay down the debt while providing critical funding for education and health care programs.

I am pleased to see that both sides are now focused on paying down the debt, something the Blue Dogs have supported from the very beginning. Under the Blue Dog plan, the debt reduction lockbox would be extended 10 years to save 100 percent of the Social Security and Medicare surpluses, plus half of the on-budget surpluses for debt reduction.

We owe it to our children to not squander the surplus but invest it into their future by paying down what we already owe. At the same time, this budget would suggest that 10 percent of the fiscal year 2001 surplus be divided between tax cuts, BBA relief, and discretionary spending. I have favored some of the tax cuts proposed this year, and I will continue to do so, but we must provide necessary funds for the problems we are now facing in health care and education.

In my district these are critical funds. In my district, for example, education funding is critical to providing our students, especially those with special needs, with the education they need to make it in the real world.

In my district, home health and rural health centers are the only point of access to health care for many people. Funding of these programs and providing them with BBA relief, which is included in the Blue Dog alternative, literally can mean life or death for these programs and the patients they serve.

In 1997, with the Balanced Budget Amendment, we asked our citizens to accept cuts to put us on the path to a fiscally secure future. Well, now we are fiscally responsible and we have a surplus. It is our duty to also use the surplus responsibly by investing in our kids' education and providing access to necessary health care for our citizens. The Blue Dog alternative best meets these goals.

It is not too late to come to agreement on a fiscally sound budget that pays down the debt, gives tax relief, and provides for health and education. I ask my colleagues to use the Blue Dog framework and agreement to come to the end of this budget impasse. I hope that we all are reasonable and will come forward and be sure that we act responsibly on behalf of our citizens.

Mr. STENHOLM. Mr. Speaker, I thank the gentleman for his contribution.

In closing, I would just say, Mr. Speaker, that we have taken this hour in good faith, in the spirit of which we have spoken. We believe that we have some ideas worthy of consideration, Mr. Speaker, and we hope that our colleagues will give them their just due.

HUNGER

The SPEAKER pro tempore (Mr. NEY). Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, hunger is an issue that many in America would prefer to ignore, and I perhaps wish I did not have to speak on it. I have spoken on this before and have said many of the things I must repeat again.

The economy is soaring for some. In fact, it is good for most. Unemployment is at a 30-year low. Welfare rolls have been slashed. Still, every day in America, 31 million Americans, 31 million Americans, are either hungry or living under the specter of hunger. The economy is sinking for far too many of our citizens: Those who are hungry.

There is evidence of hunger in 3.6 percent of all households in America. Close to 4 million children are hungry. Fourteen million children, 20 percent of the population of children, live in food insecure homes. In food insecure homes, meals are skipped or the size of the meal is reduced. More than 10 percent of all households in America are food insecure.

Because there is such hunger and food insecurity, there is also infant mortality, growth stunting, iron deficiency, anemia, poor learning, and increased chances for disease. Because there is such hunger and food insecurity, the poor are more likely to remain poor and the hungry more likely to remain hungry.

It seems strange that we must fight for food for those who cannot fight for themselves. It really is time to stop picking on the poor. Less than 3 percent, less than 3 percent of the budget goes to feed the hungry. It is for those reasons that Congress should, Congress must pass hunger relief legislation. If we do, we can achieve several important goals: We will build on the bipartisan progress we made in 1998 with the passage of the Agriculture Research Act. In that act we restored some benefits for legal immigrants.

In legislation I have co-sponsored in this Congress, we restore food stamp benefits for all immigrants, including the working poor, families with young children, and needy seniors. With the Hunger Relief Act of 1999, we also seek to update the food stamp rules.

We change the vehicle limit so that families can retain a reliable car without losing food stamp benefits. We change the shelter cap, raising it from $275 to now $340 over the next 4 years, and then we index it to inflation. Finally, the Hunger Relief Act authorizes another $100 million over 5 years for commodity purchases and food distribution.

With the will, we can pass this act this Congress. We cannot move from poverty to progress without a fair chance for all. We cannot prepare our children for the future if we insist upon policies that relegate them to the past. We cannot ensure the quality of life for every citizen if we fail to provide programs for all of our citizens. And we cannot protect and preserve our communities if we do not adequately provide the most basic commodity for living: Something to eat.

Nutritional programs are essential for the well-being of millions of our citizens. The disadvantaged, our children, the elderly, and the disabled, these are groups of people who often cannot provide for themselves and need help for their existence. They do not ask for much: Just a little help to sustain them through the day; just a little help to keep children alert in classes and adults to be productive in their jobs or as they search for jobs.

The Hunger Relief Act provides that help. Food for all is worth fighting for. And as we end this Congress, we have a chance to change this shocking and the scandalous situation. I am so proud to have joined 181 of my colleagues in the House and 38 Senators, Republicans and Democrats, in support of legislation that focuses on food and takes notice of this Nation's nutritional needs.

The Hunger Relief Act, H.R. 3192 in the House and S. 1805 in the Senate will help the one in ten families in our Nation who are affected by hunger. Mr. Speaker, let us pass this act before we end this Congress.

VICE PRESIDENT'S ECONOMIC PLAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Mr. ARMEY) is recognized for 60 minutes as the designee of the majority leader.

Mr. ARMEY. Mr. Speaker, a few of my colleagues will soon be joining me and we will be spending the next hour discussing the details of the Vice President's economic plan. Certainly during that period of time we will have a broad overview, but at this point I would like to just focus very narrowly on one aspect of the Vice President's plan.

My colleagues may recall, Mr. Speaker, that the Vice President was one of many voices that urged the President of the United States to veto the marriage penalty tax relief that was passed by this Congress and sent to the President. Soon after the President vetoed the marriage penalty tax relief, the Vice President announced that he would give marriage penalty relief by doubling the standard deduction.

Mr. Speaker, I think it is probably worth our while to realize what this means exactly in terms of the Vice President's claim that it is marriage penalty tax relief; certainly what it means by way of comparison with the marriage penalty tax relief that was granted by this Congress and vetoed by the President.

The first thing my colleagues should realize is that in the congressional bill, written by the Republicans and passed on to the President, vetoed by the President, all married couples, irrespective of their filing status, received relief from the unfair marriage penalty. The Vice President's proposal that he now outlines only gives relief to those people who do not itemize their taxes.

If a couple owns a home and decides to deduct their mortgage interest, they will get no marriage penalty relief under the Vice President's plan. If a couple gives to their church and deducts charitable contributions, they get no marriage penalty relief under the Vice President's plan.

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If you, your spouse, or your child is ill and you deduct your skyrocketing medical bills, you get no marriage penalty relief under the Vice President's plan. If you or your spouse work at home and deduct the cost of a home office, you get no marriage penalty relief under the Vice President's plan. And, Mr. Speaker, if you jump through hoops to become eligible for one of the new credits that the Vice President has proposed, complicating our Tax Code even further than it is now, than the Vice President will not give you relief from the unfair marriage penalty. And, Mr. Speaker, that is wrong.

Mr. Speaker, that is just the beginning of the serious concern I have with the details of the Vice President's plan.

Let me say, Mr. Speaker, it is a commonplace observation in this town that the devil is in the details. Armey's axiom is, if you make a deal with the devil, you are the junior partner. And I am about to demonstrate in this next hour that indeed the devil that we do not want to make a deal with is in the details of the Vice President's plan.

Let us take a look at the big picture first. The Vice President would spend the on-budget surplus, he would rob the Social Security trust fund, and he would provide a measly tax cut designed to manipulate behavior instead of giving meaningful tax relief.

Madam Speaker, one of the things that we are very proud of in this Congress, one of the things that we have been able to do, thanks primarily to the success of the American people in creating an enormous economic success story here in America and the revenues that have accrued to the Government out of our economic success, is that we have managed to stop the raid on Social Security.

Not only do we set aside 100 percent of all Social Security tax dollars that people find in their payroll stubs as FICA tax, 100 percent of all Medicare tax surpluses set aside by this Congress, thus ending the 40-year raid on Social Security and Medicare; but we have even managed in this Congress to set aside a large portion of the on-budget budget surplus.

What is the on-budget budget surplus? That is the part of the budget surplus that accrues to the Government from your Social Security taxes, not from your Medicare taxes, but from your income taxes. So that we are now setting 90 percent of all budget surplus aside for debt reduction.

The Vice President's plan would take all of that income tax surplus, which we call on-budget surplus, and he would spend it. But worse than that, he would renew the old practice, a practice that should be forgotten, of robbing from the Social Security trust fund for new risky spending schemes that we will talk about later.

At the same time, he would provide a bureaucratic government-run prescription drug plan that is not guaranteed to bring the cost of drugs down. Indeed, Madam Speaker, the Vice President's one-size-fits-all, you-must-join-the-Government plan threatens to force the price of prescription drugs up.

Let us address his spending plans first.

According to Vice President GORE's numbers, he would increase Federal spending by about $900 billion through the year 2010. However, the Senate budget committee shows a much higher price tag. They added up the numbers and found that the Vice President would spend $2.1 trillion of new spending and he would not stop there.

Think of it this way: the Vice President's plan is 191 pages. That means that each page of his book would cost taxpayers an amazing $18.4 billion per page. It means that for every dollar by which the Vice President would cut taxes, he would spend $6.75.

If you look at the details, Madam Speaker, we find that Vice President GORE dramatically underestimates the cost of his new retirement entitlement program built on top of the Social Security program. That is not new. This has been a part of our problem historically in the past with Democrat Congresses that created new mandatory spending programs and dramatically underestimated their cost.

The Vice President says his new retirement program, which is very similar to the Clinton universal savings account, which was a trial balloon which the Clinton administration floated until it popped, that this would cost $200 billion over 10 years.

But an analysis by Dr. John Colgen of Stanford University shows that, if everyone eligible to participate in it, it would cost $160 billion in the first year alone. The Vice President says his plan would cost $200 billion over 10 years. Professor Colgen of Stanford University says, if everybody eligible participated, it would be $160 billion for the first year alone.

The Vice President mistakenly calls this brand new massive retirement spending program a tax cut.

True enough, it would be run through the IRS and that would give this agency still more power and control over

the lives of Americans. But this is no tax cut. Instead, the Vice President would give government checks to people, some of whom do not even pay taxes. Our budget rules would score it on the spending side, not on the tax side.

Other parts of this Big Government agenda include massive new spending on energy, environment, transportation and crime, all important items on our policy agenda. But to pay for this, the Vice President would rob the Social Security system.

Madam Speaker, we have stopped that raid on Social Security; and I believe that the American people would agree with me, there is no going back.

Madam Speaker, I see the gentleman from Wisconsin (Mr. RYAN), one of our brighter and younger newer Members of the Republican Caucus, has joined me; and I see he has some very interesting graphs there. So, Madam Speaker, I yield to Professor RYAN so that he can help us look into this case even further.

Mr. RYAN of Wisconsin. Madam Speaker, I thank the gentleman from Texas (Mr. ARMEY) for yielding to me, and I appreciate his leadership on this issue.

I also serve on the House Committee on the Budget. We actually spend a great deal of time crunching these numbers, looking at the surplus, and evaluating the different plans that come through Washington that are being proposed.

What we have done through the Senate budget committee's analysis is look at the different proposals, looked at what Governor Bush is proposing to do with the Government's surplus, looked at what Vice President GORE is proposing to do with the surplus. And as we did an apples-to-apples comparison and took a look at the priorities, it is a pretty stark difference.

One of the things that I have heard as I have gone around my district, which is the First Congressional District in Wisconsin, is we talked to a lot of people about this election and the thing that really gets to me sometimes that I hear is that some people think there is not much of a difference, that there is no difference between who they pick in Washington.

Well, I have got to tell my colleagues, of all the elections, this election is clearing about differences. The differences between the visions for America as proposed by AL GORE and George Bush are worlds apart from each other.

To quickly summarize it, the Vice President wants to take the hard-earned surplus, and the surplus by definition are people overpaying their taxes, the Vice President wants to keep it in Washington. He wants to spend it on new government programs. Governor Bush wants to pay off our debt, protect Social Security and Medicare, and give us our money back as we continue to overpay our taxes.

But let us not just listen to me. Let us take a look at the hard numbers. I have here a chart that breaks up the surplus dollars. It basically says, for every one dollar coming into Washington in government surplus, how does each plan spend that money, how does each plan treat that money?

Well, if we look at Vice President GORE's plan, 46 cents of every surplus dollar is committed to new government spending. On the contrary, in the Bush plan, 6 cents of all surplus dollars are committed to new spending.

What about preserving Social Security, Medicare, and paying off our national debt? A lot of them serve the same purpose. Paying off our debt helps us preserve Social Security and Medicare.

The Bush plan commits 58 cents of every surplus dollar over the next 10 years toward preserving Social Security and paying off the debt and shoring up Medicare. The Gore plan commits 36 cents of every surplus dollar.

What about tax relief? This is the lowest priority in the Gore budget. Vice President GORE is saying that, for every surplus dollar coming into Washington, Americans, after they overpay their taxes, should only get 7 cents of that dollar back.

Governor Bush is saying 29 cents of every surplus dollar should be returned back to the taxpayer after dedicating 58 cents back towards Social Security and Medicare and paying off the debt.

And increased interest costs, something that we have to do to manage the interest, the balance payments, 11 cents for GORE, 7 cents for Bush. That basically means that the Vice President is paying off debt at a slower pace. The Vice President, if all of his new spending plans get enacted, will likely wind us up into the point where we will have to dip into the Social Security trust fund.

If you want to take a look at what the difference is in plans over the surplus are, just take a look at who wants to spend money and who wants to save the money.

Vice President GORE is proposing the greatest expansion of the Federal Government in 30 years. He is proposing to take $2.1 trillion of the surplus and spend it on new programs here in Washington. To the contrary, Governor Bush is saying let us spend $278 billion on needed things in Washington, such as committing ourselves to the fundamental problems we have in this country, funding the education unfunded mandates, funding our critical needs in health care, rebuilding our national defenses.

When it comes down to it, it is basically this: the Vice President wants to spend the surplus in Washington, the greatest expansion of the Federal Government in 30 years, at the expense of Social Security and Medicare and paying off our debt.

Governor Bush is saying this: here is the priority of how we deal with the surplus. Pay off our national debt, shore up Social Security and Medicare. And if people still continue to overpay their taxes to Washington, give them their money back rather than spend it on new programs in Washington.

That is what Bush is proposing. And there is a huge world of difference between these two men running for President and their visions for America with respect to how they treat our surpluses.

Mr. ARMEY. Madam Speaker, reclaiming my time, I would like to look at that graph. You notice in this graph on the Bush proposal that Governor Bush proposes 29 cents out of that dollar for tax relief. And I notice that you see Vice President GORE is proposing 7 cents.

Mr. RYAN of Wisconsin. That is right.

Mr. ARMEY. But is it not true that the Vice President is proposing 85 new tax increases?

Mr. RYAN of Wisconsin. That is correct.

Mr. ARMEY. And 36 targeted tax cuts? So that 7 cents is really a net tax.

Mr. RYAN of Wisconsin. That is right.

Mr. ARMEY. Madam Speaker, I ask, does the gentleman from Wisconsin (Mr. RYAN) know how many tax increases are being proposed by Governor Bush?

Mr. RYAN of Wisconsin. Madam Speaker, it is my understanding that he is not proposing any tax increases at all.

Mr. ARMEY. Madam Speaker, the understanding of the gentleman is absolutely correct. And I appreciate that.

I hope the gentleman from Wisconsin (Mr. RYAN) can stay around, and maybe we can talk some more.

But, Madam Speaker, we have also been joined here by the gentleman from Michigan (Mr. HOEKSTRA) on the Committee on Education and the Workforce. And when we start talking about our responsibilities here in Washington, certainly we can take a look at big-picture items, what are our broad-based plans for the creation of new programs, all the new programs the Vice President would like to create, whether or not we would like to cut taxes, or whether or not we will keep our commitment to America to stop the raid on Social Security and pay down the debt. But in doing that, we also have an administrative responsibility.

Now, the Vice President has been a key member of the Clinton administration for 8 years; and during those 8 years, he accepted the responsibility for doing what he called reinventing government, the idea being that he was going to make the agencies of this government administratively work efficiently, effectively, and be cost effective on behalf the American people.

The gentleman from Michigan (Mr. HOEKSTRA) from the Committee on Education and the Workforce has spent a good deal of time examining just what is the record of performance of the agencies of the Federal Government under the stewardship of the

Clinton/Gore administration and especially in light of the enormous amount of applause this Nation has given the Vice President for his efforts to bring, what should I say, common sense good business practices to government.

I wonder if I yield to the gentleman, maybe he would share with us some of his discoveries along those lines.

Madam Speaker, I yield to the gentleman from Michigan (Mr. HOEKSTRA).

1615

Mr. HOEKSTRA. I thank the gentleman for yielding. I think this really builds off of the discussion that our colleague from Wisconsin was just leading in that when we take a look at the Vice President's plans to significantly increase spending, before we significantly increase spending anywhere, we ought to take a look at how we are spending the $1.7, $1.8 trillion that we currently collect and we hand over to the executive branch and say, ''How's it going?''

The majority leader is absolutely right. This is the publication that came out on September 7, 1993, it came from the Vice President, signed by Mr. GORE. The book is, From Red Tape to Results, Creating a Government that Works Better and Costs Less.

It is the report of the National Performance Review, Vice President AL GORE. He was clearly mandated by the President to lead this effort. Where we are in the year 2000 is with this question, there are nine departments whose books cannot be audited. They can be audited but the auditors come back and say, ''We can't give you a clean audit.'' The first one is the Department of Treasury. Think about this. The national bank or whatever we want to call it, the Department of Treasury cannot get a clean audit.

Mr. RYAN of Wisconsin. The gentleman is saying that we have nine Cabinet departments that cannot pass an audit?

Mr. HOEKSTRA. I am not sure they are all Cabinet, but we have nine significant agencies that cannot receive a clean audit.

Mr. RYAN of Wisconsin. What would happen if a small or medium-sized business in Michigan or Texas or Wisconsin could not pass their audit with the IRS?

Mr. HOEKSTRA. We actually had testimony from the accounting and the investment field. We asked them if they knew of any $1.8 trillion or even a $1 billion company publicly held in the last year, the last 2 years that had failed their audit to the extent that the Department of Education had, where they have not had a clean audit for 2 years and do not expect a clean audit for 3 more years and they said, ''We can't think of one.'' Because what would happen if you were in the private sector and the auditors failed your audit, most likely the value of the stock would drop significantly immediately. The other thing that would happen is most likely the Securities and Exchange Commission would suspend the trading of your stock, because you could not with any reasonable certainty go to your shareholders and indicate that what you represent in your financial statements in any way reflects the real world.

Let us take a look. The Treasury Department, Justice cannot get a clean audit, Education, Defense, Ag, the EPA, HUD, OPM, AID. None of these can receive a clean audit. I chair the Subcommittee on Oversight for the Committee on Education and the Workforce. We miss the majority leader on the committee. But he knows the work that we have done at that committee in taking a look at exactly what is going on in the Education Department.

In 1993, here is what the Vice President said: ''The Department of Education has suffered from mistrust and management neglect almost from the beginning. To overcome this legacy and to lead the way in national educational reform, Ed must refashion and revitalize its programs, management and systems.'' That is directly out of this book.

In 2000, here is what the General Accounting Office said: ''Serious internal control and financial management system weaknesses continue to plague the agency.''

In 1993, the Vice President said: ''The Department is redesigning its core financial management systems to ensure that data from accounting, grants, contracts, payments and other systems are integrated into a single system.''

In 2000, here is what GAO said: ''Pervasive weaknesses in the design and operation of Education's financial management systems, accounting procedures, documentation, record keeping and internal controls including computer security controls prevented Education from reliably reporting on the results of its operations for fiscal year 1998.'' That is also true for fiscal year 1999, and we are expecting that they will again fail their audit for the year 2000.

Now, in the private sector when the auditors say you cannot keep your books, we know that there are real consequences. Here are just some of the examples of what is going on in our Department of Education. Most of these are examples not from us in Congress but they are from the General Accounting Office, they are from their own Inspector General, and so these are well documented.

Congratulations, You're Not a Winner. In February, the Department of Education notified 39 young people in America that they won the prestigious Jacob Javits scholarship. My daughter just went to school this fall, went to college, my first one in college, and a Jacob Javits scholarship awards kids 4 years of graduate school at government expense. Paying undergraduate bills, I can imagine how excited the kids were and how excited the parents were. These kids were thrilled. Two days later, they got a call back saying, ''Sorry, you're not the winners.'' Poor management, real results, real impact.

In September of 1999, they printed 3.5 million financial aid forms. This is what kids use to apply. They printed them incorrectly. A cost of $720,000.

Mr. ARMEY. Does the gentleman mean the Department of Education incorrectly printed financial aid forms for the students wishing to apply for college to learn how they might correctly use the English language?

Mr. HOEKSTRA. 3.5 million forms containing errors, incorrect line references to the IRS tax form were printed, 100,000 of them were distributed, had to be recalled, the other ones all had to be destroyed. A cost of $720,000.

Dead and Loving It. The Department of Education improperly discharged almost $77 million in student loans for borrowers who claimed to be either permanently disabled or deceased. This was a double good news for these people. The good news, number one, is that their loans were forgiven because they were disabled or dead. The second bit of good news is they were neither disabled nor dead. But the Education Department had identified them as such and had forgiven their loans.

Most recently a theft ring, and this is what happens when you do not have proper controls. They had a purchasing agent within the Department of Education who could order materials, certify that they came in, certify that they should be paid for and certify that other individuals, independent contractors, should receive overtime. They ordered over $330,000 of electronic equipment, authorized the payment, the $330,000 of equipment was shipped around to various employees' and friends' homes around the Nation's capital. This was all done through the phone guy. What was in it for the phone guy? The phone guy got $660,000 of overtime that he had not worked.

More recently, we had a hearing on this last week. Another theft ring. Impact Aid funds. This is dollars that we send to needy school districts or districts that have a lot of Federal facilities in them. In this case, two school districts in South Dakota, actually I believe on Indian reservations. The Department of Education wired them the money, found out a couple of days later because a local car dealer had somebody coming in and wanted to buy a Corvette, came in and were ready to pay cash or a cashier's check to pay for the Corvette. The dealership did a credit check on this individual and found out that it did not check out. They called the FBI. They found out that this group had bought a Lincoln Navigator, a Cadillac Escalade and they were looking at buying a Corvette. They also bought a home, $135,000. So somebody was checking this to see where did this money come from. Somebody had gone into the computer systems at the Department of Ed, and this is one of their other problems, they do not have computer security,

and had changed the routing, so instead of sending this money to an account into the school districts in South Dakota, the money went into these individuals' accounts in Washington to the tune of $1.9 million.

Mr. ARMEY. If I may ask the gentleman, Madam Speaker, I want to continue this with the gentleman from Michigan (Mr. HOEKSTRA) and I certainly want to get back to my good friend the gentleman from Wisconsin (Mr. RYAN) as well but I think it is very important that we make this note. The gentleman from Michigan is the oversight chairman of the subcommittee on education. It is his job to see to it that the Education Department under the jurisdiction of his committee does a good job. And the information we have here is about that committee. But as the gentleman from Michigan pointed out, we have how many agencies that are inauditable, they cannot be audited?

Mr. HOEKSTRA. We have nine significant agencies.

Mr. ARMEY. Nine significant agencies, including the Treasury Department which I will bet has in its employ a more than generous number of CPAs and they cannot be audited. So what happens, it seems, is that when people come to Washington, they cannot even do what they do do well. The CPAs malfunction at Treasury, the educators malfunction in the Department of Education.

I want to make this point very quickly. Why are we being tough on the Department of Education? It is not that we dislike the Department of Education. It is certainly not that we dislike education. We would stand here and we would say there is no thing that any culture can do that can be more important than how we educate our children. And if we have an agency of the Federal Government that is committed to that purpose by an act of Congress, committed, then it is the responsibility of Congress to see that that agency functions for the children. And to find this kind of inefficiency, neglect, sloppy work, abuse, who pays for that? That all translates into the neglected children from an agency of this government that we created.

I would commend the gentleman from Michigan for his good work. I want to hear more about his findings.

Mr. Speaker, we have with us the gentlewoman from North Carolina (Mrs. MYRICK), and she has agreed to participate but is on a very tight schedule. I yield to our good friend the gentlewoman from North Carolina.

Mrs. MYRICK. I appreciate the gentleman yielding. I just wanted to make a couple of comments, not on education because the gentleman from Michigan is covering that quite thoroughly and I am sure the gentleman from Wisconsin is covering budget surplus information. But I wanted to just mention a couple of things relative to Vice President GORE's budget that he has presented, because I think there are some things that we could point out that maybe do show a difference in the way that we philosophically go about spending our government's money and the people's money at home.

I know that the Vice President made the comment at the Democratic National Convention that in the next 4 years he wanted to pay off all the national debt we have accumulated over 200 years, and this would be the plan that would put us on track for completely paying off debt by 2012. Then I remember back last year how President Clinton's administration only wanted to save 63 percent of the surplus and if it had not been for us really forcing the issue and saying that we are going to lock away 100 percent of the surplus, we might not be in the position today where those statements could even be made that we are going to be able to save and pay off the debt.

I think we need to look at that. Plus the fact that the National Taxpayers Union estimates that the Vice President's spending proposals would actually increase government spending by $2.7 trillion. We do not hear about the increase in spending that is being talked about. That is more than the budget surplus for the next year. And that would send us right back into the days of deficit spending where we do not want to be. Then it also comes out to say that for every dollar that the Vice President's budget would cut taxes, he would raise government spending by $6.75. I am not a brilliant mathematician but that kind of tells me that this is not going to work. You cannot on one hand cut taxes by a dollar and then raise spending and expect that you are going to be in a good financial position.

When we look at this proposal that has been put on the table, it does closely mirror what the administration is also proposing. I think back to 1995 because if my colleagues remember if we had adopted that proposed budget, we would still have $200 billion in deficits today. It was a lot of my colleagues here who forced this issue that we would sign a balanced budget agreement. Remember that, back in 1995? I think there were five budgets presented by the President before we finally got to one that was agreeable that we could sign when we stood our ground and said we are going to balance this budget.

Look at the results. The American people are definitely reaping the results. We have worked hard to make this happen. We have turned the tide. We really have turned the tide by all the policies, the things that the gentleman from Michigan has been working on with all the oversight that he has been doing, that has been going into it and what we are talking about now with these generous surpluses that are really the people's money that we want to give back to them, that we do not want to keep here in Washington.

I think it is important that the American people do understand and know that this would not have happened if we had not stuck to our guns and really kept these policies in place. That is something that we need to be doing for the future for our children and our grandchildren.

I appreciate all of my colleagues being here today to really share this information with the American people, because otherwise they do not hear. We do not say, they do not hear.

1630

Mr. ARMEY. I thank the gentlewoman. I would like to make this observation: Listening to the gentlewoman from North Carolina, I am reminded it takes leadership, and it takes cooperation, to really get big jobs done in government. People must work together.

I have to say I am very proud of this record we have of working on this very big issue of our budget. We said we were going to balance the budget. The naysayers in this town said it could not be done. When we got to that point, the President recognized it, and in fact when the surplus began to emerge, he recognized that.

I remember the President said, ''I am going to commit 63 percent of the Social Security revenues to debt reduction.'' We appreciated that gesture on his part, but we said, ''How about 100 percent?'' Again, the naysayers, they said it could not be done.

But we challenged the President to work with us. What we saw is when you have a disciplined leadership and two agencies of the government, the Congress and the White House, working together, we managed to accomplish a 100 percent total stop of the raid.

Now, what we need is a new administration after these elections that understands the fruits of that discipline and retains that commitment. Here we have the Vice President saying, elect me to the Presidency and I will start a new spending spree in Washington. I will introduce these new high-risk spending schemes in Washington that promise to spend so much that we will not only backslide on the accomplishments of this Congress, but, more discouragingly, backslide on the accomplishments of this Congress working together with this Presidency.

So he turns his back not only on the work of the Republicans in the House and the Senate, but on the work of President Clinton, and says never mind all that, I want to go back to large-scale, big risky spending schemes.

I see the gentleman from Wisconsin would like to make a point, and I also would like to get back to the gentleman from Michigan (Mr. HOEKSTRA), I imagine he has more information here. We also have the gentleman from Florida (Mr. STEARNS) here.

Mr. RYAN of Wisconsin. I appreciate the majority leader. I was really struck with what the gentlewoman from North Carolina (Mrs. MYRICK) had to say. It really is about priorities.

When you put together a budget, you are putting together a vision for the

country. When you take a look at the good economic prosperity and times we have enjoyed here in America, it has given us a wonderful opportunity. It has given us a wonderful opportunity to take care of the challenges and needs that are facing the country.

As I travel throughout southern Wisconsin, the constituents I listen to tell me, you know, finally we have a chance to get our hands around paying off the national debt. We have a looming crisis occurring when the baby boomers begin to retire in Medicare and Social Security. Let us take care of those problems so that Social Security and Medicare are programs that can be enjoyed not only for this current generation of retirees, but future generations of retirees.

Finally, we are an overtaxed Nation. We are paying a higher amount of taxes than we do on food, shelter and clothing. We are paying the highest level of taxes in the peacetime history of this country. So when we are talking about budgets, it gets a little dry when you look at the numbers, but what it really means is what is your vision for the country, how are you going to address these challenges.

This chart shows you the different visions for this country, the Gore vision and the Bush vision. The Bush vision is first pay off national debt, stop raiding the Social Security trust fund and modernize Medicare, and, as we accomplish those goals, if people are still overpaying their taxes, give them their money back, rather than spend it on new programs in Washington.

What the Vice President is proposing is just the opposite. Spend the bulk of the money on new programs in Washington, pay off some debt, but he is putting us on a path to where we will be forced to dip back into Social Security to the tune of $906 billion to fund the new spending initiatives that the Vice President is proposing.

The good fortune is this Congress has been able to keep the line on spending, so we can pay off the debt. We have already paid off $354 billion. If we get our way, as we are trying to with these negotiations, we will have paid off half a trillion dollars of debt just in the last 3 years alone.

So what we are looking at here is the future. Are we going to take advantage of this prosperity, of this surplus, to use it to pay off the debt, to shore up Social Security and Medicare and let families keep some more of their hard earned money, or are we going to spend the money on new programs in Washington, as Vice President GORE is proposing? These are the choices that will be determined in this next election.

As you look at the details underneath these policies, the details underneath these numbers, I just take a look at the Vice President's idea for saving Social Security. I would just like to quote two economists that the Vice President often listens to on his plan to revive Social Security.

''The Vice President does nothing more than add more IOUs to the Social Security trust fund. It is a papering over of the Social Security trust fund. To quote the General Accounting Office, 'the Vice President's plan amounts to a pledge to provide that much more money for Social Security in the future somehow. It does not specify the sources. Thus, by itself, it does not fulfill any of the funding gap with Social Security.' ''

That is what Alan Blinder said, who is the Vice President's economic adviser.

David Walker, comptroller to the GAO, says, ''The Gore and Clinton proposal does not come close to saving Social Security. Under this proposal, the changes in the Social Security program will be more perceived than real. Although the trust funds will appear to have more resources as a result of the proposal, nothing about the program has changed.''

So we are seeing a rhetoric being cast about across the country that the Vice President is giving us a program, a proposal to save Social Security, but when we actually take a look at it, it is just adding more money, more IOUs to the Social Security program. It does nothing to advance the solvency of Social Security. In fact, the spending plan that the Vice President articulated in his acceptance speech in Los Angeles, that he has articulated in his prosperity plan for America, is one in which he is proposing to take $2.1 trillion, almost half of the surplus over the next 10 years, and spend it on new programs in Washington, to the point where he is proposing to dip into the Social Security trust fund by almost as much as $906 billion.

Madam Speaker, that is not how you manage the surplus. What we are trying to accomplish with this surplus, what Governor Bush is trying to do with the surplus, is to stop the raid on Social Security. Do not dip into the trust fund anymore, pay off our national debt, modernize Medicare and Social Security, not on paper, but in reality, so that those of us who are near and dear to us, our grandparents, our fathers, our mothers, will have the program to rely upon in the future.

As our constituents, as working families, continue to pay more and more and more to Washington, the highest level of taxation in the peacetime history of this Nation, we are saying, let us let them keep some of their money back as they continue to overpay their taxes, rather than spending it on new programs in Washington. That is the difference in this election. That is the choice that you have as a voter here in this election by choosing either the Bush vision or the Gore vision.

I see the gentleman from Florida (Mr. STEARNS) is here, and I would like to yield back to the majority leader who is controlling the time.

Mr. ARMEY. Madam Speaker, I am sitting here listening to the logic of this whole campaign season. We all know it is often thought of as the silly season, but just look here.

Governor Bush talks about 29 cents on the dollar he would like to return to the people who created the surplus. No matter how you define that tax reduction, whether it be marriage penalty tax relief, inheritance tax relief, no matter how you define it, it is always said to be, by Vice President GORE, a risky tax scheme. We label everything that. Everything gets labeled that way.

Yet in the Gore plan you have a situation where he has the IRS writing checks to give to people who do not pay taxes. He counts that as a tax cut, instead of saying this is what it is, a risky spending scheme. So there is that kind of confusion.

If the gentleman from Florida will just bear with us a little bit, I think the gentleman from Michigan was just about to complete pointing out that kind of confused thinking is what gives you the sort of sloppy work that he has uncovered in one of our Nation's most important agencies. I know the gentleman from Michigan has been very patient and had wanted to complete his summary of those findings. I think we ought to give the gentleman from Michigan that extra couple of minutes.

Mr. HOEKSTRA. Madam Speaker, I thank the gentleman for yielding, and I enjoy being down here and being part of this special order.

Just a couple of other examples. The Education Department placed a half billion dollars in the wrong Treasury account, then disbursed the money without leaving an auditable paper trail. They also have something in the Department of Education, which I think in the private sector if you were a vendor with the Department of Education you would find fascinating. It is called duplicate payments.

I cannot believe it happens. You provide a service to the Department of Education, you bill them, and they pay you, and they pay you again. You get paid twice. This year alone there have been $150 million of documented duplicate payments. There is no telling how much we do not know. These are the vendors that have contacted us and said, hey, you paid us twice. I wonder if there are any out there that we do not know about who maybe have been paid twice, closed shop and said, hey, this is a pretty good deal.

I think the other thing that we really do have is we have got a phenomenal education strategy to improve schools at the local level, saying when you send a dollar to Washington, we want to get 95 cents back into a local classroom. Today that is about 60 cents.

We know the local classroom is where we make a difference. We are saying get the money out of Washington, out of this failed bureaucracy, get it into a local classroom, get it to a teacher, get it to a teacher who knows our kids' names. We are saying get the money back to the local school district. Let them decide whether they need computers, teachers, teacher training, whether they need construction or whatever. But let local schools

make the decisions as to how they are going to spend those dollars.

We have 760 programs. You have to apply for each one of these programs. It is a huge paperwork bureaucracy, and we know the Department cannot handle it. Get the money back into the local school district; say we are going to make the investment, but let you decide how to spend it. Get rid of the Federal paperwork.

We know we have been in 20 States. Governors will come in and say we get 6 to 7 percent of our money from Washington; 60 percent of the paperwork comes from Washington.

Let us get rid of the red tape and bureaucracy and create an environment where schools get back to reading, writing and arithmetic, the three R's. Secretary Riley recently gave a speech and he has three new R's: Relationships, readiness, and resiliency. It is kind of like, I think we need our kids focusing on the basics. The only reason our kids need to be resilient today is because they are not scoring well enough on international test scores and we need them to bounce back. But we need to focus not on relationships and readiness and resiliencies, we need our kids learning the basics. We have got a great education program that does not depend on the failed bureaucracy, but puts power back where it needs to be, with local teachers and administrators and parents.

I thank the majority leader for allowing me to participate and for the extra time.

Mr. ARMEY. I want to thank the gentleman from Michigan. I think the gentleman from Wisconsin would agree with me you could go into any community in America and talk to the local school superintendent, talk to the members of the local board of education, and I will bet you not only is their judgment sounder and they have a better understanding of what we need in their community, but I bet you every one of these people can balance their books and survive an audit. So the folks back home know what is going on with those precious tax dollars that pay for that education back home.

We have just got to do better in Washington. We cannot ask for so much of this money, create these new agencies and programs, and then just leave them to run without supervision.

Finally, let me just say, we also saw that this kind of error is committed in other agencies of the government as well. We found that the Veterans Administration was able to have their computers hacked with the kind of technology and practice that apparently any 12-year-old might be able to figure out, and in the process of learning how easy it was to hack the VA's computers, they too found two VA employees that had each separately gone into the computers illegally and paid themselves over $600,000 apiece. That kind of waste, inefficiency, fraud and abuse casts a pall on the good, decent honest people that work in agencies all over this country. It gives them a bad reputation, but it shows the weaknesses in administration.

So we want to have good plans, good programs, good ideas, what we want to accomplish in America, and a good sense of discipline in the administration.

The gentleman from Florida, who I will yield to, is taking a look at that now. Not only do we have this kind of failed ability to administer existing programs, but we also see a great deal of risk in a continued desire on the part of the Gore campaign, with Vice President GORE wanting to continue to create programs put together on an arbitrary, mandatory and potentially dangerous, risky basis, as they have been so often in the past.

The gentleman from Florida (Mr. STEARNS) has taken the time to look into one in particular of Vice President GORE's proposals that affects so many of your constituents. If wonder if I yield to the gentleman if he would like to help us.

1645

Mr. STEARNS. Madam Speaker, I want to thank the distinguished gentleman from Texas (Mr. ARMEY), our majority leader. I would like this afternoon to focus on prescription drugs. We have talked about the waste, fraud and abuse, the incompetency that the gentleman from Michigan brought up, and the gentleman from Wisconsin, when he talked about under a Gore administration they would spend $2.5 trillion over the next 10 years, and this would go into the Social Security surplus.

I want to talk about one of the most potential political questions in this election year. The Democrats have proposed a prescription drug program that was defeated, and the Republicans proposed a prescription drug program here in Congress that passed. So I want to focus on the difference of these plans. And more particularly, about the difference between the plan that the Gore campaign is talking about and what we have passed here in Congress and what we think is better, which the Bush campaign has adopted.

All of us in this House, all of us in the Senate are committed to helping our seniors with access to affordable prescription drugs through the Medicare program. But there is a key difference. Joshua Hammond wrote a book called The Seven Cultural Forces That Shape Who Americans Are, and the number one is choice, because we believe that Americans should have choice in what they do and what is offered to them by different programs. So I would like to discuss just briefly today the proposed plans by Republicans and Democrats that have been before this House and talk about the difference.

Madam Speaker, I might point out to my colleagues, this House has been controlled by Republicans since 1995. But if prescription drugs was such a problem, why is it that the Democrats did not propose a solution to this before we took the majority in 1995? And why did we have to wait for Republicans to come forward with a solution? So it is easy for them to criticize, but they had 40 years when they controlled the body over here to come up with their own plan and present it to the American people. Why did they not do it?

It is only because Republicans have tackled this issue, which is very controversial, and the Republican bill, H.R. 2680, would give beneficiaries a choice. The hallmark of the American approach is choice. We do it through two private sector drug plans. In addition to having choice, the question becomes: Who do we trust? The government running the program? Or do we believe that through choice and competition we will get a better program?

Our program will allow beneficiaries to choose plans that best suit their needs. Our plan is market-based rather than relying on the Government to run the plan.

Now, why is this so important? Because we know that overwhelmingly, the components of any plan that we must offer must have this choice. It must be the centerpiece of any plan that we offer to the American people dealing with prescription drugs.

How affordable are these plans? Let us look at these two plans and see why they actually provide what they actually provide and how much it would cost our seniors. Our bill, which is H.R. 4680, passed on the House floor here on June 28. So the Democrats say the Republicans do not have a plan. We have a plan; it passed here on the House floor.

Mr. ARMEY. Madam Speaker, if the gentleman would yield, I cannot help but point out it was such a high drama day here in the House on the day we voted a prescription drug plan for our senior citizens, one with universal coverage, that had freedom and choice in it, that had a premium subsidy for low-income seniors. It had a stopgap so that nobody would be bankrupted by that.

On the day that we brought that to the floor to discuss it and pass it, the Democrats, under the leadership of the gentleman from Missouri (Mr. GEPHARDT), I remember him rising from his seat over there, got up and walked out. Walked out on the debate. Walked out on the seniors. Walked out on the whole issue.

To me, it was an enormously dramatic moment. And I thought to myself, why they would walk out on that debate? But now they are back and saying that we do not have a plan. I have to say to the gentleman from Missouri (Mr. GEPHARDT) and my friends on the other side of the aisle, if they had stayed at work and listened to the debate, if you had participated, they would not have forgotten that we passed a plan that day.

Mr. STEARNS. Madam Speaker, I think what the gentleman from Texas

is saying in a larger measure is just because they do not control the House does not mean they cannot contribute. They could have been on the House floor offering proposals, trying to make this bill in their estimation better to their determination.

But we passed it. And as I point out, they have had years and years to solve this problem and they did not. So now we have tackled it, and I think it takes political courage.

We provide taxpayers a subsidy to encourage insurers to offer policies which are affordable to our seniors. One key aspect about our program it is voluntary and seniors taking part can choose from at least two plans. All plans start with a $250 deductible, and it would establish the Medicare Benefits Administration. This is an agency that would run the program, but it would be private sector-oriented and provide volume buying for these seniors. It would cover 100 percent of drug and premium costs for couples with income up to $15,200 and singles with incomes up to $11,300.

For all participants, it covers at least half of all drug costs up to $2,100 annually and 100 percent of out-of-pocket costs up to $6000.

So we have something that private companies are providing, the Government is giving incentives and subsidies to help them, it is helping Americans get choice through at least two private sector choices, and it is voluntary.

But let us take a look at the Democrat plan that the House defeated here on the House floor. Currently, seniors pay a premium and receive reimbursement for a portion of their hospital and doctor costs through Medicare. Under the Democrat plan, they would use the new government benefit to reduce the cost of pharmaceutical drugs. As I point out, it is a government program. Translation: they put government in charge of seniors' prescription drugs through the Health Care Financing Administration, which is HCFA, which would choose, they would choose and they would control the drug purchasing contractor for every region of this country. HCFA would be doing it.

In other words, it would be a new Big Government program, a one-size-fits-all plan. And this is a key element of their program.

In a recent survey done with seniors talking about drug coverage, they prefer by a margin of two to one a program that is private sector-oriented, that is voluntary, and not having the Government through HCFA provide the pharmaceutical drugs. So the Clinton-Gore plan for seniors dealing with prescription drugs is like a government-chosen HMO for drugs; and, therefore, I do not think it is good.

Another thing I would like to say is that seniors would lose their private sector coverage, whether they participate or not. This is a key element.

I say in closing, the premiums for the drug coverage under the Clinton-Gore plan come directly out of the monthly Social Security check. Do not think this is going to be a choice. This is government coming into seniors' Social Security check and taking the payment out every month, whether they like it or not in this program that is not voluntary. So I think the real questions seniors have to come to grips with in this political season is do they want to have choice, do they want to have competition or a voluntary approach to this plan, or do they want to have the Government run it?

So I say to the distinguished Majority Leader, I think it is clear. If the American people look at the two plans, the prescription drug will be a plan that is much more favorable to seniors with what we offered, what we provided on the House floor, and I regret that the gentleman from Missouri (Mr. GEPHARDT) walked out on us.

Mr. ARMEY. Madam Speaker, I thank the gentleman from Florida for his comments. If the gentleman would hold for a second, there is an old story that a picture is sometimes worth a thousand words. One of the things I think we should remember, today in America right now 70 percent of our seniors have already gone into the private markets and purchased prescription drug coverage. They have shopped around. They have checked out what is available. They decided and they chose coverage that they are happy with. They do not want to lose it. They are content. They understand it. They appreciate it. They want to keep it.

A year ago, President Clinton offered a plan that would be mandatory. ''Go into my plan, forsake yours''; and the seniors rejected it.

Now, my friends on the left, the liberals, Vice President Gore and others who want the government-run plan, will say about the seniors: well, we cannot leave them to their own devices to go in the marketplace and buy for themselves, because they cannot understand those plans. Yet 70 percent of them are happy with what they decided for themselves and do not want to be forced out of their plans.

But I should say this to Vice President GORE, if he is concerned that today's seniors cannot understand what is available to them now, how then would he expect them to understand this nightmare, this bureaucratic nightmare? Every one of these little dashes, this horrible snake here cut into slices, every slice is a new, better Federal Government bureaucratic regulation.

Madam Speaker, the answer is very simple from the left: they do not have to understand it. We decided it. They do not have a choice. They will not make a choice. They do not need to know. The Health Care Finance Agency will tell them what they are going to get.

I have to say, I know the gentlemen here on this floor will be surprised by this, but I am over 60 years old. I am soon to be 65. I refuse to accept any agency of the Federal Government declaring me on that moment of my 65th birthday, ''Today Mr. ARMEY, you suddenly became senile. You do not need to understand anymore. We will take over your health care destiny.''

I have to tell my colleagues if they do not run my health care destiny any better than they have been running the Department of Education, I am not trusting them. I would rather choose for myself, and I think most of America would.

Mr. STEARNS. Madam Speaker, just one final comment. I do not know how soon the gentleman will be 65, but under the Gore plan, at age 64½, if the gentleman does not want to join at that time, or changes his mind later, he is out of luck because he has got to make his decision at 64½ to do this, or there is no other chance.

The other point I want to make is that the Government will decide which drugs are and are not covered. If the people, like the gentleman from Texas, want to have drugs, the Government can decide it is too expensive; and they will tell him to go to another drug. So all the concerns we had about Mrs. Clinton's health care plan is coming back with this pharmaceutical drugs plan. I think the American people should understand that.

Mr. ARMEY. Madam Speaker, I thank the gentleman for yielding. The bottom line is very simple. The plan we passed where they walked out, would not participate, gives choice. What the Vice President's plan gives is an ultimatum: join us now or never.

We have here the gentleman from California (Mr. OSE), who was listening to my earlier remarks and wanted to come down and make a point about the Vice President's tax plan. I think it is a very good point, so I yield to the gentleman from California for that purpose. I also understand the gentleman from California (Mr. HERGER) wants to make a few comments as well.

Mr. OSE. Madam Speaker, I appreciate the gentleman from Texas (Mr. ARMEY), the majority leader, yielding me this time. His earlier comments focused on our attempt to override the President's veto of the marriage tax penalty relief. In that legislation there were two primary components. One was relief for marriage tax penalty consequences, the other was an adjustment to the threshold at which earned income tax credits could be realized.

In my district where we have a significantly higher or above the norm unemployment rate, we have a number of young people, a number of elder Americans who actually work for wages, hourly wages who would be eligible for the earned income tax credit if it had been adjusted for inflation over these past 8 years. But in fact just as the Democrats walked out of here back when we passed that bill, this Clinton administration has walked out on lower-income people for an adjustment in the earned income tax credit.

The President's veto of the marriage tax penalty relief right here in this bill

also was a veto of an inflation adjustment to the level, the threshold at which the earned income tax credit would be eligible for. That veto cost a low-income family with two children $421 per year in terms of the earned income tax credit. That is real money.

Mr. ARMEY. I thank the gentleman from California. That benefit denied by the Clinton veto was a benefit that would have accrued to the most low-income earners in America, not only all of my rich friends as they were discussing earlier.

The gentleman from California (Mr. HERGER) is a man of great insight on the budget.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman's time has expired.

Mr. ARMEY. Madam Speaker, let me say I am going to invite the gentleman from California (Mr. HERGER) to come back next week for another such session and let him lead off with his good insight.

ACCOMPLISHMENTS OF THE REPUBLICAN CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HERGER) is recognized for 5 minutes.

Mr. HERGER. Madam Speaker, I thank the gentleman from Texas (Mr. ARMEY), our majority leader, very much for leading this very informative hour on programs that are so very important to our Nation, to our seniors, to our American taxpayers.

Madam Speaker, I would like just to comment some on that. I have had the great privilege this last 8 years of serving on the Committee on the Budget, and I have seen over the last 6 years during the time that we have had the Republican Congress accomplishing some tasks that many thought we could never do, i.e., the first balanced budget in 60 years. Something which, by the way, President Clinton and the Vice President, AL GORE, vetoed not once or twice, but three times.

Also, something we thought we would never see was welfare reform. And, again, even though Ronald Reagan once said that, ''There is no limit to what you can accomplish as long as you don't care who takes the credit''; well, our Republican Congress, we were able to reform welfare. It has been reduced by more than 50 percent on the average in the 50 States.

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Those are individuals who are now out working being productive. Again, the President vetoed this twice, not once, but twice, and then I know he and the Vice President were out taking credit for it. Again, it does not matter who gets the credit, but it happened, and it happened under the watch of this Republican Congress.

What have we done balancing the budget? Welfare reform? We have seen that we have been able for again for the first time in some 40 years to begin paying down the national public debt. As a matter of fact, up to this point, we paid it down by $350 billion. And in this next year, we are down, that is over the last 3 years, for another $240 billion paying down the public debt; that debt which rests on the shoulders of our children and our grandchildren, money that past Congresses have spent more than what we had.

Mr. Speaker, I would like the gentleman from Texas (Mr. ARMEY), the majority leader, and those who are watching look on this chart that I have here, what it does, it compares Vice President AL GORE'S budget and proposal, spending proposals, that he has and compares it with Governor George W. Bush's.

Now, this chart was prepared and the statistics were put out by the National Taxpayer Union Foundation, and it shows that right now the on-budget surplus for the next 10 years is projected to be $2.1 trillion. It is interesting to look at Vice President GORE, who is running for President, his spending, his expenditures add up to $2.8 trillion.

Mr. Speaker, I might mention Governor Bush's spending adds up to $766 billion, his spending proposals. Well, the difference from what is projected as surplus over the next 10 years and what Vice President GORE would spend would put us in some $638 billion deficit again. In other words, under his administration, we would again return to deficit spending. And where does that come from?

The gentleman from Texas (Mr. ARMEY), the majority leader, knows of the legislation which I authored and which passed this last year. We, as Republicans, put a lock box on not spending the Social Security money that had not been spent yet. And we passed that overwhelmingly out of this House, 416–12 this year, and that had been spent since 1935, all that money, and it amounts to several hundred billion dollars a year, but we had been spending that which was a surplus spending on ongoing programs.

This year we passed an additional lockbox on the Medicare. Now, where would this $638 billion come from what GORE would spend? Well, it would come, Mr. Speaker, come from the Social Security money that should be going to pay our seniors. Is that right? No, it is not. Can we afford, this country, to turn around and go back into the direction that we were going for years here where we spend on promises to everyone that may be well meaning, but spending money that we do not have? I think the answer is clearly no.

Mr. Speaker, of course, here in about another month and a half we are going to have an election that will determine whether the American public is going to go back to the failed policies of tax and spend that we have had in the past, or whether or not we are going to continue the direction that this Republican Congress has led us in in the last 6 years moving towards again fiscal responsibility.

Again, I thank the gentleman from Texas, the majority leader for this time.

Mr. ARMEY. Mr. Speaker, let me just say what the gentleman's charts shows is that the pundits are right, if Governor Bush is President during the worst of time, we might lose the surplus, but it also shows that if Vice President GORE is President during the best of times, he will spend the surplus.

Mr. HERGER. That is right; he only spends one-third of the surplus, the rest is for paying down the debt further and for perhaps some tax relief and some other good things.

CONGRESSIONAL BLACK CAUCUS ALTERNATIVE BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New York (Mr. OWENS) is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, we are about to approach the end game negotiations, probably behind the scenes, the end game negotiations on the budget, and the appropriations process has started already.

We have gone through a process of preparing a budget which sets forth the general contours, the outlines of where we want to go with respect to our expenditures for each particular function of government. We did that some time ago, and then we have gone through the passage of 13 appropriations bills in the House of Representatives.

Mr. Speaker, I understand they have not passed all of those bills in the other body, but we have passed them in the House of Representatives. In a situation where there is disagreement between the majority party in the House, they have the votes to pass whatever they want to pass, if there is disagreement between the majority party in the House and the White House or the majority party in the House plus the other body, they agree but then the White House disagrees, then the only way we resolve those disagreements is through a negotiation process, which takes place at the very end of the progress of the other steps that we have taken.

Mr. Speaker, we are about to approach that point in the year when we have a special situation. For the first time in many decades, this Nation has a surplus, and it is not a small surplus at all. The Federal surplus keeps changing every day, but positively changing. It was $200 billion a few weeks ago, and now I understand we are talking about $230 billion as the most conservative estimate of what the budget will be available for some kind of processing by the House and the executive branch.

There is another surplus for Social Security, which is a lockbox; that means we are not talking about money that would be taken away from Social

Security, because they have generated their own surplus, whereas we can give some part of the $230 billion to Social Security, they have their own surplus already.

We do not have to rush to the rescue of Social Security with the surplus. We have some alternatives for what we do with the surplus. Mr. Speaker, I want to just go back to the point where the budget process started. I want to speak for the Congressional Black Caucus, which set forth its alternative budget during the beginning of the budget process.

Now that we are at the end of the process, the negotiations that are going to take place will take place between the Democrat-controlled White House and the Republican-controlled Congress, both Houses of Congress. And we need to get on the agenda and we have to talk to the public in order to get on that agenda.

We need to have you, members of the public, understand that public opinion will decide whether certain items go on to the agenda of the discussions that take place.

We would like very much to get on the agenda from the White House side of the table to have the President understand what our final concerns are in this budget. We are concerned, like everybody else is, about certain priorities, but now that we are down to the last moment and the clock is ticking, we want to emphasize certain very special concerns that we have.

Let me just go back and read from the introduction of a Congressional Black Caucus Alternative Budget to set a frame of reference for my final proposals today.

We started with an introduction which reads as follows, carrying forward the great Democratic party traditions, Franklin Roosevelt's New Deal, Harry Truman's Marshal Plan, Lyndon Johnson's Great Society that produced Medicaid and Medicare, as advocates for the Democratic party mainstream philosophy, the Congressional Black Caucus sets forth this budget for maximum investment in opportunity.

We call our budget a budget for maximum investment and opportunity. As we prepare the year 2001 budget, we are blessed by the long, warm rays of the sun of a coming decade of surpluses. Compassion and vision are no longer blocked by the spectrum of budget deficits. The conservative estimate is that there will be a $1.9 trillion nonSocial Security surplus over the next 10 years.

I made that statement several months ago. We know it is greater than $1.9 trillion, the estimate. Using very simple logic, we should be able to project about $200 billion for the year 2001 budget as this window of opportunity opens.

Investment for the future must be our first priority. Maximizing opportunities for individual citizens is synonymous with maximizing the growth and expansion of the U.S. superpower economy. It is the age of information, stupid. It is the time of a computer and digitalization. It is the era of thousands of high-level vacancies, because there are not enough information technology workers with enlightened budget decisions. We can, at this moment, begin the shaping of the contours of a new cybercivilization.

If we fail to seize this moment to make investments that will allow our great Nation to surge forward in the creation of this new cybercivilization, then our children and our grandchildren will frown on us and lament the fact that we failed not because we lacked fiscal resources, but our failures, our very devastating blunder, was due to a poverty of vision.

We have custodians of unprecedented wealth in a giant economy, but midget minds and tiny spirits have seized control and the only big sweeping idea being generated during this budget discussion is a negative Republican proposal for a monster tax cut for the wealthy. At a time when positive generosity is possible, such a proposal maximizes great selfishness.

Now, this was at the time of the consideration of the budget and since that time, the Republican majority has retreated somewhat on the size of its proposed tax cut. We welcome that retreat, but we think of the lack of voices for investment, we want to invest a portion of the surplus in human resources, and we want to follow up that budget statement which was made, a very general statement made at that time, we want to follow up with more specific recommendations now.

The boldest and the most vital proposal contained in our CBC budget alternative was at the heart of this function; that is, funding for school construction, responding to the fact that the American people in numerous polls have indicated that their number one priority for Federal budget action is education.

Each of the budgets being present that were presented at that time offered education increases, but only the CBC budget has chosen to focus on the kingpin issue of school physical infrastructure. While we applaud the President's inclusion of $1.3 billion for emergency repairs, we deem it to be grossly inadequate.

We support school financing via the Tax Code, however, most of the local education agencies cannot borrow money without a lengthy taxpayer referendum procedure.

The CBC proposes a $10 billion increase over the President's budget for school construction. This amount would be taken from the $200 billion surplus. In addition to this 5 percent for infrastructure repair, security, and new construction, the CBC budget proposes another 5 percent, another $10 billion to address other education improvements. In other words, only 10 percent of the overall surplus would be utilized for the all-important mission of investment in human resources, only 10 percent.

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We proposed that at that time. We would like to underscore that proposal and say that we were talking about education, of course education improvements for everybody, education improvements for the entire Nation.

In fact, in my piece of specific legislation, our school construction, H.R. 3071, I proposed construction funding to be allocated to all schools throughout the Nation based on the number of school-age children in each State. There would be no other qualifying features except school-age children, which meant that every school district in the country would be able to receive some of the proposed Federal school infrastructure and modernization and construction funding.

We are now, as I said before, at the point where the negotiations specifically on amounts of money to go into this so-called omnibus budget that we hear about, omnibus appropriation act, the actual allocation of funds is going to take place somewhere between now and October 15. We have various projections on when Congress will adjourn. But I suspect that the outer limit in an election year like this that we will dare go will probably be in the middle of October.

So, therefore, I think it is reasonable to project that somewhere between now and October 15, this omnibus budget, this end-game negotiation product will be produced; and we will have to vote on it.

Right now I want to appeal to everybody listening who cares about education to become a part of the process. They become a part of the process by understanding the power of public opinion in this process. Public opinion is always being monitored by both parties. Leadership is always watching the polls, watching the results of focus groups. There are various ways in which public opinion makes itself felt here in Washington.

So I want my colleagues to understand that there is a danger right here that, despite the fact that we have enormous wealth, we have a huge budget surplus, the danger that we are going to make some ridiculous blunders. There is a danger that we are going to make some decisions about how to spend the first $200 billion or $230 billion of the surplus over this 10-year period which will set a pattern; and we will get set in that pattern, and we will find ourselves spending, utilizing funding in the same way for the next 10 years.

It is possible for the political leadership to make horrendous blunders. We know that wars and all kinds of catastrophes have been caused in the past by political leadership. Very intelligent, very well trained, very experienced, but still they make outrageous blunders. We know that is possible.

I would like to use the Roman Empire as an example that Rome was a great civilization, and it was in terms of technology, in terms of military

power, in terms of law. The Roman law is the basis on probably most of the civilized nations' legal systems today. The Romans started it all, a huge system of law with a level of courts and appeals. In addition to their military might and their technology prowess, the great civilization of Rome seemed to have it all.

But at the same time the Romans were inventing concrete and building magnificent structures and conquering the rest of the world at that time, the Romans were feeding the Christians to the lions in the Coliseum. The leadership of the Roman Empire, the politicians of the Roman Empire, the elected officials such as they were of the Roman Empire, were feeding the Christians to the lions at the height of the Roman civilization.

Politicians can make great blunders sometimes, and we must be aware of that. Public opinion has to be the check and balance on some of these blunders. We could look at the education situation in America now in terms of where it was a century ago and continue to make decisions as if we had little red schoolhouses and as if we still had teachers who were so dedicated that they would give their lives to the profession without being appropriately compensated.

We could act as if we are fighting wars with rifles. It was a long time when the rifle was supreme in the war, in any wars fought. We have evolved modern military technology.

The cost of a rifle now is not the way we judge whether or not we have a decent defense budget. Rifles are the least expensive item. If we were to look at the cost of rifles and say, well, we ought to have a defense budget which is reflective of the cost of rifles, it must be greatly reduced. We do not do that with the Department of Defense.

We have nuclear aircraft carriers that cost $4 billion and $5 billion. One nuclear aircraft carrier costs more than $4 billion. We recognize in modern warfare one has to have that kind of system. One F–22, talking about 20 some million dollars a piece, each time we make a mistake and fire one of these test rockets in our new proposed antimissile defense system, the mistake costs us $100 million. So in terms of defense and technology for the 21st century, we are ready to spend the money.

But when we start talking about education and schools, we want to go back to the Dark Ages, we want to go back to the horse and buggy era; and we think that 10 percent, 10 percent of the surplus is too much to dedicate to an increase in the education budget.

That is what the Congressional Black Caucus introduction, as I have just read, said we needed. It is a conservative request to say that if one has $200 billion, dedicate 10 percent of the $200 billion to an improvement in the school and education system. Invest in human resources.

Let us not think of schools as not needing that kind of money because, after all, it is only chalks and blackboards and low-paid teachers. Let us think of schools in the 21st century and all the kinds of needs that they face and be willing to invest at least 10 percent of the surplus in education.

Updating our Congressional Black Caucus alternative budget is a statement that we are preparing now to address to the leadership of the Democratic Party. We would like to at this point become more specific. Time has gone by. No one is addressing the request for 10 percent, half of which was to go to school construction. No one is addressing that. We are running out of time.

So we would like to go back and approach our leadership with a new request. The members of the Congressional Black Caucus are convinced that we are at a pivotal point in this 106th session of Congress and we are at a critical point in the history of our Nation.

For the first time in many decades, we have a Federal budget surplus, and we anticipate a significant surplus every year for the next 10 years. We have a window of opportunity to make positive budget decisions this year which will set a pattern for the next 10 years.

We, members of the Congressional Black Caucus, have already stated our general budget and appropriations priorities through the Congressional Black Caucus alternative budget which emphasized the need to use our surplus to invest in human resources.

Since the countdown for the endgame negotiations has now begun, we wish to state our priorities in more specific and concrete requests. First, we wish to state that we agree with the prevailing wisdom that a large percentage of the $230 billion surplus should be used for debt reduction.

Remember, I said we had now gone beyond $200 billion, and the conservative estimate now is that the surplus after we get through with the Social Security surplus, and it has its own lockbox, leaving that aside, we still have $230 billion surplus as a conservative estimate.

We agree that the greater portion of that ought to be used for debt reduction. Pay down the national debt. Why is it important to pay down the national debt? Because when we pay down the national debt, we eliminate the interest payment on that debt that happens every year. We have a huge amount of money that just goes into the budget every year to pay the interest on the money that we owe.

If we pay down the debt, we eliminate the need for the interest payment at such a large size, and the money that would have gone into the interest payment can now be put into the regular budget for meaningful and productive activities. Or we can continue to pay down the debt with the money we save. It makes sense to use a large part of it to pay down the debt.

We also concur that some portion of the allocation of funds from the surplus should be used to strengthen Medicare and to provide for prescription medicine benefit. We are in agreement. If we have $230 billion, then most of it should go to pay down on the debt, but not all of it. Because, I mean, who would make this kind of choice?

If one receives an income bonus, either one's stocks pay off well or better than one expected, one suddenly receives a bonus at one's house, one's family, and one of one's children is going to college, one can now pay for their college tuition without having to borrow money, would one pay one's mortgage off instead of paying for the tuition of one's child who is about to go to school? Or would one invest in that tuition for that child, let them go to school, and continue one's mortgage for a little while longer?

I mean, we do not rush to pay off debts because there is a great virtue in paying off all debts. In the system that we have concocted, sometimes it makes sense to have long-term debts while we invest in immediate priorities.

I always say now do not use all of the money to pay down the debt. Invest some of the money in human resources. Is it so difficult to understand that? We want to emphasize the need to use our surplus to invest in human resources.

Since the countdown for the endgame negotiation has now begun, we wish to state our priorities in more specific and concrete requests. We were talking about a round figure of 10 percent for education for school construction, and another 10 percent for other education improvements. We were talking about focusing on the priority of school construction but also having money recognizing the other kinds of needs that we have.

First, we wish to agree with the prevailing wisdom, as I said before, that a large percentage should go to pay down the debt. Secondly, however, we contend that, after these priority steps are taken, there should be a significant investment in human resources. At least 10 percent of the surplus should be invested in education, 5 percent for school construction, and 5 percent for other school improvements.

We propose that another 10 percent be invested in housing, health care, and social services in our Congressional Black Caucus alternative budget. For the benefit of the Nation, the Congressional Black Caucus still stands firm on the adoption of all of these proposals.

If we had 10 percent for education and 10 percent for housing, social services and health care, that is 20 percent. We still have 80 percent. Out of that 80 percent, we can deal with shoring up Medicare, providing a Medicare prescription medicine benefit, giving a tax cut, a tax cut starting with the people at the lower rung instead of at the top, and paying down the debt. We still have quite a bit of money left. So give us our 10 percent for education.

Since the hour is late and the negotiations have begun, we now find it

necessary to move from general concerns to specific emergencies. Within the African American community, education remains as our greatest emergency. This is a solution that makes it possible to resolve most of the other problems we face. Education remains as our greatest emergency, the solution that makes it possible to resolve most of the other problems we face.

I might add that the problems faced by the African American communities are not unique. Low-income communities, working families communities face similar problems all over America. So when I propose a solution for problems that we face, particularly in the areas represented by the members of the Congressional Black Caucus, I am proposing solutions that apply to much of America where working families live who are not necessarily African American.

Our crisis education situations require a systemic and well-targeted Federal emergency education initiative. Right now, we are weary of the ability to deal with the problem in the terms we state it. There probably will not be an overall 10 percent for education. The mechanism is not there.

The leadership in charge appears to be ignoring the polls and public opinion for a change. Very rarely are the polls and public opinion ignored. But in a case of the demand for more government support for education, it is very interesting how the leadership of both parties choose to sort of talk about the problem without committing resources equal to the public demand.

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So the public demand has to be louder. We need to hear more from the public. And I will talk about that in terms of school construction in a few minutes. But I think that we have to now think in terms of a Federal emergency education initiative to deal with the fact that, in general terms, the problem of the worst schools in America escalates. The problem in the worst communities, which need the greatest amount of help, continues to escalate. So we want a Federal emergency education initiative which directly addresses the most critical problems of the worst schools of the Nation.

While the larger national education problems are being considered, we must have an immediate intensified initiative to address the Nation's schools which serves populations where more than 50 percent of the students qualify for free school lunches or where schools are failing and their local systems or the State authorities are ordering that they be closed down because they are just not functioning. They do not meet standards that have been set. Those are crisis schools. They are in crisis situations. They are in crisis school districts. So we need an emergency initiative to meet the crises.

I am defining the crisis situation quite clearly. The school lunch program, children who qualify for the school lunch program, are the poorest children in America. We have used that as a benchmark for measuring how funds are allocated by the Federal Government. The E-rate, for example, the most recent and most creative allocation of national funds, is done on the basis of the number of children who qualify for free school lunches. A school where 90 percent of the children qualify for free school lunches can get a 90 percent E-rate discount; where less qualified, the E-rate goes down. So the discount for the E-rate is less in the schools that are a little better off, and the wealthier schools of course can get a 15 percent standard discount, but no greater than that in the areas where the schools are serving students who do not qualify at all for the school lunch program.

So for crisis situation schools we need a Federal education initiative, and that initiative should contain the following components:

One major component has to be accelerated school construction and modernization. We must move faster to relieve our school systems of the burden of some of their cost for school construction, school repairs, school modernization. We must do that.

I regret to report the fact that there seems to be this determination, a dogged determination, to ignore school construction needs, not only here in Washington, but a dogged determination in State governments and in city governments. Certainly New York is an example of a situation where 2 years ago the mayor of the City of New York had a $2 billion surplus. $2 billion is not like $200 billion, but for a city to have a surplus of $2 billion is significant, especially since this city has seen hard times and we have had deficits and had a brush with bankruptcy at one point in the last 20 years. So to have a $2 billion surplus was a great window of opportunity for the city.

Not a single penny of that surplus was spent on school repairs and school construction. Now, this is in a city which at that time had more than 175 schools that were still burning coal in the school furnaces. We have something like 1,200 schools in New York, and 175 are so old or neglected that they still have furnaces that burn coal. This is in a city where the air already is polluted enough; in a city where asthma is a major problem. We still burn coal in some of the school furnaces and not a single penny of the $2 billion surplus was allocated by the mayor of the City of New York to assist with school repairs.

Not a single member of the city council, certainly no member representing part of my district, spoke up. Some of them, who are quite friendly with the mayor of the City of New York, did not speak out against the coal-burning furnaces in our district. They did not say, look, we ought to use some of this money to get rid of the coal burning furnaces. We have a situation where children are placed at risk. Certainly if they have asthma, it is aggravated by the fact they go into a situation where there is coal dust in the air. Coal dust is in the air no matter how good the filter situation is.

I know this is true because the first house I ever owned was a house that had a coal burning furnace, and we had all kinds of filters and did all kinds of cleanup, but the coal dust still got through and the coal dust was there. I was very happy to replace that coal-burning furnace with a gas-burning furnace because just the battle with the dust was enough to merit a movement as fast as possible away from a situation with a coal-burning furnace.

When we have hundreds of children who go to school every day throughout the winter into a situation where they are placed at risk by coal-burning furnaces it ought to be declared an emergency. We ought to have both the city and the State, as well as the Federal Government, moving as rapidly as possible to remove those remaining 175 coal-burning furnaces.

I am told by the school construction authority that, as a result of our agitation for the last 3 years, they now have a schedule whereby by the end of the year 2001 all of the coal-burning furnaces will be eliminated. Now, they will be eliminated after having existed for all these many decades since the invention of better, more efficient oil-burning and gas-burning furnaces. But this is an emergency which is ignored by public officials.

Yet this is only one of many emergencies related to the problem of school construction. We need funds at every level to go into play and to deal with basic problems that schools face. I do not ever represent school construction as being the only problem or the only priority that our schools face. The training of proper teachers, certified teachers, science teachers, math teachers, that is a problem equally as important; and I do not want to downplay that. Having decent laboratories in schools and decent libraries, there are many priorities.

But I do point out the fact that the school building, the edifice, sends a message like no other component of the education system sends. It says to the children and it says to the teachers and the community that the people who are in charge, the elected officials who make decisions, whether they are Congresspeople or city council people or State legislators, the people who make the decisions care. It is a highly visible statement.

If a school no longer has a coal-burning furnace, it meant that we cared about the situation enough, we cared about education, we cared about the students. If a school is not overcrowded to the point where classrooms have to be held in the hallways or in closets converted into classrooms, or there is a situation where the children have to start eating lunch at 10 a.m. in the morning because the students have to be cycled through the lunchroom because the lunch building that was built

for 500 children now has 1,500. There are schools that must have three or four lunch periods and the first lunch period begins at 10 a.m., when the child just had breakfast.

Now, some of my colleagues might say, well, that is an unusual situation; why should I talk about an extreme situation. Well, if a survey were to be conducted in any big city in America, we would find similar things are happening; and it happens in New York City on a large scale. There are a large number of schools where children have to eat lunch at 10 a.m. in the morning. And yet we are in a situation now where we have surpluses at the State level, surpluses at the city level, and surpluses here in Washington.

I would like to say to every parent listening, or every decent citizen listening and who knows a situation where children are being forced to eat lunch at 10 a.m. in the morning, just after they have had breakfast, I would like to see our sense of decency and fair play be brought to bear on this outrageous practice. It is child abuse to force a student to eat lunch before 11 a.m. in the morning or after 1 p.m. Those who eat after 1 p.m. are hungry; those who eat at 10 a.m. do not want to eat breakfast. They are not hungry. They are being force-fed. That is child abuse.

We have accepted this as a routine, ordinary part of getting through the school emergency situation in New York. The school space emergency situation is like routine now. Every year they announce, well, we are 26,000 or 20,000 seats short. That happens at the beginning of the school year and we wonder, what happened; how did they deal with the problem? Well, somehow they crammed them into hallways, they crammed them into closets, they put them into situations where they have to eat lunch at 10 a.m. in the morning. They come to grips with the problem. They solve the problems by dehumanizing the children.

So every parent, every decent human being in New York City should do all of us a favor by rising up and saying, look, we will not tolerate this kind of child abuse any more. Join us in a court suit. Let us go to the health department. The health department regulates day care centers and Head Start. They have tight regulations on what happens in facilities that serve children, but they put a waiver on the board of education. They have nothing to do basically with the operations of the board of education and the schools.

So many kinds of horrendous things happen in respect to school space, ventilation and, in this case, the actual serving of lunch, which would not be allowed to happen in a day care center or Head Start center. We should not tolerate it any longer.

For those people down here in Washington who are now pushing aside all discussions of school construction, school repairs, and are genteelly talking about everything else in education, but who refuse to recognize that there is a need in the area of school construction, I say that they are part of the problem of forcing this child abuse situation where we are forcing children to eat lunch just after they have had breakfast. These people must bear part of the blame. They may not be as bad as the Romans, who were feeding the Christians to the lions at a time when they had great prosperity and a high civilization, but they are guilty of something on a smaller scale that I think their grandchildren would not be very proud of.

We have the money, we have the wealth, we have a surplus, we can deal with the problem of school construction. If the Federal Government were to give a portion of the money, it would stimulate and force the State governments and city governments to do more. We could eliminate these major problems of school overcrowding. We could eliminate that in the next 10 years. We have the resources to do it. So let us stop the child abuse. Do not force students to eat lunch, and parents should be indignant, and everybody else indignant, about that kind of child abuse.

A second problem is that the outdoor and inside pollution caused by coal-burning furnaces constitutes a direct threat to the health of all children, and teachers too. Children with asthma are particularly placed at risk in these situations, in a city with an asthma epidemic. The mayor of the city, a little more than a year ago, had a special asthma initiative. And they are so cruel, so much like the Roman politicians, because they deliberately never mentioned coal-burning furnaces as part of the problem. That was not an accident.

There are coal-burning furnaces in schools. If they draw the map of where the largest concentration of asthma cases are, where the asthma epidemic is, we can see the overlap with the places where we have the schools with the coal-burning furnaces. Any intelligent person can see the correlation, but the correlation was not recognized deliberately. Many articles in the newspapers were written, but nobody wanted to offend his majesty in city hall so they never said coal-burning furnaces are part of the problem, Mr. Mayor. Why not appropriate some money to get rid of coal-burning furnaces?

We are part of the problem if we do not take the initiative now and use some of the funds we have here. Whose money is it, the $200 billion surplus? Does it belong to the Federal Government? My friends on the other side are telling us all the time it is the people's money. All taxes are local. All funding of government comes from the local level. We want to give it back. It is not a great act of generosity by the Federal Government to make money available for school construction or any other local purpose. It is one way we can help education without becoming involved, without being accused of trying to take over the decision-making process at the local level.

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It is a capital expenditure, school construction. Go in, give the money, and oversee the process of getting the building going and get out. You do not have to stay around to interfere with operational decisions of the school board. Just help with the immediate physical infrastructure problem.

Item three: the departments of government should fully enforce all health and building codes in school buildings and no waivers should be granted.

Along with coal-burning furnaces, which should not be allowed by the health department in schools, you have many other violations. There was a survey done with the help of the United Federation of Teachers. The teachers union pushed for a survey. And every school building in New York has been inspected and there is a record of violations, a computerized record of violations. And many of them have numerous violations which, if they were not schools, they would be forced to immediately make the repairs or close down.

So we elected officials, members of government, decision-makers are part of the problem if we allow these violations to continue to exist jeopardizing the safety and health of children in our schools.

We also have a problem with school libraries and laboratories and facilities which allow children to really get the kind of education they need.

The Board of Regents of New York State, like many other State bodies, have established certain standards and no child will be able to graduate and receive a diploma of any kind. They used to give a general diploma. If you did not pass the mathematics, the science and the English and the couple other regents tests, you got a general diploma. Well, they have decreed that no child will get any diploma if they do not pass certain Regents tests.

Among those tests is a Regents science examination. We ought to postpone, eliminate the mandated Regents science examination required before a student can qualify for a diploma unless and until we have all high schools equipped with laboratories where they can have real science teaching take place.

Science teachers will tell us now that theoretical science teaching, teaching only through theory, is not complete science instruction; you have to have laboratories. And yet, if you do not have the physical facilities, you use these old buildings which if you probably installed a decent laboratory, something will malfunction. They will catch fire or blow up.

They do not have the wiring or the ventilation. They need in many cases totally new buildings, or they need massive renovation in order to have a decent science laboratory.

We are enforcing standards and we are dumping on the students' backs the

responsibility of learning while we do not want to use valuable resources. The dollars are here. The money is here at the Federal level and at other levels, and we want to ignore it. I am not sure why. Some people say because the majority of the Members of Congress, their children are either in private schools or they are in suburban schools, which are very well taken care of. They do not have construction repair problems.

I hate to believe that my colleagues do not accept the responsibility for all the schools and all the children in the Nation. At a time when we have the resources, I hate to believe that they turn their back on a portion of the population which very much needs to have an investment in their education.

We have shortages of all kinds. Everybody is complaining about information technology shortages; we do not have young people who can actually fill the jobs. In the information technology industry, we do not have the people to do the computer programming, and we are importing people from outside.

On the floor of the Congress, we are going to have a discussion of H–1B which lifts the quota for the number of professionals who can come into the Nation because we need those professionals from outside the Nation to fill the jobs.

And on and on it goes, the discussion which ignores the simple fact that, in the long run, we have to train our own population, we cannot rely on school systems of foreign countries to provide us with the manpower, with the professionals or any other degree of manpower in this digitalized economy that we need.

So let us invest and let us have the broad view, the compassion necessary to see that, in our inner city schools, in our schools which serve the poorest youngsters. And there is a correlation between the construction problems and the schools which have overcrowding and the schools which do not have laboratories the schools which have the least number of certified teachers, the correlation is always in income.

The low-income schools, where the parents have the least education and the least ability to deal with the system, they are always the ones who have these problems.

Another item: the use of trailers in school playgrounds. The use of trailers in school playgrounds to relieve overcrowding should be limited to situations that are temporary substitutes for buildings under repair or in the process of construction. We should become indignant. Everybody out there should look at those trailers, and sometimes they have been around 10 years or more, and say that this was supposed to have been a temporary solution.

Children should not have to go to school in trailers. They should not have to be in situations where in the winter time, in order for them to go to the bathroom, they have got to come out of the trailer and go into the main building. They should not be in situations where the ventilation and the situation is not up to par in terms of the square footage necessary to accommodate a full class of children.

We should become indignant about the continuation of an emergency use of trailers when we have a $200 billion surplus. The mere dedication of 10 percent of that will allow us in 10 years to wipe out these kinds of problems.

Teachers for the classrooms is another program that we have emphasized greatly. We want to reduce the ratio of children to teachers. We want teachers to have smaller classes. All of us are in favor of that. I never heard of a Republican or Democrat against teachers having smaller classes.

But there is a racketeering process set in the inner-city communities, certainly in New York City. We have taken the money to reduce the ratio of children to teachers, but since we do not have the classrooms, it is not happening. Sometimes they put in an additional teacher, an additional teacher goes into a crowded classroom. That is not what we meant. And you do not have the kind of teaching taking place when you have children crowded into a classroom, even though you have a second adult. That is not what is meant.

We are spending large sums of money for teacher development or a number of other kinds of options that are in the law which they can take, while they stall on the basic problem of getting more teachers into the classroom.

You cannot get classrooms that have smaller class sizes unless you build more classrooms or renovate classrooms. Teachers for the classroom funding ought to be used to lower the ratio of students to teachers within separate classrooms, not for the assignment of a second teacher to a crowded classroom or for some other auxiliary purpose. More classrooms must be made available.

Otherwise, the number one item in our program, in our platform of teachers to the classroom, which we all are proud of, that item is sabotaged and we are really not honest about what we are doing.

Finally, accreditation should be denied to any school which lacks an adequate physical infrastructure. I talked about laboratories. But the playroom space, the gym, all these things are part of the experience necessary to educate young people.

Substandard and nonaccredited school buildings ought to be closed. We ought to create a crisis. Instead of continuing to accept these half measures which are dangerous to the psyche of kids as well as to their physical bodies, let us wage war on our own decision-makers. Let us understand that it is possible that we can make real blunders here and have blinders on. They are blinders which say school construction, that is too radical, anything related to school construction will give the impression that we are big spenders; and we do not want to be accused of being big spenders.

It is all right to have $4 billion for an aircraft carrier. It is all right to spend $218 billion for highways and roads over a 6-year period. But do not talk about school construction $10 billion a year. Do not even talk about $2 billion a year.

I want to applaud the President for at least putting $1.3 billion in the budget that he proposed. But since he proposed that, there is very little discussion. As we get closer to the end-game negotiations, I do not hear any discussion about the $1.3 billion direct appropriation in the budget that the President proposed.

All I hear about is the $25 billion that is being proposed in the Committee on Ways and Means to loan. We have a proposal that $25 billion would be available. The Government is willing to pay interest on up to $25 billion. So a local school district or the State can borrow money, and we will pay the interest. Rah, rah, rah.

We have a $200 billion surplus, and all we are willing to do is to pay between $3 billion and $4 billion in interest or money borrowed by the local governments.

Will it help New York City and New York State? Not likely. Because you have to have a school bond issue on the ballot. People have to approve the borrowing of money to build schools before you can borrow the money. And there are other places in the Nation with similar problems.

I am all for what is now called the Rangel-Johnson school modernization bill. I am one of the cosponsors. And we should go forward with it. But it is only a small part of the problem. It can help districts which are able to use borrowed money and use it rapidly, but do not have to go through a process of taking it to the voters. We have turned down in the last 10 years two bond issues that might have helped schools.

So we need direct appropriation. The Congressional Black Caucus would like to specifically request that we have more direct appropriation to be allocated to the schools in crisis situations. That is the schools that are serving large numbers of low-income youngsters who qualify for the free lunch program and the schools that are being closed down because they are not functioning properly.

There is a crisis. There is a crisis out there, and we need to rally to meet that crisis. We should not allow future generations to look upon the situation we face now when we have a golden window of opportunity, a $230 billion surplus and we are so blind, so hard-hearted, so mean-spirited, so whatever that we cannot see the need to invest in students and young people.

What other reason is there to not set aside a substantial portion of a $230 billion surplus for education?

Substantial is conservative. We talked about we are asking for 10 percent. Ten percent of $200 billion is $20

billion. Ten percent of $200 billion is $20 billion. Over a 10-year period, 10 percent is $200 billion for school construction and other education improvements.

Why are we going to pass up this opportunity and be guilty of history saying that we were no better than the great Romans? We had the technology. We had the economy. We had the military might. Rome was really a village compared to the United States of America at this point in history. There is nothing that has ever existed like the United States of America colossus. We are a colossus.

Given all of this, how can we not make an investment in every human being out there? The human investment is the key now. Brain power drives everything. Brain power is obviously the kind of power that sustains us now and will carry us into the future. Let us at least have the vision to make the investment in the brain power.

There are alternative education proposals being proposed by the Republican candidate for President and the Democratic candidate for President, the leadership of the House. All of the general outlines and the general plans that are being set forth we cannot quarrel with; we applaud. Most of the approaches on both sides are approaches that address serious problems related to education in America.

The problem is priorities. The problems is seeing an emergency. The worst schools in America should not be deserted. The worst schools in America should not be abandoned as we prepare plans and we allocate resources for education. The worst schools have to be dealt with first.

If we solve the problems of the worst schools and we deal with the challenges that are faced by the worst school systems, then we are in a position to deal with all the others. They become much easier. If we solve the problems faced by the worst schools, we also recoup the lost resources that we face as those youngsters fail to enter into the stream that carries them through high school graduation into higher education institutions.

We need improvements of all kinds. The Congressional Black Caucus will be proposing to the leadership in the next few days as we move into the finality of the end-game negotiations that we examine not only the school construction, which is the first priority, but Pell Grants need to have more money. We need a technical research center for Historically Black Colleges and Universities. Teacher recruitment needs more funds. Training and the certification of teachers is still a major problem. The 21st century learning centers, the after-school centers, we need more of them. In our crisis, school districts, every district should have some of those learning centers.

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They should not be allocated on the basis of competitive grants but allocated on the basis of need. We should have more money, produce more centers and allocate them on the basis of need. We are firmly convinced that a demand of this kind is in the interest of all of America. If you address the problems that are the worst problems, you will certainly be in a position to solve all the rest of the problems. Construction should not be pushed off to the side and abandoned as an undesirable activity because it might cost money. It will cost so much more to build prisons in the future, to build correction facilities in the future. It will cost so much more to have to compensate for the waste of human resources that will result from our failure to educate those who are in greatest need.

I would like to end by saying we are at the end of a process we started when we covered the Congressional Black Caucus alternative budget. Our priorities are the same. We would like to zero in and talk about specific dollar figures for school construction in the communities where they have the greatest need. If you are not going to do it for everybody, at least we should do school construction in the communities with the greatest need. At least we should have an aggressive program for teacher training, teacher recruitment and certification of teachers in the communities with the greatest need. If we are not going to address the education problem generally as we should address it, at least we insist that you focus the dollars that are available through the surplus on the schools which have the greatest need. We can do no less.

NIGHTSIDE CHAT

The SPEAKER pro tempore (Mr. STEARNS). Under the Speaker's announced policy of January 6, 1999, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. McINNIS. Mr. Speaker, again another nightside chat. I have two very important subjects that I want to address with my colleagues this evening. The first subject is going to be Wen Ho Lee. That is a name that is familiar to all of you. He is the gentleman, and I can tell you that I stretch the words when I utilize the word ''gentleman,'' you will follow me a little later on, out of New Mexico who was arrested by the FBI at Los Alamos lab. I intend this evening to tell the other side of the story of Wen Ho Lee.

The second thing, of course, is a complete shift of agenda. I want to talk about Social Security and the obligations all of us have to the future generations on saving Social Security, on doing something about Social Security that is going to make a difference for these generations, on doing something about Social Security so that Social Security is there for these future generations, on doing something about Social Security so that those young people, the generations behind those of us who are midlife in our working careers, so that those people have some kind of voluntary choice, some kind of voice in how their investments are made, so that they can get a return better than the 1 percent return that most of us on Social Security will experience under today's program.

But first of all let me begin with Wen Ho Lee. The last few days have been amazing to me in the press. In fact, the last month. I used to be a police officer. My district is in Colorado. I used to be a police officer out in Colorado. So I do have kind of a law enforcement slant. But through my years of law enforcement and also through my years in the practice of law, especially the areas where I did family law, I found out something pretty interesting in my early career. It is kind of like if you have a small child that comes up to you, you have two kids, two small children that have gotten in a fight with each other. The one child comes up to you and explains their side of the fight. They tell you what in their mind is the truth. Then the other child comes up to you and tells you their side of the story which is exactly contrary to the side of the story that you just heard but in their eyes that is the concept of the truth. In other words, the truth usually is out there and there are almost always, and I learned this time after time, when I would arrive at the scene of an accident or at the scene of a fight or at the scene of a domestic dispute, I always found that when I first got there, most of the time you better listen to the other side of the story because most of the time the facts are not as they appear upon first arrival. That is exactly what has happened here.

In the last few days or the last month, I have almost been sickened by reading some of the national media that makes Wen Ho Lee, this gentleman right here, sound as if he is a martyr, makes him sound as if he is a hero. And these news media reports and some of the people, one of the things they like to jump up and they play the race card. Forget it. It is not going to work in this one. They play sympathy. ''Well, he was picked upon. The poor guy was abused.'' Forget it.

You better listen to the second side, the other side of the story. How easy it is to trash the FBI and trash the Attorney General. I can tell you I am no fan of the Attorney General, but in this case the Attorney General is right. In this case the Federal Bureau of Investigation is right. I stood on this floor in front of you as one of the harshest critics of the Federal Bureau of Investigation as a former police officer when they goofed up at Ruby Ridge which in my opinion was one of the darkest black eyes that the FBI has given to law enforcement in law enforcement's entire career in this country.

So I think I approach this from a fairly impartial view. I criticize the FBI when I think they should be criticized. I am not a fan of the Attorney

General, Janet Reno, but on the other hand when they are right, we ought to stand up here and talk about it. What we are doing is letting the media get away with what I think is one of the most atrocious incidents in recent history.

At the beginning of my remarks, I told you how I wanted to address today Social Security and future generations. If you want to talk about something that is going to have an impact on future generations, wait till you hear my story today about what this gentleman's contribution is to future generations.

The question is here, who is the victim? That is the newest concept. I used to practice law as I mentioned. There are a couple of ways that you defend a client who is guilty, who you know is guilty. First of all you try and point out that the client, really the defendant, the person that you are defending did not intend to commit the crime. And if that does not work, then what you do is you attack the witnesses. You try and show that the prosecution witnesses are biased or somehow they are crooks themselves or they are not worthy of their testimony. And then the third approach you do in trying to defend somebody is make your client look like the victim. My client is the victim here, not the person that got raped or murdered or shot or burglarized. My client is the victim. Look at how abused they were in their childhood, look at all of the things they did out in our society and this is what caused him to commit that kind of crime. That is exactly what has happened in the last few days or in the last month. This guy is being victimized. This is the victim.

Wait till you hear my story. I am going to bring you out the other side of the facts on this. My question, my comment is here, who is really the victim? Is it Wen Ho Lee? Or is it us, the United States? Is it us, the citizens, our future generations? I advance to you this evening that the victims in this particular case are not the defendant, the victims in this case is the United States of America and all future generations of the United States of America.

Let us start with some facts. First of all, as many of you know, Wen Ho Lee was a scientist who had access to the most secret nuclear information and material we have in this Nation. He had one of the most trusted positions that we divvy out, so to speak, in our government. He had access to the basics and the fundamental scientific knowledge and the construction knowledge and the practical knowledge of the most devastating weapons known in the history of mankind. We do not just willy-nilly give out that kind of access. Why? That is self-explanatory. We all know in this Chamber what will happen if that information gets into the wrong hands. We know, too, that if that information gets into the wrong hands, that is one weapon, just one weapon is all it takes, but you can make numerous weapons. But that weapon alone is a weapon that could destroy the United States of America. It is the only weapon in existence we know of today, nuclear capabilities, maybe some biological but primarily nuclear capabilities are about the only weapon today that could destroy the destiny of the United States of America. I cannot emphasize on my colleagues enough the importance of the secrecy of this information that we have in the Los Alamos lab. And this gentleman, this guy right here, Wen Ho Lee, he was entrusted by the American people to keep those documents secret. And now some of the very people who, in my opinion, he has betrayed, and I use that word with some caution, I do not typically stand on the floor of the United States House of Representatives and talk about betrayal by a citizen but I am telling you today, that is what has happened.

Let us go into some facts, the other side of the story. As Paul Harvey would say, now it is time for the rest of the story. These quotes, by the way, are a direct testimony, given under oath, in front of the United States Senate by the Director of the FBI and by the Attorney General. Let us go over some facts about this scientist, Wen Ho Lee. It is critical to understand that Wen Ho Lee's conduct was not inadvertent. It was not careless. And it was not innocent. Over a period of years, Lee used an elaborate scheme to move the equivalent of 400,000 pages of extremely sensitive nuclear weapon files from a secure part of the Los Alamos computer system to an unclassified, unsecure part of the system which could be accessed from outside of Los Alamos, indeed from anywhere in the world.

Another additional fact here. At one point in time, this scientist, while he was overseas in Taiwan, tried to access this equipment. We have it on the computer. We traced it through on the computer. What are we talking about here? What this fellow did is that kind of information is highly classified obviously and on the computers there are indications that give you the different levels of classification. The classification for this material is highly top secret or whatever classification they use, they call it the X information, so it was classified as X information.

Wen Ho Lee used a very methodical method to move the classification as top secret or as an X file, to remove that from the designation and replace it with a nonclassified designation. So, in other words, he made top secret material look like it was not top secret, that it was regular material. Then he moved it onto his computer and then he accessed it and made copies of that kind of thing. To move a document from highly classified or top secret to nonclassified, it does not happen by a bump of an elbow or you push the wrong button on the keyboard. It takes several coordinated, sophisticated steps.

We know that Wen Ho Lee, in fact, for a long period of time failed in his attempts. He had to work his way through, which he did by experimentation until he mastered how to take top secret classification heading, take it off the document and put a nonclassified documentation on there so then you could move the documents without suspicion. And 400,000 pages. That is the equivalent of what he transferred out of top secret; 400,000 pages of the most sensitive secret nuclear weapon material that this government possesses. Yet some people are out there trying to make this guy look like some kind of martyr or that he has been picked upon by our government or that somehow it is abusive for us to go and accuse him of being a spy or make these kind of accusations.

By the way, he is a felon. There is no mistake about it. He is not an accused felon. He is a felon. Keep that in mind. In order to achieve his ends, Wen Ho Lee had to override the default mechanism. He had to override them, an intentional movement that required several steps that were designed to prevent any accidental or inadvertent movement of those files. His downloading process consumed nearly 40 hours over a period of 70 different days.

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So do not let anyone tell you when they arrive upon the scene of an accident that this transfer of material was inadvertent, or that it was an oversight, or that this scientist did it by pushing the wrong button. These systems are built for fail-safe, so that that kind of thing does not accidentally happen.

Let us go on. Nor was this all. Wen Ho Lee carefully and methodically removed classification markings from documents. He attempted repeatedly to enter secure areas of the Los Alamos labs after his access had been revoked, including one attempt at 3:30 in the morning on Christmas Eve.

Now, imagine, every one of you in here, what were you doing at 3:30 in the morning on Christmas Eve? Were you trying to use a stairwell to get up to an office here in the Capitol? Those are what we call burglar hours. The only people up trying to gain access at that time in the morning, generally you have to be a little bit suspicious about what is going on. And on Christmas Eve, most people are home with their families on Christmas Eve.

It would be highly unusual to see somebody trying to enter into an area of which their access had been revoked, of which they were denied access to, highly unusual to see them all of a sudden at 3:30 in the morning going up a stairwell trying to gain access to a top secret area.

Let us continue. He deleted files in an attempt to cover his tracks before he was caught.

I am going to go over that in a little more detail too. I have a chart here.

We are going to go to this chart, and I will show you what happens when this fellow fails a lie detector test. I will tell you what happens when the FBI presents him with evidence.

Primarily what you are going to see is once he figures out they are on top of him, then he tries to get back in there and coverup his tracks by erasing files.

Let us go on. Wen Ho Lee created his own portable secret library of this Nation's nuclear weapons secrets. My gosh, do you see what I have just said? Look at this. A citizen creates his own library, his own personal library, of the Nation's most sensitive nuclear weapons secrets.

Now, does that sound like an innocent bystander to you, somebody is out on Saturday afternoon putting together a butterfly collection? This is serious stuff.

Let us go on. He stood before a Federal Court judge and admitted his wrongdoing and pleaded guilty to a felony. Contrary to some reports, there is nothing minor or insignificant about that crime.

It amazes me that the media and some of the people that I have talked to think that, well, he just pleaded guilty to something totally insignificant, that this poor guy is being picked upon.

The restricted data that Wen Ho Lee downloaded into 10 portable computer tapes included, listen to this, included the electronic blueprints of the exact dimensions and geometry of this Nation's nuclear weapons.

Does that sound like a guy that has been picked on to you? That does not sound that way to me.

There are always two sides to a story. Let us go on with this side of the story.

Here are the steps that are required to download and create tapes. So any of you out there that think, well, this was innocently done, or, you know, it was a distraction, or, you know, he just wanted to experiment, keep in mind 400,000 pages, that is what the equivalent is. Let us talk about the steps to move this over, partition it from classified to nonclassified, download and create tapes.

First of all you have to log into a secure computer system by entering a password and a Z number. You then need to access data in red, which means secure, partition, then hit save, and then CLU equal U, classification level equals unclassified. Then you need to access the C machine and type commands. There are numerous commands that you have to type in to down partition from a secure partition to an open, unsecure machine. You then access that machine to save the data into a green unsecured directory. Then you have to log on to a colleague's computer outside of the X division. Remember, X division is top secret. That is the highest secrets of the Nation. You have to then access outside the X division and insert a tape into the tape drive. Then you access the open directory and copy files on to the portable tape.

In other words, the purpose of that chart right there simply is to tell you, hey, this guy knew what he was doing. This was not some country bumpkin in there playing games on a computer. He knew exactly what he was doing. Not only did he know what he was doing before he was caught, he built his own library. By the way, you will find out later in my discussion a good portion of this library is missing. It is gone.

Now, the guy who lied to us, the guy who tried to evade the truth and who tried to cover his tracks, now tells us, ''There is nothing to worry about, I erased them. They are erased. You don't have to be concerned about this.''

This gives you an idea of what intentionally was required for him to complete his mission.

Let us continue. Wen Ho Lee worked for the X division, which I explained earlier as the top secret division at Los Alamos Laboratory. The X division is responsible for the research, design and development of thermo-nuclear weapons and requires the highest level of security at any division at Los Alamos.

X division scientists most familiar with the downloaded information, so we went to other scientists and said you are familiar with this information that has been downloaded by Wen Ho Lee. Let us talk about it. These scientists would have testified that Wen Ho Lee took every significant, every, he did not miss anything, every significant piece of information to which a nuclear designer would want access, every key piece of information.

He did not just pull up one little piece of information that looked cute and thought this would be kind of fun to experiment with. Every piece of information that was necessary for research, design and development of thermo-nuclear weapons, he changed classification and he downloaded it into his own personal library. And not only did he download into his own personal library, he tried to access the official computers from overseas, and he took copies of his library, and now he claims he has lost it or the files were deleted, he went ahead and erased them because he did not want people to get access.

Before Wen Ho Lee created these tapes, and this is so important, this is so important, before Wen Ho Lee created these tapes, only two sites in the world held this complete design portfolio. Only two sites in the entire world had that information; the secure computer inside the highest security division at Los Alamos and the secure computer system inside the highest security division of another one of our national laboratories. We only had that information in two places in this country.

Now, somewhere, we have got three locations, thanks to Wen Ho Lee, who some people out there are calling a martyr. Some people are saying he has been victimized by an overzealous FBI or an overzealous Attorney General. You are going to get to make the decision.

The first poster I put up had a question mark on it, because I wanted my colleagues at the end of my comments today, you decide, is he the victim, or is the United States of America the victim?

Let us go on. It was not a simple task for Wen Ho Lee to move files from the closed to the open system. The CFS tracking system reveals that Wen Ho Lee spent hours unsuccessfully trying to move classified files into unclassified space, meaning he could not quite get it down. So he worked on it. You know, practice makes perfect.

He practiced on it, and he practiced on it. He would get a step, and over time he got these steps down so he could figure out to a very calculating move how to move material that has been labeled classified to material that is now labeled unclassified.

Wen Ho Lee eventually worked his way around what was designed to be a cumbersome process. By design it is complicated, so this kind of thing is very tough to do. Wen Ho Lee had to command the computer to declassify the files, when he was well aware that the files contained some of the most sensitive classified information at Los Alamos.

Nuclear weapons restricted data downloaded by Wen Ho Lee into portable tapes. Let us go through it again very quickly.

These weapons restricted data downloads, input deck, input file information, so this is some of the material that he downloaded. This is material that this scientist downloaded, switched from classified to nonclassified. The electronic blueprint of the exact dimensions and geometry of this nation's thermo-nuclear weapons, including our most sophisticated modern weapons or warheads; data files including, these are some of the files that he took, nuclear bomb testing protocol, libraries reflecting the data collected from actual tests of nuclear weapons. Next, data concerning nuclear weapons bomb test problems, yield calculations and other nuclear weapon design and detonation information.

Next, information relating to the physical and radioactive properties of materials used to construct nuclear weapons. Source codes that he downloaded. Data used for determining by simulation the validity of nuclear weapon designs and for comparing bomb test results with predicted results.

Let us move on. There is more to the story to come.

This is a quote. Of everything I say this evening to you, this is probably the most important. ''And make no mistake about the scope of this offense and the danger it presents to our Nation's security.'' As an expert from Los Alamos testified in this case, ''The material downloaded and copied by Wen Ho Lee represented the complete nuclear weapons design capability at Los

Alamos at that time, approximately 50 years, approximately 50 years of nuclear development.''

Fifty years, the most sophisticated data we have and 50 years of accumulated data. We had an expert to come in, his name was Dr. Yunger, listen very carefully. I will read it very slowly, because each word has its own meaning in a very substantive way.

''These codes,'' the codes that he downloaded, ''these codes and their associated databases and the input file, combined with someone that knew how to use them, could, in my opinion, in the wrong hands, change, ''change, the global strategic balance.'' Change the entire global strategic balance.

That information that this so-called picked-upon scientist, that this scientist that people are trying to point out as a victim, the information he moved out of our top secret laboratories could change the global strategic balance.

This is serious stuff. You talk about the next generation and future generations? Tell me how much you want to thank this guy for what he has done for our future generations in this country.

They enabled the possessor to design the only objects, and let me repeat this, they enable the possessor to design the only objects that could result in the military defeat of America's conventional forces. They enable the possessor, whoever has this material, can now design the only weapon known that could completely destroy the American conventional forces.

Let us go on. The only threat, for example, to our carrier battle groups. They represent the gravest possible security risk to the United States, what the President and most other Presidents have described as the supreme national interests of the United States. The gravest security risk to the United States of America, and we have newspapers in this country saying, well, this guy was picked upon.

Let us move on, because we got more of the story. Let us talk, for example, about what chronological events concerning this individual occurred.

Let us, for example, take a few days, significant events between December 23, 1998, and February 10, 1999. On December 23, two days before Christmas, 1998, at 2:18 in the afternoon, the Department of Energy polygraph of Lee is completed. They gave him a polygraph that day. They completed that polygraph.

At five o'clock, he was advised by his superiors that his access to the secure areas of the X division, in other words, the top secret compartments at Los Alamos, his access was yanked to both his secure and open X division computer accounts. They suspended it. They said you cannot go in the X area any more. Your computer files, you are not to access them any more. Pretty plain English. Very understandable. Your rights to go in there are suspended. Do not go in there.

At 9:36 that evening, mind you, he worked all day, at 9:36 he reappears at the lab. He makes four attempts, four attempts, to enter the laboratory, the secure area of X division, through stairwell number two. Apparently they have caught him on camera. At 9:39, three minutes later, he again attempts to enter the secure area of X division, but this time trying the south elevator. So he tries four attempts one direction, cannot master it there, so he comes up and now tries it through a different approach.

The next day, December 24, this is Christmas Eve, at 3:30 in the morning on Christmas Eve, 3:30 in the morning on Christmas Eve, he again shows up at the laboratory. He again attempts to enter a secure area of the X division through the south stairwell, number two. December 24th through January 3rd, Thursday through Sunday of that week, Thursday through Sunday of that week, Los Alamos is closed for the holidays.

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So the entire laboratory is closed down for the holidays. Remember, Christmas Eve morning, 3 o'clock in the morning, here he is trying to gain access to an area from which he was specifically instructed he was suspended. He was not allowed to enter that area. So during these few days that the lab is closed for the holidays, look what Dr. Lee does.

On January 4, 1999, Monday, he succeeds in having his open computer account reactivated and deletes three computer files. On January 12, he deletes another computer file. January 17, the FBI conducts an interview of Lee at his residence. On January 20, from 11:00 to 12:00, he attempts to delete 47 computer files after the FBI interview. He immediately goes and deletes 47 computer files.

On January 21, he asks the computer Help Desk why files he is deleting are not going away. On many computers, on those computers down there, they have kind of a Help Desk where they can log into and ask for directions how to work the computer. Any who are computer literate know what I am talking about. It is a service there to help them work their way through it. So he asks the computer help desk, he is trying to delete these files, why they are not deleting.

At 10:46, he attempts to enter the secure area of the X Division through Stairwell 3. On January 30, at 2:54 in the morning, almost 3 o'clock in the morning, Los Alamos officials deactivate Lee's open computer account in the security area of X Division after discovering that it has been improperly reactivated. At 4:52 in the afternoon, Lee attempts once again to enter the secure area of the X Division through the south door.

On February 2, Lee attempts to enter a secured area of the X Division through the south door, 9:42 in the morning. In the afternoon, he attempts to enter the secure area of the X Division through the south door. At 1:46 that afternoon, he makes four more attempts to enter the secure area of the X Division through the south door.

On February 8, the FBI contacts Lee and asks him to meet with them to discuss conducting an interview and another polygraph. Right after that, Lee attempts to enter a secure area of the X Division once again. At 4 o'clock, the FBI meets with Lee and arranges for an interview and a polygraph over the next 2 days. 6:30 that evening, he attempts to enter the secure area of the X Division once again.

On February 9 from 11:30 to 12:00 Lee deletes approximately 93 computer files. At 1 o'clock, FBI interviews Lee and obtains his agreement to undergo another polygraph. At 5:03, Lee attempts to enter the secure area of the X Division once again.

February 10, Lee undergoes the polygraph from 9:00 to 4:00. Right after he is done with the polygraph, he immediately goes over and deletes 310 computer files. He then at 5 o'clock attempts once again to get to the X Division through the south door.

Does this sound like somebody who inadvertently or just kind of a country bumpkin walks into the highest most sensitive secrets of this Nation and moves them from classified Top Secret to unclassified then copies them on to his own computer? He lies to the FBI, by the way; and as soon as he is done being interviewed with the FBI, he goes up and starts deleting computer files.

This guy has some history to him. And it is history that he ought not to be proud of.

By the way, when he was first arrested, we should point out that through his lawyers he denied any knowledge. He denied that he copied any of these files. It was only later when the evidence was laid down in front of him that his lawyers thought it was best, probably, to advise him maybe that he ought to tell the truth.

Let us just very quickly summarize. One other thing I guess I should bring up, because I read this in the media. Oh, my gosh, this guy was put in isolation. He was shackled. He did not get to see other people. That is on its face patently false.

They built a special facility for him. They built a special facility for him so he could spend time privately with his lawyers. In the 90 days or so that he was in prison there, 6 hours a day he spent in that special facility with his lawyers. The only time that he was shackled was when he was transferred from one facility to the other, the same as any other prisoner.

If anything, this guy got better treatment than any other prisoner that we had down there. My colleagues should not let these lawyers, or do not let some of these fans of this Wen Ho Lee, or do not let his daughter who understandably has a love for her folks, just like I do, do not let them buffalo them. This Wen Ho Lee is not an innocent guy. He is a convicted felon.

Some people say, well, the FBI filed 59 cases against him or 59 charges against him. Why did the FBI drop 58 of the 59 charges against him? Well, it is pretty simple. We had a Federal judge and the Federal judge said, Okay, we are going to allow you to go ahead with these 59 charges against him. But in order to do it, we are going to have to require you to release some of your secrets. We are going to make this public information.

So the FBI did not drop these charges because they could not prove them. The U.S. Attorney General, Janet Reno, did not instruct the FBI to drop these charges because they could not prove them. The reason they dropped those charges is because they did not want to release further U.S. secrets on thermonuclear weapons.

It is interesting what happens in an election year. As soon as the newspapers start editorializing about old poor Wen Ho Lee and how he has been victimized, and it sounds just like a defense attorney, guess who jumps in? The President of the United States, he makes a comment. He said he is discouraged by this prosecution. That is his policy. He cannot understand this.

What happens this quickly, we can lose control of this quickly. The fact is Wen Ho Lee still has or has the knowledge of where the many, many secrets of the United States of America on our thermonuclear weapons are, and we have every right to go after this guy. He has jeopardized every living citizen in America. In fact he has jeopardized the entire world by accessing and taking out of that laboratory some of the highest level secrets every known to mankind.

He has, in my opinion, put at risk every future generation of every country in this world. And yet he refuses to cooperate up until the time, and we hope we get a little cooperation now, using as his front these defense attorneys.

Then they go out and put together this massive public relations effort. To me it is almost like having a cheer leading conference on the day of impeachment. They have a pep rally when this guy gets out of prison when the judge orders that he be released, and then the people cannot wait to stomp on the FBI or criticize Attorney General Janet Reno. Why did they prosecute this poor guy? Why are they picking on Wen Ho Lee? He is an innocent guy. He has been victimized. Maybe by accident he copied some files. It was inadvertent. He did not know what he was doing.

Of course some of the other groups are playing the race card, saying the only reason he was arrested is because of his ethnic background, whatever that background was.

We ought to take a look at what has happened to this Nation. Take a look at what our losses are. By the way, we cannot really calculate what our losses are because we do not know who has that material.

We do know this: we do know that some of the countries in this world have information that was provided for them from the laboratories out of the United States. We know this: we know that somehow there has been a leak somewhere down in that laboratory.

Mr. Speaker, I am saying to all of my colleagues tonight, I know that my speech has been somewhat impassioned; but I cannot imagine that any one of us who has a fiduciary duty to the people of this country that we would simply nod and turn our face the other way. Or that we would stand here and criticize the Federal Bureau of Investigation. Not that they are above criticism, as I said earlier. That Ruby Ridge was a disaster. Waco, Texas, was a disaster. The FBI deserves plenty of criticism.

But on this case, we too will be contributing, in my opinion, to this huge massive misjustice to all future generations of this world by turning eyes the other way and thinking that this Wen Ho Lee was some innocent guy that we decided to victimize or pick on him to find a spy for the FBI Chronicles.

Let me wrap this portion of my comments up by saying, I cannot think of anything in my entire political career, I cannot think of anything in my adult life that I consider of more serious consequence from a national security interest point of view than the compromise of these thermonuclear secrets. These secrets were compromised by one individual. We know who he is. We have got the facts. We have just heard the other side of the story.

Now, what I would say is all my colleagues should go home tonight, have discussions with their families and let me know tomorrow who is the victim. Is the victim Wen Ho Lee, or is the victim the United States of America?

Mr. Speaker, I really should have made this chart a little different. I should have put United States of America, the rest of the world, and all future generations.

Mr. Speaker, at this point in time I would like to yield to my friend and colleague, the gentleman from Maryland (Mr. EHRLICH).

A TRIBUTE TO DR. NANCY S. GRASMICK

Mr. EHRLICH. Mr. Speaker, I thank the gentleman from Colorado (Mr. MCINNIS) for yielding me this time, and I thank the gentleman for his leadership on such an important issue, nuclear security. He is a good friend and a great colleague and a fine Member of this House.

I intend to yield back, but what I would like to do, Mr. Speaker, for a few minutes is truly switch gears.

We talk about education, education policy in this country an awful lot. It is an important debate. It is a debate in the presidential campaigns and a debate on this floor almost every day. And there are special people who stand for educational excellence in this country, and one happens to be a friend of mine, and she happens to be from Maryland.

So for a few minutes I would like to pay tribute to a lady by the name of Nancy S. Grasmick.

Mr. Speaker, I rise today in proud recognition of Dr. Nancy S. Grasmick, superintendent of Maryland State Schools, for having been recently named recipient of this year's Harold W. McGraw, Jr. Prize in Education.

Dr. Grasmick is one of only three individuals nationwide to receive this distinguished award, which annually recognizes outstanding commitment to education in our country.

Dr. Nancy Grasmick defines education reform and excellence in America today. Dr. Grasmick has devoted her entire life to helping young people achieve the American dream. Her beginnings as a special education teacher in Baltimore County Maryland only hinted at what lay ahead for Maryland schools and indeed the entire State.

She advanced through the county school system and constructed a legacy that can be felt in every classroom in Maryland today. Thanks to her leadership and participation in countless school reform efforts in other States, that legacy is also felt across the Nation.

Dr. Grasmick's reform efforts were well under way when she was named Maryland Superintendent for Schools in 1991. At that time I was in the Maryland General Assembly. Her immediate goal was to establish accountability standards for teachers, administrators, and individual schools.

She challenged the status quo by proposing and successfully establishing teacher standards, students standards, and annual school-by-school evaluations.

She fought for unprecedented increases in State funding for education and school construction. At times, and I know this for a fact, Mr. Speaker, her plans met resistance and criticism. But she backed up her reform efforts with real progress in student performance. And is that not what really counts? She exhibited courage by forcing State takeovers of underperforming schools and has used her pulpit to bring every county school system into her reform initiatives.

Nancy Grasmick has simultaneously served as the Maryland Special Secretary for Children, Youth and Families also since 1991. At her urging, the position was established to bring together the myriad components of what she knew then was required to educate our young people: quality schools, stable family lives, and responsible health care.

I am proud to have known and worked with Dr. Nancy Grasmick for more than 10 years. Receiving the McGraw Prize in Education is simply the latest in a series of her professional achievements. In my opinion, Mr. Speaker, she is the leading educator and reformer in America today.

By every measure—student performance, school achievement, and teacher certification—she deserves this great

recognition; and we in Maryland are quite proud of her. And, I should add, we in the Ehrlich family are equally quite proud of her.

Mr. Speaker, I thank my friend who I know also has very serious views on education, education reform and probably enjoyed hearing about this great lady in Maryland, who has brought standards and true reform to Maryland schools, and I yield back.

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Mr. MCINNIS. Mr. Speaker, I appreciate the gentleman's comments. Not that this is jumping on media day, we have heard my previous comments about the fellow out of Los Alamos labs, it is interesting in our society today, we can go back to the Roman Empire where the Gladiators get all the attention, and a woman who is outstanding as this woman is, who has devoted her entire life to education, whose entire hope was not for her but for the next generation and the following generation, would probably capture maybe one column in a local newspaper, while the sports section, it is amazing to me, we can pull out a newspaper and take the middle 20 pages or 30 pages or 40 pages out on the sports section, and yet a little paragraph about someone who is as outstanding as your friend.

Mr. EHRLICH. If the gentleman would continue to yield for one second, it will not surprise the gentleman to learn, because she is a true reformer and has demanded accountability, she has taken quite a few hits in Maryland, and she has survived, because she has the factual and the moral high ground on this issue. That is why I wanted to come to this floor and congratulate her in front of the entire country.

Mr. MCINNIS. Of course, as the gentleman knows, the person that has enough guts to get out of the fox hole usually draws the fire but somebody has to get out of it and somebody has to lead the charge. I commend the gentleman from Maryland.

Mr. Speaker, I want to continue, I have about 16 minutes left. I am just going to comment for a few minutes about a speech that I want to make next week in regards to Social Security. It is unfortunate. It is reality, I face it, and it is just natural. It is inherent with the system that we have, but we have a general election coming up here in about 5 weeks or 6 weeks, and unfortunately, a lot of the good ideas, ideas that require bipartisan support, bipartisan coalition building get drowned out by some of the impacts of an election and by the advertising.

I want to tell my colleagues that several months ago, I had the opportunity to go down to Texas. I went to law school in Texas. I have a great fondness for that state, and I was able to sit down with their governor, George W. Bush, and we talked a little about Social Security.

We talked about the threat to future generations. And next week, I intend to expound on what I think is a solution, a solution that has been drowned out in this election process, a solution that George W. Bush parallels, a commitment that he feels very importantly about, because of the fact he is running for President, because he has proposed it as a part of this program instead of a methodological analysis and thoughtful analysis of what he is saying, people say it is a risky scheme. We hear people that say stay with the status quo.

Mr. Speaker, I am here to tell my colleagues that tonight we cannot stay with the status quo of Social Security. Social Security is in trouble. It is not in trouble today. It is not going to be in trouble for my generation, my generation and the generations ahead of me, they are okay. We are going to get our benefits.

Mr. Speaker, where it is going to be in trouble is the generations we ought to be worrying about, the generation behind me, my children. And at some point in time, my children's children. And we have a fiduciary responsibility to make Social Security a system that is sound from a fiscal point of view.

Today Social Security has more cash coming in than it has going out; that is called a cash basis. It has a positive cash flow. But if we take a look at the actuarial numbers, actuarial meaning that while the cash is coming in today, that cash is earmarked for future obligations. So we get the cash today, but we do not have to spend it for a while.

It is coming in today, our younger generations are contributing. My son and my two daughters are contributing to this Social Security system, with the expectation that they will have some return on their money, but without really the knowledge of that on an actuarial basis. Social Security is going to be bankrupt; we have that obligation to go forward.

It got there for several reasons, and I thought this evening I would just go over, with the time I have remaining, how Social Security got in trouble and why some of it frankly is good news. You know, when Social Security first came into place in 1935, we had 42 workers, 42 workers for every person that was retired.

Forty-two workers here working and generating and putting cash into the Social Security system up here, which was distributing to one worker; 42 to 1 was the ratio. Today we have three workers over here contributing to the cash system up here distributing to one retired person here, so ratio is from 42 to 1 down to 3 to 1. And in the next 10 to 15 years it is going to be 2 to 1, and if we are not careful, in about 25 years, it is going to be 1 to 1.

How does a system sustain itself? Well, first of all, the first thing if we look at a system and we are trying to figure out how do we address future obligations, the first thing we need to do is figure out is this system working today? Do we have a sound, economic, smooth-running machine in that Social Security system? If we do not, do we have to oil it? Do we have to replace some parts? What do we have to do?

The facts are clear. The facts are clear. The Social Security machine is broken. Now, it is still not working, but it is not working at the kind of capacity that will be needed to supply what is necessary for those future generations.

Now, there are some of the reasons Social Security got in trouble; one I just went over with you, the retirement ratio; the second one is good news for all of us. When Social Security was first put into place, women could expect to live to be an average of 65 years old and the man could expect to live to probably an age of 61. Today that is well into the 70s for both sexes. So we have had an extended life span, a lot in regards to improvement in our life-styles, like trying to get rid of smoking, a lot of it in regards to our health care system and the new products and the new medicines and the new machines, premature babies used to die in the past, today we can save them.

There is lots of medical technology that has extended the life span, but, unfortunately, in the Social Security system, this machine that we have did not have a part in it that worked faster when people live longer. In fact, it worked at the same speed and enabled us to produce more, because we had more people living to a longer age to an older age. This part of the machine had to generate.

It had to work faster. It is not working faster. In fact, it is working and producing at the same rate that it did 35 years ago, when people would live to 61 in the case of a male or 65 in the case of a female. Mr. Speaker, we have to do something about that.

And the other thing is that the Social Security system, and this is politics, it happens everywhere in the world, it happened in the history of the world, political bodies have a difficult time saying no to consumers that want something for nothing. As time goes on, we have some good sound programs.

By the way, when they want something for nothing, it is not that the program sounds bad, you know, the survivor's benefits or some of these other benefit programs that we have had, Social Security, SSI, things like this, they come to this body with a good sounding program and, in fact, sometimes they are great programs, but nobody really stood up and had the guts to say but can we afford it? I know I am going to be the most unpopular person up here. But slow it down, can we afford it?

And over a period of time, we have indebted this country to further obligations through Social Security. Some of those additional liabilities that we picked up were justified. But if we are going to pick up an additional liability, we have to go to the other side of the ledger. Any of us that have basic accounting, and almost all of us have,

we know any time we have a debit, we have a credit; any time we have a credit, we have to have a debit, except when it gets to the politics.

The politics just continues to put on and put on one side of the ledger, and it continues to put obligations on one side of the ledger without figuring out on the other side of the ledger how we are going to pay for it. So we have got to figure out a program.

When I had my discussions with George W. Bush, and why I am excited about that conversation and why I think it is imperative to bring it up, is because I think the merits of this program are being drowned out by the rhetoric that we have heard out there on the election trail. What is important about the program is, first of all, for our future generation, we have to have a program that is voluntary, not being in Social Security, we have to be in Social Security, but it is your choice. We want to offer people some choice.

I happen to think, and most of us happen to think, the generations behind us, they are very capable, they are the brightest generations this world has ever known, my kids, that generation, they can make good decisions on personal choice. They ought to have some more choice on how their investment or a portion of their investment in Social Security, where they put it. It should be voluntary for them.

And you know what? They should pick up some property rights with their Social Security investment. What I mean by that is, if they die, they ought to be able to pass on to their family the benefits that over their working career they had accumulated. This is the kind of program we need to have. Guess what?

As you will find out from my comments next week, this is not a new program. It is not a new invention. We are not plowing new ground. In fact, there is a program that is almost as identical and we have test marketed it, we have. We have actually gone out and test marketed an alternative to Social Security, an addition to Social Security that gives people choice, that is voluntary, allows people to take a higher risk or lower risk, higher return or lower return.

Do you know what happened in our test market survey? Eighty-five percent of the people that we put into the test market are in it. They like it. They voluntarily signed up and they are staying in the program. In fact, we are growing our numbers in this test market.

Now, where is this, you say. Wait a minute, Scott, what are you talking about? Where is this test you are talking about? What kind of retirement system are you talking about as an alternative or as a way to improve Social Security? It is our retirement. It is our retirement, the U.S. Congress. It is the retirement of every Federal employee, 3 million people are in this test market. It is a program called the Thrift Savings Program.

Every Federal Government employee on a voluntary basis can take a percentage of their salary every month and have it matched by the Federal Government to the extent of 5 percent, and they then exercise the choice of where they want that money to go, whether they want to put it into high risk stock market, which usually brings a higher return, or whether they want to put it into a lower risk bond market or they want to put it into a guaranteed no loss savings account.

And you know what happens if they die, if a Federal employee dies? They get to pass it on to the next family member. So the answer is, wow, it is working. The participants in the program are satisfied with the program. The program allows benefits to continue beyond their death to their family. The program funds itself.

You know what the returns are, take a look at the returns that Social Security has today. Here is the returns from my generation on Social Security, less than 1 percent, and what if we do not change this system, this system is going to produce a return of less than 1 percent. Your certificate of deposit was 0 risk, returns, almost a little over 5 percent, and your government bonds return 7 percent.

Social Security takes your dollars and gives you less than a 1 percent return. And by the way, there is no guarantee of safety. So what I am saying here is, next week I intend to go into much more detail, but I think the American people deserve to know that their government employees have an alternative system.

Now we still participate in Social Security. Do not believe that stuff you see on the Internet that we are exempt, we do not have to; we participate in Social Security, but we have this additional benefit, and it works. It is good. It provides a return.

So next week, I am going to go into a little more detail on that and why I think that George W. Bush's approach is look, stand up. I think it is a bold approach, and any time you make a bold approach, you are going to get criticized because a lot of people are comfortable with the status quo, but the status quo ain't going to hunt, it is a dog that is not going to hunt.

So we need to have change, and we need to have a plan that is going to work. So what we ask the American people and in this discussion I had with George W. Bush several months ago, when we go to the American people, look, they are relying on this, we have to give them a product that has been test marketed. We have the product that has been test marketed. We know it works.

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So why resist it.

Well, right now the resistance comes in because of politics. We have an election. So they do not dare. One side does not dare say to the other side, well, that is a good program; that might work.

We have got a good program here, and I look forward in the next week to go into much greater detail on this alternative that I think the Federal Government uses for its own. What is good for the goose is good for the gander. So I think that is exactly what we ought to take a look at.

In conclusion, I look forward to seeing my colleagues next week on this. Let me say, going to the first part of my speech, please take the time to look at the other side of the story on this Wen Ho Lee guy out at Los Alamos. Do not think he is a victim. Do not think he is being picked upon. In my opinion, he has probably committed one of the most egregious transfers of thermonuclear material in the last 100 years.

I do not have much sympathy for him, and I intend to pursue that side of the story. I have heard both sides, and I have made my decision. The victim here in that case is the United States of America; it is not Mr. Lee.

RECESS

The SPEAKER pro tempore (Mr. BARR of Georgia). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 7 p.m.), the House stood in recess subject to the call of the Chair.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 10 o'clock and 47 minutes p.m.

CONFERENCE REPORT ON H.R. 4733, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2001

Mr. PACKARD submitted the following conference report and statement on the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes:

CONFERENCE REPORT (H. REPT. 106–907)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4733) ''making appropriations for energy and water development for the fiscal year ending September 30, 2001, 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 stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September

30, 2001, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $160,038,000, to remain available until expended: Provided, That in conducting the Southwest Valley Flood Damage Reduction Study, Albuquerque, New Mexico, the Secretary of the Army, acting through the Chief of Engineers, shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage areas, and the amount of runoff: Provided further, That the Secretary of the Army is directed to use $750,000 of the funds appropriated herein to continue preconstruction engineering and design for the Murrieta Creek, California flood protection and environmental restoration project in accordance with Alternative 6, based on the Murrieta Creek feasibility report and environmental impact statement dated June 2000 at a total cost of $90,866,000, with an estimated Federal cost of $59,063,900 and an estimated non-Federal cost of $31,803,100.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $1,695,699,000, to remain available until expended, of which such sums as are necessary for the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund, as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 12, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock and Dam 3, Mississippi River, Minnesota; and London Locks and Dam, and Kanawha River, West Virginia, projects; and of which funds are provided for the following projects in the amounts specified:

San Gabriel Basin Groundwater Restoration, California, $25,000,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000;

Indianapolis Central Waterfront, Indiana, $10,000,000;

Southern and Eastern Kentucky, Kentucky, $4,000,000;

Clover Fork, Middlesboro, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River, Kentucky, $20,000,000: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to proceed with planning, engineering, design and construction of the Town of Martin, Kentucky, element, in accordance with Plan A as set forth in the preliminary draft Detailed Project Report, Appendix T of the General Plan of the Huntington District Commander;

Jackson County, Mississippi, $2,000,000;

Bosque and Leon Rivers, Texas, $4,000,000; and

Upper Mingo County (including Mingo County Tributaries), Lower Mingo County (Kermit), Wayne County, and McDowell County, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project in West Virginia, $4,100,000:

Provided further, That using $900,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the Bowie County Levee project, which is defined as Alternative B Local Sponsor Option, in the Corps of Engineers document entitled Bowie County Local Flood Protection, Red River, Texas, Project Design Memorandum No. 1, Bowie County Levee, dated April 1997: Provided further, That no part of any appropriation contained in this Act shall be expended or obligated to begin Phase II of the John Day Drawdown study or to initiate a study of the drawdown of McNary Dam unless authorized by law: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed hereafter to use available Construction, General funds in addition to funding provided in Public Law 104–206 to complete design and construction of the Red River Regional Visitors Center in the vicinity of Shreveport, Louisiana at an estimated cost of $6,000,000: Provided further, That section 101(b)(4) of the Water Resources Development Act of 1996, is amended by striking ''total cost of $8,600,000'' and inserting in lieu thereof, ''total cost of $15,000,000'': Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,000,000 of the funds appropriated herein for additional emergency bank stabilization measures at Galena, Alaska under the same terms and conditions as previous emergency bank stabilization work undertaken at Galena, Alaska pursuant to Section 116 of Public Law 99–190: Provided further, That with $4,200,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to continue construction of the Brunswick County Beaches, North Carolina-Ocean Isle Beach portion in accordance with the General Reevaluation Report approved by the Chief of Engineers on May 15, 1998: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use not to exceed $300,000 of funds appropriated herein to reimburse the City of Renton, Washington, at full Federal expense, for mitigation expenses incurred for the flood control project constructed pursuant to 33 U.S.C. 701s at Cedar River, City of Renton, Washington, as a result of overdredging by the Army Corps of Engineers: Provided further, That $2,000,000 of the funds appropriated herein shall be available for stabilization and renovation of Lock and Dam 10, Kentucky River, Kentucky, subject to enactment of authorization by law: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $3,000,000 of the funds appropriated herein to initiate construction of a navigation project at Kaumalapau Harbor, Hawaii: Provided further, That the Secretary of the Army is directed to use $2,000,000 of the funds provided herein for Dam Safety and Seepage/Stability Correction Program to design and construct seepage control features at Waterbury Dam, Winooski River, Vermont: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to design and construct barge lanes at the Houston-Galveston Navigation Channels, Texas, project, immediately adjacent to either side of the Houston Ship Channel, from Bolivar Roads to Morgan Point, to a depth of 12 feet with prior years' Construction, General carry-over funds: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, may use Construction, General funding as directed in Public Law 105–62 and Public Law 105–245 to initiate construction of an emergency outlet from Devils Lake, North Dakota, to the Sheyenne River, except that the funds shall not become available unless the Secretary of the Army determines that an emergency (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) exists with respect to the emergency need for the outlet and reports to Congress that the construction is technically sound, economically justified, and environmentally acceptable, and in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Provided further, That the economic justification for the emergency outlet shall be prepared in accordance with the principles and guidelines for economic evaluation as required by regulations and procedures of the Army Corps of Engineers for all flood control projects, and that the economic justification be fully described, including the analysis of the benefits and costs, in the project plan documents: Provided further, That the plans for the emergency outlet shall be reviewed and, to be effective, shall contain assurances provided by the Secretary of State, after consultation with the International Joint Commission, that the project will not violate the requirements or intent of the Treaty Between the United States and Great Britain Relating to Boundary Waters Between the United States and Canada, signed at Washington, January 11, 1909 (36 Stat. 2448; TS 548) (commonly known as the ''Boundary Waters Treaty of 1909''): Provided further, That the Secretary of the Army shall submit the final plans and other documents for the emergency outlet to Congress: Provided further, That no funds made available under this Act or any other Act for any fiscal year may be used by the Secretary of the Army to carry out the portion of the feasibility study of the Devils Lake Basin, North Dakota, authorized under the Energy and Water Development Appropriations Act, 1993 (Public Law 102–377), that addresses the needs of the area for stabilized lake levels through inlet controls, or to otherwise study any facility or carry out any activity that would permit the transfer of water from the Missouri River Basin into Devils Lake.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a and 702g–1), $347,731,000, to remain available until expended: Provided, That the Secretary of the Army is directed to complete his analysis and determination of Federal maintenance of the Greenville Inner Harbor, Mississippi navigation project in accordance with Section 509 of the Water Resources Development Act of 1996.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation,

$1,901,959,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that Fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that account for construction, operation, and maintenance of outdoor recreation facilities: Provided, That the Secretary of the Army, acting through the Chief of Engineers, from the funds provided herein for the operation and maintenance of New York Harbor, New York, is directed to prepare the necessary documentation and initiate removal of submerged obstructions and debris in the area previously marked by the Ambrose Light Tower in the interest of safe navigation: Provided further, That the Secretary of the Army is directed to use $500,000 of funds appropriated herein to remove and reinstall the docks and causeway, in kind, at Astoria East Boat Basin, Oregon: Provided further, That $500,000 of the funds appropriated herein for the Ohio River Open Channel, Illinois, Kentucky, Indiana, Ohio, West Virginia, and Pennsylvania, project, are provided for the Secretary of the Army, acting through the Chief of Engineers, to dredge a channel from the mouth of Wheeling Creek to Tunnel Green Park in Wheeling, West Virginia.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $125,000,000, to remain available until expended: Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein to: (1) by March 1, 2001, supplement the report, Cost Analysis For the 1999 Proposal to Issue and Modify Nationwide Permits, to reflect the Nationwide Permits actually issued on March 9, 2000, including changes in the acreage limits, preconstruction notification requirements and general conditions between the rule proposed on July 21, 1999, and the rule promulgated and published in the Federal Register; (2) after consideration of the cost analysis for the 1999 proposal to issue and modify nationwide permits and the supplement prepared pursuant to this Act and by September 30, 2001, prepare, submit to Congress and publish in the Federal Register a Permit Processing Management Plan by which the Corps of Engineers will handle the additional work associated with all projected increases in the number of individual permit applications and preconstruction notifications related to the new and replacement permits and general conditions. The Permit Processing Management Plan shall include specific objective goals and criteria by which the Corps of Engineers' progress towards reducing any permit backlog can be measured; (3) beginning on December 31, 2001, and on a biannual basis thereafter, report to Congress and publish in the Federal Register, an analysis of the performance of its program as measured against the criteria set out in the Permit Processing Management Plan; (4) implement a 1-year pilot program to publish quarterly on the U.S. Army Corps of Engineer's Regulatory Program website all Regulatory Analysis and Management Systems (RAMS) data for the South Pacific Division and North Atlantic Division beginning within 30 days of the enactment of this Act; and (5) publish in Division Office websites all findings, rulings, and decisions rendered under the administrative appeals process for the Corps of Engineers Regulatory Program as established in Public Law 106–60: Provided further, That, through the period ending on September 30, 2003, the Corps of Engineers shall allow any appellant to keep a verbatim record of the proceedings of the appeals conference under the aforementioned administrative appeals process: Provided further, That within 30 days of the enactment of this Act, the Secretary of the Army, acting through the Chief of Engineers, shall require all U.S. Army Corps of Engineers Divisions and Districts to record the date on which a Section 404 individual permit application or nationwide permit notification is filed with the Corps of Engineers: Provided further, That the Corps of Engineers, when reporting permit processing times, shall track both the date a permit application is first received and the date the application is considered complete, as well as the reason that the application is not considered complete upon first submission.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites throughout the United States resulting from work performed as part of the Nation's early atomic energy program, $140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Water Resources Support Center, and headquarters support functions at the USACE Finance Center, $152,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the division offices: Provided further, That none of these funds shall be available to support an office of congressional affairs within the executive office of the Chief of Engineers.

REVOLVING FUND

Amounts in the Revolving Fund are available for the costs of relocating the U.S. Army Corps of Engineers headquarters to office space in the General Accounting Office headquarters building in Washington, D.C.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) The Secretary of the Army shall enter into an agreement with the City of Grand Prairie, Texas, wherein the City agrees to assume all of the responsibilities of the Trinity River Authority of Texas under Contract No. DACW63–76–C–0166, other than financial responsibilities, except as provided for in subsection (c) of this section. The Trinity River Authority shall be relieved of all of its financial responsibilities under the Contract as of the date the Secretary of the Army enters into the agreement with the City.

(b) In consideration of the agreement referred to in subsection (a), the City shall pay the Federal Government a total of $4,290,000 in two installments, one in the amount of $2,150,000, which shall be due and payable no later than December 1, 2000, and one in the amount of $2,140,000, which shall be due and payable no later than December 1, 2003.

(c) The agreement executed pursuant to subsection (a) shall include a provision requiring the City to assume all costs associated with operation and maintenance of the recreation facilities included in the Contract referred to in that subsection.

SEC. 102. Agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the Rivers and Harbor Act of 1915, Public Law 64–291; section 11 of the River and Harbor Act of 1925, Public Law 68–585; the Civil Functions Appropriations Act, 1936, Public Law 75–208; section 215 of the Flood Control Act of 1968, as amended, Public Law 90–483; sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended (Public Law 99–662); section 206 of the Water Resources Development Act of 1992, as amended, Public Law 102–580; section 211 of the Water Resources Development Act of 1996, Public Law 104–303, and any other specific project authority, shall be limited to credits and reimbursements per project not to exceed $10,000,000 in each fiscal year, and total credits and reimbursements for all applicable projects not to exceed $50,000,000 in each fiscal year.

SEC. 103. None of the funds made available in this Act may be used to revise the Missouri River Master Water Control Manual when it is made known to the Federal entity or official to which the funds are made available that such revision provides for an increase in the springtime water release program during the spring heavy rainfall and snow melt period in States that have rivers draining into the Missouri River below the Gavins Point Dam.

SEC. 104. ST. GEORGES BRIDGE, DELAWARE. None of the funds made available by this Act may be used to carry out any activity relating to closure or removal of the St. Georges Bridge across the Chesapeake and Delaware Canal, Delaware, including a hearing or any other activity relating to preparation of an environmental impact statement concerning the closure or removal.

SEC. 105. Within available funds under title I, the Secretary of the Army, acting through the Chief of Engineers, shall provide up to $7,000,000 to replace and upgrade the dam in Kake, Alaska which collapsed July 2000, to provide drinking water and hydroelectricity.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $38,724,000, to remain available until expended, of which $19,566,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: Provided, That of the amounts deposited into that account, $5,000,000 shall be considered the Federal contribution authorized by paragraph 402(b)(2) of the Central Utah Project Completion Act and $14,158,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under that Act.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,216,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $678,450,000, to remain available until expended, of which $1,916,000 shall be available for transfer to the Upper Colorado River Basin Fund and $39,467,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which $16,000,000 shall be for on-reservation water development, feasibility studies,

and related administrative costs under Public Law 106–163; of which not more than 25 percent of the amount provided for drought emergency assistance may be used for financial assistance for the preparation of cooperative drought contingency plans under Title II of Public Law 102–250; and of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: Provided further, That section 301 of Public Law 102–250, Reclamation States Emergency Drought Relief Act of 1991, as amended, is amended further by inserting ''2000, and 2001'' in lieu of ''and 2000'': Provided further, That the amount authorized for Indian municipal, rural, and industrial water features by section 10 of Public Law 89–108, as amended by section 8 of Public Law 99–294, section 1701(b) of Public Law 102–575, Public Law 105–245, and Public Law 106–60 is increased by $2,000,000 (October 1998 prices): Provided further, That the amount authorized for Minidoka Project North Side Pumping Division, Idaho, by section 5 of Public Law 81–864, is increased by $2,805,000: Provided further, That the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended as follows: (1) by inserting in Section 4(c) after ''1984,'' and before ''costs'' the following: ''and the additional $95,000,000 further authorized to be appropriated by amendments to that Act in 2000,''; (2) by inserting in Section 5 after ''levels),'' and before ''plus'' the following: ''and, effective October 1, 2000, not to exceed an additional $95,000,000 (October 1, 2000, price levels),''; and (3) by striking ''sixty days (which'' and all that follows through ''day certain)'' and inserting in lieu thereof ''30 calendar days''.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $8,944,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $27,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $425,000, to remain available until expended: Provided, That of the total sums appropriated, the amount of program activities that can be financed by the Reclamation Fund shall be derived from that Fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $38,382,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $50,224,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed four passenger motor vehicles for replacement only.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

SEC. 201. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 202. Funds under this title for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase: Provided, That such purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

SEC. 203. Beginning in fiscal year 2001 and thereafter, the Secretary of the Interior shall assess and collect annually from Central Valley Project (CVP) water and power contractors the sum of $540,000 (June 2000 price levels) and remit, without further appropriation, the amount collected annually to the Trinity Public Utilities District (TPUD). This assessment shall be payable 70 percent by CVP Preference Power Customers and 30 percent by CVP Water Contractors. The CVP Water Contractor share of this assessment shall be collected by the Secretary through established Bureau of Reclamation (Reclamation) Operation and Maintenance ratesetting practices. The CVP Power Contractor share of this assessment shall be assessed by Reclamation to the Western Area Power Administration, Sierra Nevada Region (Western), and collected by Western through established power ratesetting practices.

SEC. 204. (a) In General.—For fiscal year 2001 and each fiscal year thereafter, the Secretary of the Interior shall continue funding, from power revenues, the activities of the Glen Canyon Dam Adaptive Management Program as authorized by section 1807 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), at not more than $7,850,000 (October 2000 price level), adjusted in subsequent years to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(b) VOLUNTARY CONTRIBUTIONS.—Nothing in this section precludes the use of voluntary financial contributions (except power revenues) to the Adaptive Management Program that may be authorized by law.

(c) ACTIVITIES TO BE FUNDED.—The activities to be funded as provided under subsection (a) include activities required to meet the requirements of section 1802(a) and subsections (a) and (b) of section 1805 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), including the requirements of the Biological Opinion on the Operation of Glen Canyon Dam and activities required by the Programmatic Agreement on Cultural and Historic Properties, to the extent that the requirements and activities are consistent with the Grand Canyon Protection Act of 1992 (106 Stat. 4672).

(d) ADDITIONAL FUNDING.—To the extent that funding under subsection (a) is insufficient to pay the costs of the monitoring and research and other activities of the Glen Canyon Dam Adaptive Management Program, the Secretary of the Interior may use funding from other sources, including funds appropriated for that purpose. All such appropriated funds shall be nonreimbursable and nonreturnable.

SEC. 205. The Secretary of the Interior is authorized and directed to use not to exceed $1,000,000 of the funds appropriated under title II to refund amounts received by the United States as payments for charges assessed by the Secretary prior to January 1, 1994 for failure to file certain certification or reporting forms prior to the receipt of irrigation water, pursuant to sections 206 and 224(c) of the Reclamation Reform Act of 1982 (96 Stat. 1226, 1272; 43 U.S.C. 390ff, 390ww(c)), including the amount of associated interest assessed by the Secretary and paid to the United States pursuant to section 224(i) of the Reclamation Reform Act of 1982 (101 Stat. 1330–268; 43 U.S.C. 390ww(i)).

SEC. 206. CANYON FERRY RESERVOIR, MONTANA. (a) APPRAISALS.—Section 1004(c)(2)(B) of title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–713; 113 Stat. 1501A–307) is amended—

(1) in clause (i), by striking ''be based on'' and inserting ''use'';

(2) in clause (vi), by striking ''Notwithstanding any other provision of law,'' and inserting ''To the extent consistent with the Uniform Appraisal Standards for Federal Land Acquisition,''; and

(3) by adding at the end the following:

''(vii) APPLICABILITY.—This subparagraph shall apply to the extent that its application is practicable and consistent with the Uniform Appraisal Standards for Federal Land Acquisition.''.

(b) TIMING.—Section 1004(f)(2) of title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–714; 113 Stat. 1501A–308) is amended by inserting after ''Act,'' the following: ''in accordance with all applicable law,''.

(c) INTEREST.—Section 1008(b) of title X of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (112 Stat. 2681–717; 113 Stat. 1501A–310) is amended by striking paragraph (4).

SEC. 207. Beginning in fiscal year 2000 and thereafter, any amounts provided for the Newlands Water Rights Fund for purchasing and retiring water rights in the Newlands Reclamation Project shall be non-reimbursable.

SEC. 208. USE OF COLORADO-BIG THOMPSON PROJECT FACILITIES FOR NONPROJECT WATER. The Secretary of the Interior may enter into contracts with the city of Loveland, Colorado, or its Water and Power Department or any other agency, public utility, or enterprise of the city, providing for the use of facilities of the Colorado-Big Thompson Project, Colorado, under the Act of February 21, 1911 (43 U.S.C. 523), for—

(1) the impounding, storage, and carriage of nonproject water originating on the eastern slope of the Rocky Mountains for domestic, municipal, industrial, and other beneficial purposes; and

(2) the exchange of water originating on the eastern slope of the Rocky Mountains for the purposes specified in paragraph (1), using facilities associated with the Colorado-Big Thompson Project, Colorado.

SEC. 209. AMENDMENT TO IRRIGATION PROJECT CONTRACT EXTENSION ACT OF 1998. (a) Section

2(a) of the Irrigation Project Contract Extension Act of 1998, Public Law 105–293, is amended by striking the date ''December 31, 2000'', and inserting in lieu thereof the date ''December 31, 2003''; and

(b) Subsection 2(b) of the Irrigation Project Contract Extension Act of 1998, Public Law 105–293, is amended by—

(1) striking the phrase ''not to go beyond December 31, 2001'', and inserting in lieu thereof the phrase ''not to go beyond December 31, 2003''; and

(2) striking the phrase ''terminates prior to December 31, 2000'', and inserting in lieu thereof ''terminates prior to December 31, 2003''.

SEC. 211. Section 202 of Division B, Title I, Chapter 2 of Public Law 106–246 is amended by adding at the end the following: ''This section shall be effective through September 30, 2001.''.

SEC. 211. Section 106 of the San Luis Rey Indian Water Rights Settlement Act (Public Law 100–675; 102 Stat. 4000 et seq.) is amended by adding at the end the following new subsection:

''(f) REQUIREMENT TO RESERVE AND FURNISH WATER.—Notwithstanding any other provision of law, the Secretary, acting through the Commissioner of Reclamation, shall permanently reserve and furnish annually the following:

''(1) WATER.—The first 16,000 acre-feet of any water conserved by the works authorized by title II, to the Indian Water Authority and the local entities in accordance with the settlement agreement.

''(2) CAPACITY AND ENERGY.—Capacity and energy from the Parker-Davis Project at the rates established for project use power sufficient to convey water conserved pursuant to paragraph (1) from Lake Havasu through the Colorado River Aqueduct to Lake Matthews and to the places of use on the Bands reservations or in the local entities service area in accordance with the settlement agreement.

Water conserved pursuant to paragraph (1) may be used on the Bands' reservations or in the local entities' service areas, leased for use outside the Bands' reservations or the local entities' service areas, or exchanged for water from other sources for use by the Bands, the Indian Water Authority, or the local entities, in accordance with the settlement agreement.''.

SEC. 212. (a) DEFINITIONS.—For the purpose of this section, the term—

(1) ''Secretary'' means the Secretary of the Interior;

(2) ''Sly Park Unit'' means the Sly Park Dam and Reservoir, Camp Creek Diversion Dam and Tunnel, and conduits and canals as authorized under the American River Act of October 14, 1949 (63 Stat. 853), including those used to convey, treat, and store water delivered from Sly Park, as well as all recreation facilities thereto; and

(3) ''District'' means the El Dorado Irrigation District.

(b) IN GENERAL.—The Secretary shall, as soon as practicable after date of the enactment of this Act and in accordance with all applicable law, transfer all right, title, and interest in and to the Sly Park Unit to the District.

(c) SALE PRICE.—The Secretary is authorized to receive from the District $2,000,000 to relieve payment obligations and extinguish the debt under contract number 14–06–200–949IR3, and $9,500,000 to relieve payment obligations and extinguish all debts associated with contracts numbered 14–06–200–7734, as amended by contracts numbered 14–06–200–4282A and 14–06–200–8536A. Notwithstanding the preceding sentence, the District shall continue to make payments required by section 3407(c) of Public Law 102–575 through year 2029.

(d) CREDIT REVENUE TO PROJECT REPAYMENT.—Upon payment authorized under subsection (b), the amount paid shall be credited toward repayment of capital costs of the Central Valley Project in an amount equal to the associated undiscounted obligation.

(e) FUTURE BENEFITS.—Upon payment, the Sly Park Unit shall no longer be a Federal reclamation project or a unit of the Central Valley Project, and the District shall not be entitled to receive any further reclamation benefits.

(f) LIABILITY.—Except as otherwise provided by law, effective on the date of conveyance of the Sly Park Unit under this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership or operation of the conveyed property.

(g) COSTS.—All costs, including interest charges, associated with the Project that have been included as a reimbursable cost of the Central Valley Project are declared to be nonreimbursable and nonreturnable.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for energy supply, and uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 17 passenger motor vehicles for replacement only, $660,574,000 to remain available until expended: Provided, That, in addition, royalties received to compensate the Department of Energy for its participation in the First-Of-A-Kind-Engineering program shall be credited to this account to be available until September 30, 2002, for the purposes of Nuclear Energy, Science and Technology activities.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion, $277,812,000, to remain available until expended.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to maintain, decontaminate, decommission, and otherwise remediate uranium processing facilities, $393,367,000, of which $345,038,000 shall be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, all of which shall remain available until expended: Provided, That $72,000,000 of amounts derived from the Fund for such expenses shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed 58 passenger motor vehicles for replacement only, $3,186,352,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $191,074,000, to remain available until expended and to be derived from the Nuclear Waste Fund: Provided, That not to exceed $2,500,000 may be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended: Provided further, That $6,000,000 shall be provided to affected units of local governments, as defined in Public Law 97–425, to conduct appropriate activities pursuant to the Act: Provided further, That the distribution of the funds as determined by the units of local government shall be approved by the Department of Energy: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada and each local entity shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by Public Law 97–425 and this Act. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries by the Secretary in carrying out activities authorized by the Nuclear Waste Policy Act of 1982 in Public Law 97–425, as amended, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $226,107,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $151,000,000 in fiscal year 2001 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation from the General Fund estimated at not more than $75,107,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $31,500,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of

plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 12 for replacement only), $5,015,186,000, to remain available until expended: Provided: That, $130,000,000 shall be immediately available for Project 96–D–111, the National Ignition Facility at Lawrence Livermore National Laboratory: Provided further, That $69,100,000 shall be available only upon a certification by the Administrator of the National Nuclear Security Administration to the Congress after March 31, 2001, that (a) includes a recommendation on an appropriate path forward for the project; (b) certifies all established project and scientific milestones have been met on schedule and on cost; (c) certifies the first and second quarter project reviews in fiscal year 2001 determined the project to be on schedule and cost; (d) includes a study of requirements for and alternatives to a 192 beam ignition facility for maintaining the safety and reliability of the current nuclear weapons stockpile; (e) certifies an integrated cost-schedule earned-value project control system has been fully implemented; and (f) includes a five-year budget plan for the stockpile stewardship program.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, Defense Nuclear Nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $874,196,000, to remain available until expended: Provided, That not to exceed $7,000 may be used for official reception and representation expenses for national security and nonproliferation (including transparency) activities in fiscal year 2001.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $690,163,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator of the National Nuclear Security Administration, including official reception and representation expenses (not to exceed $5,000), $10,000,000, to remain available until expended.

OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of 30 passenger motor vehicles for replacement only, $4,974,476,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For expenses of the Department of Energy to accelerate the closure of defense environmental management sites, including the purchase, construction and acquisition of plant and capital equipment and other necessary expenses, $1,082,714,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For Department of Energy expenses for privatization projects necessary for atomic energy defense environmental management activities authorized by the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), $65,000,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense, other defense activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $585,755,000, to remain available until expended, of which $17,000,000 shall be for the Department of Energy Employees Compensation Initiative upon enactment of authorization legislation into law.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $200,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for the Nez Perce Tribe Resident Fish Substitution Program, the Cour D'Alene Tribe Trout Production facility, and for official reception and representation expenses in an amount not to exceed $1,500.

During fiscal year 2001, no new direct loan obligations may be made. Section 511 of the Energy and Water Development Appropriations Act, 1997 (Public Law 104–206), is amended by striking the last sentence and inserting, ''This authority shall expire January 1, 2003.''.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $3,900,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, amounts collected by the Southeastern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to $34,463,000; for fiscal year 2002, up to $26,463,000; for fiscal year 2003, up to $20,000,000; and for fiscal year 2004, up to $15,000,000.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $28,100,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $4,200,000 in reimbursements, to remain available until expended: Provided, That amounts collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to $288,000; for fiscal year 2002, up to $288,000; for fiscal year 2003, up to $288,000; and for fiscal year 2004, up to $288,000.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $165,830,000, to remain available until expended, of which $154,616,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, $5,950,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That amounts collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures as follows: for fiscal year 2001, up to $65,224,000; for fiscal year 2002, up to $33,500,000; for fiscal year 2003, up to $30,000,000; and for fiscal year 2004, up to $20,000,000.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,670,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses (not to exceed $3,000), $175,200,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $175,200,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2001 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the General Fund shall be reduced as revenues are received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation from the General Fund estimated at not more than $0.

RESCISSIONS

DEFENSE NUCLEAR WASTE DISPOSAL

(RESCISSION)

Of the funds appropriated in Public Law 104–46 for interim storage of nuclear waste, $75,000,000 are transferred to this heading and are hereby rescinded.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

(RESCISSION)

Of the funds appropriated in Public Law 106–60 and prior Energy and Water Development Acts for the Tank Waste Remediation System at Richland, Washington, $97,000,000 of unexpended balances of prior appropriations are rescinded.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a) None of the funds appropriated by this Act may be used to award a management and operating contract unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) At least 60 days before a contract award, amendment, or modification for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the subcommittees of the waiver and setting forth the reasons for the waiver.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy,

under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the $24,500,000 made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2644; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

(TRANSFERS OF UNEXPENDED BALANCES)

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. Of the funds in this Act provided to government-owned, contractor-operated laboratories, not to exceed 6 percent shall be available to be used for Laboratory Directed Research and Development.

SEC. 307. (a) Of the funds appropriated by this title to the Department of Energy, not more than $185,000,000 shall be available for reimbursement of management and operating contractor travel expenses, of which $10,000,000 is available for use by the Chief Financial Officer of the Department of Energy for emergency travel expenses.

(b) Funds appropriated by this title to the Department of Energy may be used to reimburse a Department of Energy management and operating contractor for travel costs of its employees under the contract only to the extent that the contractor applies to its employees the same rates and amounts as those that apply to Federal employees under subchapter I of chapter 57 of title 5, United States Code, or rates and amounts established by the Secretary of Energy. The Secretary of Energy may provide exceptions to the reimbursement requirements of this section as the Secretary considers appropriate.

(c) The limitation in subsection (a) shall not apply to reimbursement of management and operating contractor travel expenses within the Laboratory Directed Research and Development program.

SEC. 308. No funds are provided in this Act or any other Act for the Administrator of the Bonneville Power Administration to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies that such services are not available from private sector businesses.

SEC. 309. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or is generated after such date. For the purposes of this section, the material categories of transuranic waste at the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residues; (3) wet residues; (4) direct repackage residues; and (5) scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''.

SEC. 310. The Administrator of the National Nuclear Security Administration may authorize the plant manager of a covered nuclear weapons production plant to engage in research, development, and demonstration activities with respect to the engineering and manufacturing capabilities at such plant in order to maintain and enhance such capabilities at such plant: Provided, That of the amount allocated to a covered nuclear weapons production plant each fiscal year from amounts available to the Department of Energy for such fiscal year for national security programs, not more than an amount equal to 2 percent of such amount may be used for these activities: Provided further, That for purposes of this section, the term ''covered nuclear weapons production plant'' means the following:

(1) The Kansas City Plant, Kansas City, Missouri.

(2) The Y–12 Plant, Oak Ridge, Tennessee.

(3) The Pantex Plant, Amarillo, Texas.

(4) The Savannah River Plant, South Carolina.

SEC. 311. Notwithstanding any other law, and without fiscal year limitation, each Federal Power Marketing Administration is authorized to engage in activities and solicit, undertake and review studies and proposals relating to the formation and operation of a regional transmission organization.

SEC. 312. Not more than $10,000,000 of funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal in Public Law 104–46, the Energy and Water Development Appropriations Act, 1996, may be made available to the Department of Energy upon written certification by the Secretary of Energy to the House and Senate Committees on Appropriations that the Site Recommendation Report cannot be completed on time without additional funding.

SEC. 313. TERM OF OFFICE OF PERSON FIRST APPOINTED AS UNDER SECRETARY FOR NUCLEAR SECURITY OF THE DEPARTMENT OF ENERGY. (a) LENGTH OF TERM.—The term of office as Under Secretary for Nuclear Security of the Department of Energy of the first person appointed to that position shall be three years.

(b) EXCLUSIVE REASONS FOR REMOVAL.—The exclusive reasons for removal from office as Under Secretary for Nuclear Security of the person described in subsection (a) shall be inefficiency, neglect of duty, or malfeasance in office.

(c) POSITION DESCRIBED.—The position of Under Secretary for Nuclear Security of the Department of Energy referred to in this section is the position established by subsection (c) of section 202 of the Department of Energy Organization Act (42 U.S.C. 7132), as added by section 3202 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 954).

SEC. 314. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY TO MODIFY ORGANIZATION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION. (a) SCOPE OF AUTHORITY.—Subtitle A of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 113 Stat. 957; 50 U.S.C. 2401 et seq.) is amended by adding at the end the following new section:

''SEC. 3219. SCOPE OF AUTHORITY OF SECRETARY OF ENERGY TO MODIFY ORGANIZATION OF ADMINISTRATION.

''Notwithstanding the authority granted by section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) or any other provision of law, the Secretary of Energy may not establish, abolish, alter, consolidate, or discontinue any organizational unit or component, or transfer any function, of the Administration, except as authorized by subsection (b) or (c) of section 3291.''.

(b) CONFORMING AMENDMENTS.—Section 643 of the Department of Energy Organization Act (42 U.S.C. 7253) is amended—

(1) by striking ''The Secretary'' and inserting ''(a) Subject to subsection (b), the Secretary''; and

(2) by adding at the end the following new subsection:

''(b) The authority of the Secretary to establish, abolish, alter, consolidate, or discontinue any organizational unit or component of the National Nuclear Security Administration is governed by the provisions of section 3219 of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65).''.

SEC. 315. PROHIBITION ON PAY OF PERSONNEL ENGAGED IN CONCURRENT SERVICE OR DUTIES INSIDE AND OUTSIDE NATIONAL NUCLEAR SECURITY ADMINISTRATION. Subtitle C of the National Nuclear Security Administration Act (title XXXII of Public Law 106–65; 50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

''SEC. 3245. PROHIBITION ON PAY OF PERSONNEL ENGAGED IN CONCURRENT SERVICE OR DUTIES INSIDE AND OUTSIDE ADMINISTRATION.

''(a) Except as otherwise expressly provided by statute, no funds authorized to be appropriated or otherwise made available for the Department of Energy may be obligated or utilized to pay the basic pay of an officer or employee of the Department of Energy who—

''(1) serves concurrently in a position in the Administration and a position outside the Administration; or

''(2) performs concurrently the duties of a position in the Administration and the duties of a position outside the Administration.''

''(b) The provision of this section shall take effect 60 days after the date of enactment of this section.''.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $66,400,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities

authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $18,500,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to establish the Delta Regional Authority and to carry out its activities, $20,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses, $30,000,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), $481,900,000, to remain available until expended: Provided, That of the amount appropriated herein, $21,600,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $447,958,000 in fiscal year 2001 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That $3,200,000 of the funds herein appropriated for regulatory reviews and assistance to other Federal agencies and States shall be excluded from license fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation estimated at not more than $33,942,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $5,500,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $5,390,000 in fiscal year 2001 shall be retained and be available until expended, for necessary salaries and expenses in this account notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation estimated at not more than $110,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $2,900,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

FISCAL YEAR 2001 EMERGENCY APPROPRIATIONS

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

For necessary expenses to remediate damaged Department of Energy facilities and for other expenses associated with the Cerro Grande fire, $203,460,000, to remain available until expended, of which $2,000,000 shall be made available to the United States Army Corps of Engineers to undertake immediate measures to provide erosion control and sediment protection to sewage lines, trails, and bridges in Pueblo and Los Alamos Canyons downstream of Diamond Drive in New Mexico: Provided, That the entire amount shall be available only to the extent an official budget request for $203,460,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For necessary expenses to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, $11,000,000, to remain available until expended, which shall be available only to the extent an official budget request for $11,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

TITLE VI

GENERAL PROVISIONS

SEC. 601. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

SEC. 602. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 603. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program—Alternative Repayment Plan'' and the ''SJVDP—Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal Reclamation law.

SEC. 604. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

SEC. 605. (a) IN GENERAL.—None of the funds made available in this Act may be used to pay any basic pay of an individual who simultaneously holds or carries out the responsibilities of—

(1) a position within the National Nuclear Security Administration; and

(2) a position within the Department of Energy not within the Administration.

(b) EXCEPTIONS FOR ADMINISTRATOR FOR NUCLEAR SECURITY AND DEPUTY ADMINISTRATOR FOR NAVAL REACTORS.—The limitation in subsection (a) shall not apply to the following cases:

(1) The Under Secretary of Energy for Nuclear Security serving as the Administrator for Nuclear Security, as provided in section 3212(a)(2) of the National Nuclear Security Administration Act (50 U.S.C. 2402(a)(2)).

(2) The director of the Naval Nuclear Propulsion Program provided for under the Naval Nuclear Propulsion Executive Order serving as the Deputy Administrator for Naval Reactors, as provided in section 3216(a)(1) of such Act (50 U.S.C. 2406(a)(1)).

SEC. 606. FUNDING OF THE COASTAL WETLANDS PLANNING, PROTECTION AND RESTORATION ACT. Section 4(a) of the Act of August 9, 1950 (16 U.S.C. 777c(a)), is amended in the second sentence by striking ''2000'' and inserting ''2009''.

SEC. 607. REDESIGNATION OF INTERSTATE SANITATION COMMISSION AND DISTRICT. (a) INTERSTATE SANITATION COMMISSION.—

(1) IN GENERAL.—The district known as the ''Interstate Sanitation Commission'', established by article III of the Tri-State Compact described in the Resolution entitled, ''A Joint Resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission'', approved August 27, 1935 (49 Stat. 933), is redesignated as the ''Interstate Environmental Commission''.

(2) REFERENCES.—Any reference in a law, regulation, map, document, paper, or other record of the United States to the Interstate Sanitation Commission shall be deemed to be a reference to the Interstate Environmental Commission.

(b) INTERSTATE SANITATION DISTRICT.—

(1) IN GENERAL.—The district known as the ''Interstate Sanitation District'', established by article II of the Tri-State Compact described in the Resolution entitled, ''A Joint Resolution granting the consent of Congress to the States of New York, New Jersey, and Connecticut to enter into a compact for the creation of the Interstate Sanitation District and the establishment of the Interstate Sanitation Commission'', approved August 27, 1935 (49 Stat. 932), is redesignated as the ''Interstate Environmental District''.

(2) REFERENCES.—Any reference in a law, regulation, map, document, paper, or other record of the United States to the Interstate Sanitation District shall be deemed to be a reference to the Interstate Environmental District.

TITLE VII

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount for fiscal year 2001 into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $5,000,000,000.

TITLE VIII

NUCLEAR REGULATORY COMMISSION

Section 6101 of the Omnibus Budget Reconciliation Act of 1990 (42 U.S.C. 2214) is amended—

(1) in subsection (a)(3), by striking ''September 30, 1999'' and inserting ''September 20, 2005''; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting ''or certificate holder'' after ''licensee''; and

(B) by striking paragraph (2) and inserting the following:

''(2) AGGREGATE AMOUNT OF CHARGES.—

''(A) IN GENERAL.—The aggregate amount of the annual charges collected from all licensees and certificate holders in a fiscal year shall equal an amount that approximates the percentages of the budget authority of the Commission for the fiscal year stated in subparagraph (B), less—

''(i) amounts collected under subsection (b) during the fiscal year; and

''(ii) amounts appropriated to the Commission from the Nuclear Waste Fund for the fiscal year.

''(B) PERCENTAGES.—The percentages referred to in subparagraph (A) are—

''(i) 98 percent for fiscal year 2001;

''(ii) 96 percent for fiscal year 2002;

''(iii) 94 percent for fiscal year 2003;

''(iv) 92 percent for fiscal year 2004; and

''(v) 90 percent for fiscal year 2005.''.

This Act may be cited as the ''Energy and Water Development Appropriations Act, 2001''.

And the Senate agree to the same.

RON PACKARD,
HAROLD ROGERS,
JOE KNOLLENBERG,
RODNEY P. FRELINGHUYSEN,
SONNY CALLAHAN,
TOM LATHAM,
ROGER F. WICKER,
C.W. BILL YOUNG,
PETER J. VISCLOSKY,
CHET EDWARDS,
ED PASTOR,
MICHAEL P. FORBES,
Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
SLADE GORTON,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY E. CRAIG,
TED STEVENS,
HARRY REID,
ROBERT C. BYRD,
ERNEST F. HOLLINGS,
PATTY MURRAY,
HERB KOHL,
DANIEL INOUYE,
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. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

The language and allocations set forth in House Report 106–693 and Senate Report 106–395 should be complied with unless specifically addressed to the contrary in the conference report and statement of the managers. Report language included by the House which is not contradicted by the report of the Senate or the statement of the managers, and Senate report language which is not contradicted by the report of the House or the statement of the managers is approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate report address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House and Senate reports are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

Senate amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Corps of Engineers. Additional items of conference are discussed below.

GENERAL INVESTIGATIONS

The conference agreement appropriates $160,038,000 for General Investigations instead of $153,327,000 as proposed by the House and $139,219,000 as proposed by the Senate.

Within available funds, $50,000 is provided for erosion control studies in the Harding Lake watershed in Alaska. The conference agreement deletes the bill language proposed by the Senate for this project.

The conference agreement does not include funds proposed by the House in this account for the Hamilton Airfield Wetlands Restoration project in California and the Ohio River Greenway project in Indiana. Funding for these projects is included in the Construction, General account. The conference agreement does not include funds in this account for the White River, Muncie, Indiana, project. Funding for this project has been included within the amount provided for the Section 1135 program.

The conference agreement includes $150,000 for the Corps of Engineers to undertake studies of potential navigational improvements, shoreline protection, and breakwater protection at the ports of Rota and Tinian in the Commonwealth of the Northern Mariana Islands.

The conferees have provided $200,000 for the Corps of Engineers to initiate and complete a comprehensive water management reconnaissance study for ecosystem restoration and related purposes in the St. Clair River and Lake St. Clair watersheds in Michigan pursuant to section 426 of the Water Resources Development Act of 1999.

Within the amount provided for Research and Development, $200,000 is provided for a topographic/bathymetric mapping project for Coastal Louisiana in cooperation with the National Oceanic and Atmospheric Administration at the interagency Federal laboratory in Lafayette, Louisiana. The conference agreement does not include bill language proposed by the Senate for this work. The conferees also urge the Corps of Engineers to use available Research and Development funds for a review of innovative dredging technologies for potential implementation in the Peoria Lakes, Illinois, area.

The conference agreement includes language proposed by the House and the Senate which provides that in conducting the Southwest Valley Flood Damage Reduction, Albuquerque, New Mexico, study, the Corps of Engineers shall include an evaluation of flood damage reduction measures that would otherwise be excluded from the feasibility analysis based on policies regarding the frequency of flooding, the drainage area, and the amount of runoff.

The conferees have agreed to include language in the bill which directs the Corps of Engineers to use $750,000 to continue preconstruction engineering and design of the Murrieta Creek, California, flood control project in accordance with Alternative 6, as identified in the Murrieta Creek Feasibility Report and Environmental Impact Statement dated June 2000.

The conference agreement deletes bill language proposed by the Senate providing funds for the John Glenn Great Lakes Basin Program, the Detroit River, Michigan, project, and the Niobrara River and Missouri River, South Dakota, project. Funds for these projects have been included in the overall amount provided for General Investigations.

The conference agreement does not include language proposed by the Senate providing funds for the selection of a permanent disposal site for environmentally sound dredged material from navigation projects in the State of Rhode Island. Funds for this work have been provided within the amount appropriated for Operation and Maintenance, General.

Within the amount provided for Flood Plain Management Services, the conference agreement includes $250,000 for the Corps of Engineers to undertake a study of drainage problems in the Winchester, Kentucky, area. In addition, the conferees urge the Corps of Engineers to complete a report on flood control problems on Negro Creek at Sprague, Washington.

Within the amount provided for Planning Assistance to States, the conference agreement includes $100,000 for the Corps of Engineers to update the daily flow model for the Delaware River Basin.

CONSTRUCTION, GENERAL

The conference agreement appropriates $1,695,699,000 for Construction, General instead of $1,378,430,000 as proposed by the House and $1,361,449,000 as proposed by the Senate. The amount recommended by the conferees for the Corps of Engineers construction program represents a significant increase over the budget request and the amount appropriated in fiscal year 2000. However, the conferees note that the budget request grossly underfunds many ongoing construction projects, and its enactment would result in increased project costs, major delays in the completion of projects and loss of project benefits. The conferees also note that the Corps of Engineers, through the use of unobligated balances, expects its fiscal year 2000 construction expenditures to be approximately $1,600,000,000.

The conferees note that the Lake Worth Inlet, Florida, sand transfer plant project is behind schedule and expect the Corps of Engineers to proceed with the project as expeditiously as possible.

Within the amount provided for the West Virginia and Pennsylvania Flood Control

Project, $1,000,000 is provided for the following projects within the State of Pennsylvania: Bloody Run/Everett Borough ($25,000); Shoups Run/Carbon Township ($150,500); Six Mile Run/Coaldale ($125,000); Black Log Creek/Boroughs of Orbisonia and Rockhill Furnace ($127,000); Newton Hamilton Borough ($465,500); and Coal Bank Run/Coalmont Borough ($107,000).

The conference agreement includes $150,000 for the Southeastern Pennsylvania project for the Corps of Engineers to prepare a decision document to determine the Federal interest in and the scope of the problems in the Logan and Feltonville sections of Philadelphia, Pennsylvania.

The conferees direct the Corps of Engineers to use $500,000 to initiate the Hillsboro Inlet, Florida, project in accordance with the Jacksonville District's General Reevaluation Report for the project dated May 2000.

The conference agreement includes $4,000,000 for the Corps of Engineers to undertake water related infrastructure projects in northeastern Pennsylvania as authorized by section 502(f)(11) of the Water Resources Development Act of 1999.

The conference agreement includes $500,000 for the Corps of Engineers to undertake water related infrastructure projects in Avis Borough and Renovo Borough, Clinton County, Pennsylvania.

The conference agreement includes $1,000,000 for sanitary sewer and water and wastewater infrastructure projects in Towanencin Township, Pennsylvania, as authorized by section 502(f)(8) of the Water Resources Development Act of 1999; $200,000 for a project to eliminate or control combined sewer overflows in the city of St. Louis, Missouri, as authorized by section 502(f)(32) of the Water Resources Development Act of 1999; and $300,000 for water related infrastructure projects in Lake and Porter Counties, Indiana, as authorized by section 502(f)(12) of the Water Resources Development Act of 1999. In addition, the conference agreement includes $2,500,000 to carry out environmental infrastructure projects in northeastern Minnesota as authorized by section 569 of the Water Resources Development Act of 1999.

The conference agreement includes $25,000,000 for the Corps of Engineers to design, construct, and operate water quality projects in the San Gabriel Basin of California; and $4,000,000 for the Corps of Engineers, in coordination with other Federal agencies and the Brazos River Authority, to participate in investigations and projects in the Bosque and Leon Watersheds in Texas to assess the impact of the perchlorate associated with the former Naval Weapons Industrial Reserve Plant at McGregor, Texas.

The conference agreement includes $300,000 for the Corps of Engineers to continue the environmental restoration pilot project at Dog River, Alabama.

The conference agreement includes $1,500,000 for a project to eliminate or control combined sewer overflows in the City of Lebanon, New Hampshire, as authorized by section 502(f)(37) of the Water Resources Development Act of 1999; $1,500,000 for environmental infrastructure projects in Ohio authorized in section 594 of the Water Resources Development Act of 1999; and $3,000,000 for environmental infrastructure projects in central New Mexico authorized in section 593 of the Water Resources Development Act of 1999.

The conference agreement includes a total of $37,100,000 for the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project. In addition to the amounts included in the budget request, the conference agreement includes: $4,000,000 for the Clover Fork, Kentucky, element of the project; $4,800,000 for the Middlesboro, Kentucky, element of the project; $1,000,000 for the City of Cumberland, Kentucky, element of the project; $700,000 for the Town of Martin, Kentucky, element of the project; $4,200,000 for the Pike County, Kentucky, element of the project, including $1,400,000 for additional studies along the tributaries of the Tug Fork and the initiation of a Detailed Project Report for the Levisa Fork; $3,500,000 for the Martin County, Kentucky, element of the project; $1,200,000 for additional studies along the tributaries of the Cumberland River in Bell County, Kentucky; $800,000 to continue the detailed project report for the Buchanan County, Virginia, element of the project; $700,000 to continue the detailed project report for the Dickenson County, Virginia, element of the project; $1,500,000 for the Upper Mingo County, West Virginia, element of the project; $1,600,000 for the Kermit, Lower Mingo County (Kermit), West Virginia, element of the project; $400,000 for the Wayne County, West Virginia, element of the project; and $600,000 for the McDowell County, West Virginia, element of the project.

The conference agreement includes $7,000,000 for the Dam Safety and Seepage Stability Correction Program. Of the amount provided, $1,000,000 is for repairs to the Mississinewa Lake, Indiana, project, and up to $2,000,000 is for the Waterbury Dam, Vermont, project.

The conference agreement includes $4,000,000 for the Rural Nevada project authorized by section 595 of the Water Resources Development Act of 1999. Of the amount provided, $1,500,000 is for the Lawton-Verdi, Nevada, sewer inceptor project; $1,000,000 is for the Mesquite, Nevada, project; and $1,500,000 for the Silver Springs, Nevada, sanitary sewer project.

The conferees direct the Corps of Engineers to undertake the projects listed in the House and Senate reports and the projects described below for the various continuing authorities programs. The recommended funding levels for those programs are as follows: Section 206—$19,000,000; Section 204—$4,000,000; Section 14—$9,000,000; Section 205—$35,000,000; Section 111—$300,000; Section 107—$11,000,000; Section 1135—$21,000,000; Section 103—$2,500,000; and Section 208—$600,000. The conferees are aware that there are funding requirements for ongoing continuing authorities projects that may not be accommodated within the funds provided for each program. It is not the conferees' intent that ongoing projects be terminated. If additional funds are needed during the year to keep ongoing work in any program on schedule, the conferees urge the Corps of Engineers to reprogram funds into the program within available funds.

Of the amount provided for the Section 14 program, $580,000 is to initiate and complete the planning and design analysis phase, execute a project cooperation agreement, and initiate and complete construction for the Rouge River, Southfield, Michigan, project.

Of the amount provided for the Section 111 program, $300,000 is to prepare a shoreline stabilization study and plans and specifications, and award a construction contract for the Virginia Key, Florida, project.

Of the amount provided for the Section 205 program, $100,000 is to undertake the Columbus, New Mexico, project; $200,000 is to undertake the Battle Mountain, Nevada, project; and $500,000 is to undertake the Hay Creek, Roseau County, Minnesota, project. The conference agreement deletes the bill language proposed by the Senate for the Hay Creek project. In addition, for the McKeel Brook, Dover and Rockaway Townships, New Jersey, project, the funds provided are to be used to complete plans and specifications and initiate construction of the Morris County plan.

Of the amount provided for the Section 1135 program, $100,000 is to initiate the upland environmental restoration study for the Virginia Key, Florida, project; $300,000 is to prepare an environmental restoration report and prepare a project cooperation agreement for the White River, Muncie, Indiana, project; $250,000 is to initiate and complete a preliminary restoration plan and a feasibility report for the Sand Creek, Newton, Kansas, project; and $200,000 is to initiate the ecosystem restoration report for the Lake Champlain Watershed, Vermont, project. In addition, the Corps of Engineers is directed to proceed with the most cost effective solution to the water quality degradation and related environmental and public impacts associated with the western jetty at the mouth of the Genessee River at Rochester, New York.

Of the amount provided for the Section 107 program, $810,000 is for construction of the Pemiscot Harbor, Missouri, project; $3,000,000 is for construction of the Ouzinkie Harbor, Alaska, project; and $500,000 is to initiate construction of the South Basin Inner Harbor, Buffalo, New York, project.

The amount provided for the Section 206 program does not include funds for the Upper Truckee River project. Funds for this project are included in the Bureau of Reclamation's Wetlands Development Program.

The conference agreement includes $4,000,000 for the Aquatic Plant Control program. Within the amount provided, $400,000 is for aquatic weed control in Lake Champlain, Vermont, $250,000 is for aquatic plant control within the State of South Carolina, and $100,000 is for the control and tracking of aquatic plants in the Potomac River in Virginia and Maryland.

The conferees have included language in the bill earmarking funds for the following projects in the amount specified: San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000; San Gabriel Basin Groundwater Restoration, California, $25,000,000; Indianapolis Central Waterfront, Indiana, $10,000,000; Southern and Eastern Kentucky, Kentucky, $4,000,000; Clover Fork, Middlesboro, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork tributaries), Bell County, Martin County, and Harlan County, Kentucky, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, $20,000,000; Jackson County, Mississippi, $2,000,000; Bosque and Leon Rivers, Texas, $4,000,000; Upper Mingo County (including Mingo County Tributaries), Lower Mingo County (Kermit), Wayne County, and McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project, $4,100,000.

The conference agreement includes language proposed by the House which directs the Corps of Engineers to proceed with the Town of Martin element of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River project in accordance with a Plan A as set forth in the preliminary draft Detailed Project Report, Appendix T of the General Plan of the Huntington District Commander.

The conference agreement includes language proposed by the House which directs the Corps of Engineers to use $900,000 to undertake the Bowie County Levee project in Texas, which is defined as Alternative B Local Sponsor Option in the Corps of Engineers document entitled Bowie County Local Flood Protection, Red River, Texas, project Design Memorandum No. 1, Bowie County Levee, dated April 1997.

The conference agreement includes language proposed by the Senate which provides that none of the funds appropriated in the

Act may be used to begin Phase II of the John Day Drawdown study or to initiate a study of the drawdown of McNary Dam unless authorized by law.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to use available Construction, General, funds to complete design and construction of the Red River Regional Visitors Center in the vicinity of Shreveport, Louisiana, at an estimated cost of $6,000,000.

The conference agreement includes language proposed by the Senate which increases the authorization for the Norco Bluffs, California, project.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to use $3,000,000 of the funds appropriated in the Act for additional emergency bank stabilization measures at Galena, Alaska, under the same terms and conditions as previously undertaken emergency bank stabilization work.

The conference agreement includes language proposed by the Senate directing the Corps of Engineers to use $4,200,000 appropriated in the Act to continue construction of the Ocean Isle Beach segment of the Brunswick County Beaches, North Carolina, project in accordance with the General Reevaluation Report approved by the Chief of Engineers on May 15, 1998.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to use $300,000 of the funds appropriated in the Act to reimburse the City of Renton, Washington, for mitigation expenses incurred for the flood control project constructed on the Cedar River at Renton as a result of over-dredging by the Corps of Engineers.

The conference agreement includes language proposed by the Senate subjecting the expenditure of previously appropriated funds for the Devils Lake, North Dakota, project to a number of conditions.

The conference agreement includes language which provides that $2,000,000 shall be available for stabilization and renovation of Lock and Dam 10 on the Kentucky River, subject to the enactment of authorization for the project.

The conference agreement includes language which directs the Corps of Engineers to use $3,000,000 to initiate construction of a navigation project at Kaumalapau Harbor, Hawaii. The project will consist of a 350–foot long breakwater and a channel depth of 19 feet.

The conference agreement includes language which directs the Corps of Engineers to design and construct seepage control features at Waterbury Dam, Winooski River, Vermont. The Dam Safety and Seepage Correction Program includes up to $2,000,000 to initiate this work. The proposed corrective actions will restore the structural integrity of the dam and reduce the chances of potential failure.

The conference agreement includes language which directs the Corps of Engineers to design and construct barge lanes at the Houston-Galveston Navigation Channels, Texas, project.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

The conference agreement appropriates $347,731,000 for Flood Control, Mississippi River and Tributaries instead of $323,350,000 as proposed by the House and $334,450,000 as proposed by the Senate.

The conference agreement includes $900,000 for the Southeast Arkansas feasibility study. The House had proposed to fund this study in the General Investigations account.

The conference agreement includes language proposed by the Senate which directs the Secretary of the Army to complete the analysis and determination regarding Federal maintenance of the Greenville Inner Harbor, Mississippi, navigation project in accordance with section 509 of the Water Resources Development Act of 1996.

The conference agreement includes $375,000 for construction of the Yazoo Basin Tributaries project and $47,000,000 for continuing construction of Mississippi River levees. The conference agreement deletes bill language proposed by the Senate regarding these projects.

The conference agreement includes $7,242,000 for operation and maintenance of Arkabutla Lake; $5,280,000 for operation and maintenance of Grenada Lake; $7,680,000 for operation and maintenance of Sardis Lake; and $4,376,000 for operation and maintenance of Enid Lake. The conference agreement deletes bill language proposed by the Senate regarding these projects.

OPERATION AND MAINTENANCE, GENERAL

The conference agreement appropriates $1,901,959,000 for Operation and Maintenance, General, instead of $1,854,000,000 as proposed by the House and $1,862,471,000 as proposed by the Senate.

The conference agreement includes $6,755,000 for the Apalachicola, Chattahoochee, and Flint Rivers project in Georgia, Alabama, and Florida. The additional funds above the budget request shall be used to implement environmental restoration requirements as specified under the certification issued by the State of Florida under section 401 of the Federal Water Pollution Control Act and dated October 1999, including $1,200,000 for increased environmental dredging and $500,000 for related environmental studies required by the state water quality certification. The conference agreement does not include bill language proposed by the Senate regarding this project.

The conferees have provided $5,071,000 for the Red Rock Dam and Lake, Iowa, project. The funds provided above the budget request are for repair and replacement of various features of the project including repair of the scouring of the South-East Des Moines levee.

The conference agreement includes $10,400,000 for operation and maintenance of the Pascagoula Harbor, Mississippi, project.

The conference agreement includes $1,500,000 over the budget request for the Corps of Engineers to address impacts of recent fires, undertake habitat restoration activities, and address other essential requirements at Cochiti Lake in New Mexico.

The conference agreement includes an additional $3,000,000 for the Jemez Dam, New Mexico, project for the Corps of Engineers to address the impacts of increased water releases required to help sustain the endangered silvery minnow.

The conferees have provided an additional $600,000 for the Waco Lake, Texas, project for the Corps of Engineers to address the higher lake levels associated with the raising of the dam.

The conferees have provided $12,570,000 for the Grays Harbor, Washington, project, including $650,000 for repair of the south jetty, $1,000,000 to complete the rehabilitation of the north jetty at Ocean Shores, and $1,100,000 for the north jetty operations and maintenance study.

The conference agreement includes language proposed by the Senate which directs the Corps of Engineers to prepare the necessary documents and initiate removal of submerged obstructions in the area previously marked by the Ambrose Light Tower in New York Harbor.

The conference agreement deletes language proposed by the Senate providing $500,000 for maintenance and repair of the Sakonnet Harbor breakwater in Little Compton, Rhode Island. Funds for this project are included in the amount appropriated for Operation and Maintenance, General.

The conference agreement deletes language proposed by the Senate providing $50,000 for a study of crossings across the Chesapeake and Delaware Canal. The amount provided for operation and maintenance of the Chesapeake and Delaware Canal project includes $50,000 for the Corps of Engineers to conduct a study to determine the adequacy and timing for maintaining good and sufficient crossings across the canal.

Although the conference agreement deletes bill language proposed by the Senate regarding the marketing of dredged material from the Delaware River Deepening project, the conferees expect the Corps of Engineers to establish such a program.

The conference agreement includes language which directs the Corps of Engineers to use $500,000 to dredge a channel from the mouth of Wheeling Creek to Tunnel Green Park in Wheeling, West Virginia.

The conference agreement includes language which provides that $500,000 of the funds provided for the Columbia and Lower Willamette River below Vancouver, Washington, and Portland, Oregon, project shall be used to remove and reinstall the docks and causeway, in kind, at the Astoria East Boat Basin in Oregon.

The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to extend the sheet pile wall on the west end of the entrance to the Dillingham, Alaska, small boat harbor, and to replace the existing wooden bulkhead at the city dock under the provisions of Public Law 99–190.

The conferees are aware of costs associated with maintaining and operating the complex computer system used to execute and program activities for the entire Operation and Maintenance program. The conferees direct the Corps of Engineers to specifically budget for this computer system in future years and, within available fiscal year 2001 funds, pay for this effort under Operation and Maintenance, General.

The conferees are aware of a plan to improve the effectiveness of public information exhibits located within visitor centers at Corps of Engineers projects. The initial plan will be developed by a multidiscipline team and is scheduled to be completed this year. The conferees expect the plan to be developed within available Operation and Maintenance, General, funds and expect implementation of any plans to be justified in future budget requests.

FLOOD CONTROL AND COASTAL EMERGENCIES

The Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to extend the existing Bethel Bank Stabilization project in Alaska an additional 1200 linear feet upstream, and to remove sediments from Brown's Slough that hamper safe navigation.

REGULATORY PROGRAM

The conference agreement appropriates $125,000,000 for the Corps of Engineers Regulatory Program as proposed by the House instead of $120,000,000 as proposed by the Senate.

The conference agreement includes language proposed by the House and the Senate which will improve the analysis and increase the information available to the public and the Congress regarding the costs of the nationwide permit program and permit processing times.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

The conference agreement appropriates $140,000,000 for the Formerly Utilized Sites

Remedial Action Program as proposed by the House and the Senate.

The conferees concur with the language in the Senate report regarding the Parks Township Shallow Land Disposal Area in Armstrong County, Pennsylvania.

GENERAL EXPENSES

The conference agreement appropriates $152,000,000 for General Expenses as proposed by the Senate instead of $149,500,000 as proposed by the House.

REVOLVING FUND

The conference agreement includes language proposed by the House and the Senate which provides that amounts in the Revolving Fund are available for the costs of relocating the Corps of Engineers headquarters to the General Accounting Office building.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

Section 101. The conference agreement includes language proposed by the House which provides for the transfer of responsibility of local sponsorship of recreation development at Joe Pool Lake, Texas, from the Trinity River Authority to the City of Grand Prairie, Texas.

Section 102. The conference agreement includes language proposed by the Senate which places a limit on credits and reimbursements allowable per project and annually.

Section 103. The conference agreement includes language proposed by the Senate which prohibits the use of funds to revise the Missouri River Master Water Control Manual if the revision provides for increases in springtime water releases during spring heavy rainfall or snow melt.

Section 104. The conference agreement includes language proposed by the Senate which provides that none of the funds provided in this Act may used for activities related to the closure or removal of the St. Georges Bridge across the Chesapeake and Delaware Canal in Delaware.

Section 105. The conference agreement includes language proposed by the Senate which provides that the Secretary of the Army shall provide up to $7,000,000 to replace and upgrade the dam in Kake, Alaska.

Provisions not included in the conference agreement.—The conference agreement does not include language proposed by the House extending the authorization for spending Coastal Wetlands Restoration Trust Fund receipts. This matter has been addressed in Title VI. The conference agreement does not include language proposed by the Senate regarding the use of continuing contracts for Corps of Engineers projects. The conference agreement does not include language proposed by the Senate earmarking funds for the Pascagoula Harbor, Mississippi, project and the Gulfport Harbor, Mississippi, project. Funds for those projects are included in the amounts appropriated for Operation and Maintenance, General, and Construction, General, respectively.

The conference agreement does not include language proposed by the Senate regarding the Kihei Area Erosion project in Hawaii. It is the intent of the conferees that the Kihei Area Erosion study shall include an analysis of the extent and causes of the shoreline erosion. Further, a regional economic development (RED) analysis shall be included. The results of the RED analysis shall be displayed in all study documents along with the traditional benefit-cost analysis including recommendations of the Chief of Engineers.

The conference agreement does not include language proposed by the Senate regarding the Waikiki Erosion Control project in Hawaii. It is the intent of the conferees that the Waikiki Erosion Control study shall include an analysis of environmental resources that have been, or may be, threatened by erosion of the shoreline. Further, a regional economic development (RED) analysis shall be included. The results of the RED analysis shall be displayed in all study documents along with the traditional benefit-cost analysis including recommendations of the Chief of Engineers.

The conference agreement does not include language proposed by the Senate directing the Secretary of the Army to conduct a study to determine the need for providing additional crossing capacity across the Chesapeake and Delaware Canal. The conference agreement includes $50,000 under Operation and Maintenance, General for the Corps of Engineers to conduct a study to determine the adequacy and timing for maintaining good and sufficient crossings across the Chesapeake and Delaware Canal.

The conference agreement does not include language proposed by the Senate expressing the sense of the Senate concerning dredging of the main channel of the Delaware River and language proposed by the Senate regarding the Historic Area Remediation Site.

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
ALABAMA				
ALABAMA RIVER BELOW CLAIBORNE LOCK AND DAM, AL	200	---	200	---
BALDWIN COUNTY WATERSHEDS, AL	200	---	200	---
BAYOU LA BATRE, AL	100	---	100	---
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	521	---	521	---
BREWTON AND EAST BREWTON, AL	50	---	50	---
CAHABA RIVER WATERSHED, AL	50	---	50	---
COOSA RIVER, AL	---	---	---	150
DOG RIVER, AL	250	---	250	---
LUBBUB CREEK, AL	50	---	50	---
LUXAPALILA CREEK, LAMAR COUNTY, AL	---	---	100	---
VILLAGE CREEK, JEFFERSON COUNTY (BIRMINGHAM WATERSHED)	250	---	250	---
ALASKA				
AKUTAN HARBOR, AK	108	---	108	---
AKUTAN HARBOR, AK	---	150	---	150
ANCHOR POINT HARBOR, AK	---	---	50	---
ANIAK, AK	50	---	50	---
BARROW COASTAL STORM DAMAGE REDUCTION, AK	150	---	150	---
CHANDALAR RIVER WATERSHED, VENETIE INDIAN, AK	50	---	50	---
CHENA RIVER WATERSHED, AK	50	---	50	---
CRAIG HARBOR, AK	---	---	100	---
DELONG MOUNTAIN HARBOR, AK	422	---	700	---
DOUGLAS HARBOR EXPANSION, AK	109	---	109	---
DOUGLAS HARBOR EXPANSION, AK	---	50	---	50
FALSE PASS HARBOR, AK	---	250	---	250
FIRE ISLAND, AK	---	---	100	---
GASTINEAU CHANNEL MODIFICATION, AK	50	---	50	---
HAINES HARBOR, AK	---	---	200	---
KENAI RIVER WATERSHED, AK	50	---	50	---
KETCHIKAN HARBOR, AK	---	---	200	---
KOTZEBUE SMALL BOAT HARBOR, AK	---	---	150	---
LITTLE DIOMEDE HARBOR, AK	---	---	75	---
MATANUSKA RIVER WATERSHED, AK	100	---	100	---
MEKORYUK HARBOR, AK	---	---	100	---
NAKNEK RIVER WATERSHED, AK	50	---	50	---
NAPASKIAK HARBOR, AK	69	---	69	---
PERRYVILLE HARBOR, AK	120	---	120	---
PORT LIONS HARBOR, AK	107	---	107	---
QUINHAGAK HARBOR, AK	100	---	100	---
SAINT GEORGE HARBOR IMPROVEMENT, AK	---	---	200	---
SHIP CREEK WATERSHED, AK	53	---	53	---
SITKA HARBOR, AK	---	---	100	---
SKAGWAY HARBOR MODIFICATION, AK	100	---	100	---
UNALAKLEET HARBOR, AK	74	---	74	---
UNALASKA HARBOR, AK	209	---	209	---
UNALASKA HARBOR, AK	---	58	---	58
VALDEZ HARBOR EXPANSION, AK	43	---	43	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
VALDEZ HARBOR EXPANSION, AK	---	150	---	150
WHITTIER BREAKWATER, AK	---	---	169	---
AMERICAN SAMOA				
TUTUILA HARBOR, AS	275	---	275	---
ARIZONA				
COLONIAS ALONG THE U.S./MEXICO BORDER, AZ & TX	---	---	---	260
GILA RIVER, NORTHEAST PHOENIX DRAINAGE AREA, AZ	212	---	212	---
LITTLE COLORADO RIVER, AZ	100	---	100	---
PIMA COUNTY, AZ	75	---	175	---
RILLITO RIVER, PIMA COUNTY, AZ	290	---	290	---
RIO DE FLAG, FLAGSTAFF, AZ	---	250	---	375
RIO SALADO ESTE, AZ	175	---	175	---
RIO SALADO OESTE, AZ	175	---	400	---
SANTA CRUZ RIVER (GRANT RD. TO LOWELL RD.), AZ	---	---	300	---
SANTA CRUZ RIVER (PASEO DE LAS IGLESIAS), AZ	100	---	335	---
TRES RIOS, AZ	---	250	---	500
TUCSON DRAINAGE AREA, AZ	---	432	---	800
VA SHLY-AY AKIMEL SALT RIVER RESTORATION PROJECT, AZ	---	---	150	---
ARKANSAS				
ARKANSAS RIVER LEVEES, AR	---	---	---	400
ARKANSAS RIVER NAVIGATION STUDY, AR & OK	753	---	753	---
MAY BRANCH, FORT SMITH, AR	247	---	247	---
NORTH LITTLE ROCK, DARK HOLLOW, AR	---	200	---	500
RED RIVER NAVIGATION STUDY, SOUTHWEST ARKANSAS, AR	200	---	200	---
WHITE RIVER BASIN COMPREHENSIVE, AR & MO	500	---	500	---
WHITE RIVER NAVIGATION, AR	---	---	300	---
WHITE RIVER MINIMUM FLOW STUDY, AR	---	---	850	---
CALIFORNIA				
ALISO CREEK MAINSTEM, CA	50	---	500	---
AMERICAN RIVER WATERSHED, CA	---	3,285	---	3,285
ARROYO PASAJERO, CA	---	500	---	500
BOLINAS LAGOON ECOSYSTEM RESTORATION, CA	---	300	---	300
CITY OF SAN BERNARDINO, CA	175	---	175	---
COAST OF CALIFORNIA STORM AND TIDAL WAVE STUDY, CA	---	---	500	---
HUNTINGTON BEACH, BLUFFTOP PARK, CA	---	---	211	---
LAGUNA DE SANTA ROSA, CA	200	---	200	---
LLAGAS CREEK, CA	---	240	---	700
LOS ANGELES COUNTY, CA	225	---	225	---
LOS ANGELES HARBOR MAIN CHANNEL DEEPENING, CA	---	375	---	750
LOWER MISSION CREEK, CA	---	325	---	325
MALIBU CREEK, CA	---	---	400	---
MARE ISLAND, CA	---	---	---	500

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
MARINA DEL REY AND BALLONA CREEK, CA	---	---	500	---
MATILIJA DAM, CA	150	---	150	---
MIDDLE CREEK, CA	---	160	---	160
MOJAVE RIVER FORKS DAM, CA	200	---	200	---
MORRO BAY ESTUARY, CA	250	---	900	---
MUGU LAGOON, CA	250	---	250	---
MURRIETA CREEK, CA	---	300	---	750
N CA STREAMS, DRY CREEK, MIDDLETOWN, CA	150	---	150	---
N CA STREAMS, LOWER SACRAMENTO RVR RIPARIAN REVEGETATI	237	---	237	---
N CA STREAMS, MIDDLE CREEK, CA	90	---	90	---
N CA STREAMS, SUISUN MARSH, CA	65	---	65	---
NAPA RIVER, SALT MARSH RESTORATION, CA	300	---	300	---
NAPA VALLEY WATERSHED MANAGEMENT, CA	50	---	50	---
NCS, LOWER CACHE CREEK, YOLO COUNTY, WOODLAND AND VIC,	300	---	500	---
NEWPORT BAY HARBOR, CA	---	350	---	350
NEWPORT BAY (LA-3 SITE DESIGNATION STUDY), CA	---	---	800	---
NEWPORT BAY/SAN DIEGO CREEK WATERSHED, CA	381	---	381	---
ORANGE COUNTY COAST BEACH EROSION, CA	---	---	475	---
ORANGE COUNTY, SANTA ANA RIVER BASIN, CA	100	---	100	---
PAJARO RIVER AT WATSONVILLE, CA	---	600	---	1,200
PAJARO RIVER BASIN STUDY, CA	50	---	50	---
PENINSULA BEACH (CITY OF LONG BEACH), CA	---	---	250	---
PINE FLAT DAM, FISH AND WILDLIFE HABITAT RESTORATION,	---	300	---	300
PORT OF STOCKTON, CA	150	---	150	---
POSO CREEK, CA	150	---	500	---
RANCHO PALOS VERDES, CA	---	200	---	200
REDWOOD CITY HARBOR, CA	250	---	250	---
RUSSIAN RIVER ECOSYSTEM RESTORATION, CA	200	---	200	---
SACRAMENTO - SAN JOAQUIN DELTA, CA	300	---	300	---
SACRAMENTO AND SAN JOAQUIN COMPREHENSIVE BASIN STUDY,	1,500	---	3,000	---
SAN ANTONIO CREEK, CA	125	---	125	---
SAN BERNARDINO COUNTY, CA	100	---	100	---
SAN DIEGO COUNTY SHORELINE, CA	---	---	325	---
SAN DIEGO HARBOR, NATIONAL CITY, CA	125	---	125	---
SAN FRANCISCO BAY, CA	250	---	700	---
SAN GABRIEL RIVER TO NEWPORT BAY, CA	---	---	150	---
SAN JACINTO RIVER, CA	225	---	225	---
SAN JOAQUIN R BASIN, STOCKTON METRO AREA, FARMINGTON D	---	150	---	150
SAN JOAQUIN R BASIN, STOCKTON METRO AREA, FARMINGTON D	100	---	100	---
SAN JOAQUIN RIVER BASIN, CONSUMNES & MOKELUMNE RIVERS,	150	---	150	---
SAN JOAQUIN RIVER BASIN, CORRAL HOLLOW CREEK, CA	65	---	65	---
SAN JOAQUIN RIVER BASIN, FRAZIER CREEK, CA	65	---	250	---
SAN JOAQUIN RIVER BASIN, STOCKTON METROPOLITAN AREA, C	180	---	180	---
SAN JOAQUIN RIVER BASIN, TUOLUMNE RIVER, CA	150	---	300	---
SAN JOAQUIN RIVER BASIN, WEST STANISLAUS COUNTY, CA	213	---	213	---
SAN JUAN CREEK WATERSHED MANAGEMENT, CA	50	---	200	---
SAN JUAN CREEK, SOUTH ORANGE COUNTY, CA	50	---	50	---
SAN LUIS OBISPO, CA	170	---	170	---
SAN PABLO BAY WATERSHED, CA	200	---	200	---
SANTA ROSA CREEK WATERSHED, CA	300	---	300	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
SANTA YNEZ, CA	---	---	100	---
SOLANA BEACH, CA	---	---	350	---
SOUTH SACRAMENTO COUNTY STREAMS, CA	---	200	---	200
SOUTHERN CALIFORNIA SPECIAL AREA MANAGEMENT PLANS, CA.	---	---	1,882	---
STRONG AND CHICKEN RANCH SLOUGHS, CA	150	---	300	---
SUTTER BASIN, CA	150	---	150	---
TAHOE BASIN, CA & NV	150	---	150	---
TIJUANA RIVER ENVIRONMENTAL RESTORATION, CA	205	---	500	---
TULE RIVER, CA	---	400	---	400
UPPER GUADALUPE RIVER, CA	---	500	---	500
UPPER PENITENCIA CREEK, CA	300	---	300	---
UPPER SANTA ANA RIVER WATERSHED, CA	100	---	100	---
VENTURA HARBOR SAND BYPASS, CA	400	---	400	---
WHITE RIVER AND DEER CREEK, CA	150	---	150	---
WESTMINISTER, CA	---	---	100	---
WHITEWATER RIVER BASIN, CA	---	---	---	500
YUBA RIVER BASIN, CA	---	400	---	400
COLORADO				
CHATFIELD, CHERRY CREEK AND BEAR CREEK RESERVOIRS, CO.	250	---	250	---
FOUNTAIN CREEK AND TRIBUTARIES, CO	---	---	100	---
ZUNI AND SUN VALLEY REACHES, SOUTH PLATTE RIVER, CO	---	---	100	---
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS				
NAVIGATION IMPROVEMENTS, CNMI	100	---	150	---
CONNECTICUT				
COASTAL CONNECTICUT ECOSYSTEM RESTORATION, CT	80	---	80	---
DELAWARE				
C&D CANAL, BALTIMORE HBR CONN CHANNELS, DE & MD (DEEPE	---	100	---	100
DELAWARE COAST FROM BETHANY BEACH TO SOUTH BETHANY, DE	---	---	---	33
DELAWARE BAY COASTLINE, ROOSEVELT INLET/LEWES BEACH, D	---	---	---	124
DELAWARE BAY COASTLINE, BROADKILL BEACH, DE	---	---	---	304
FLORIDA				
BISCAYNE BAY, FL	543	---	543	---
HILLSBOROUGH RIVER, FL	114	---	114	---
LAKE WORTH INLET, PALM BEACH COUNTY, FL	114	---	114	---
MILE POINT, FL	114	---	114	---
PORT EVERGLADES HARBOR, FL	160	---	160	---
WITHLACOOCHEE RIVER, FL	114	---	114	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
GEORGIA				
ALLATOONA LAKE, ETOWAH RIVER, GA	90	---	90	---
ALLATOONA LAKE, LITTLE RIVER, GA	40	---	40	---
ARABIA MOUNTAIN, GA	---	---	100	---
AUGUSTA, GA	500	---	500	---
BRUNSWICK HARBOR, GA	---	50	---	---
INDIAN, SUGAR, ENTRENCHMENT AND FEDERAL PRISON CREEKS,	50	---	50	---
LONG ISLAND, MARSH AND JOHNS CREEKS, GA	50	---	50	---
METRO ATLANTA WATERSHED, GA	499	---	499	---
SAVANNAH HARBOR ECOSYSTEM RESTORATION, GA	450	---	450	---
SAVANNAH HARBOR EXPANSION, GA	---	100	---	100
SAVANNAH RIVER BASIN COMPREHENSIVE, GA & SC	400	---	400	---
UTOY, SANDY AND PROCTOR CREEKS, GA	100	---	100	---
HAWAII				
ALA WAI CANAL, OAHU, HI	140	---	140	---
BARBERS POINT HARBOR MODIFICATION, OAHU, HI	---	173	---	173
HAWAII WATER MANAGENMENT, HI	---	---	200	---
HONOLULU HARBOR MODIFICATIONS, OAHU, HI	200	---	200	---
KAHUKU, HI	---	---	---	200
KAHULUI HARBOR MODIFICATIONS, MAUI, HI	150	---	150	---
KAWAIHAE DEEP DRAFT HARBOR MODIFICATIONS, HAWAII, HI	40	---	40	---
KIHEI AREA EROSION, HI	---	---	100	---
WAIKIKI EROSION CONTROL, HI	---	---	100	---
IDAHO				
BOISE RIVER, BOISE, ID	165	---	165	---
GOOSE CREEK, OAKLEY, ID	---	---	100	---
KOOTENAI RIVER AT BONNERS FERRY, ID	60	---	60	---
LITTLE WOOD RIVER, GOODING, ID	165	---	165	---
PAYETTE AND SNAKE RIVER, ID	---	---	100	---
ILLINOIS				
ALEXANDER AND PULASKI COUNTIES, IL	---	200	---	200
DES PLAINES RIVER, IL	---	400	---	400
DES PLAINES RIVER, IL (PHASE II)	250	---	750	---
ILLINOIS BEACH STATE PARK, IL	---	---	---	325
ILLINOIS RIVER ECOSYSTEM RESTORATION, IL	500	---	500	---
KANKAKEE RIVER BASIN, IL & IN	300	---	600	---
PEORIA RIVERFRONT DEVELOPMENT, IL	400	---	400	---
ROCK RIVER, IL & WI	700	---	700	---
UPPER MISS & ILLINOIS NAV IMPROVEMENTS, IL, IA, MN, MO	2,105	---	2,105	---
UPPER MISS & ILLINOIS NAV IMPROVEMENTS, IL, IA, MN, MO	---	4,707	---	4,707
UPPER MISS RVR SYS FLOW FREQUENCY STUDY, IL, IA, MN, M	888	---	888	---
WAUKEGAN HARBOR, IL	---	300	---	300
WOOD RIVER LEVEE, IL	---	310	---	310

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
INDIANA				
INDIANA HARBOR ENVIRONMENTAL DREDGING, IN	---	---	500	---
JOHN T MYERS LOCKS AND DAM, IN & KY	---	2,210	---	2,210
LITTLE CALUMET RIVER (CADDY MARSH DITCH), IN	---	---	---	250
IOWA				
DES MOINES AND RACCOON RIVERS, IA	400	---	600	---
INDIAN CREEK, COUNCIL BLUFFS, IA	80	---	80	---
KANSAS				
TOPEKA, KS	200	---	200	---
TURKEY CREEK BASIN, KS & MO	---	353	---	353
UPPER TURKEY RUN CREEK, KS	---	---	100	---
WALNUT AND WHITEWATER RIVER WATERSHEDS, KS	200	---	200	---
KENTUCKY				
BANKLICK CREEK, KY	100	---	100	---
GREENUP LOCKS AND DAM, OHIO RIVER, KY & OH	---	1,300	---	1,300
LICKING RIVER, CYNTHIANA, KY	260	---	260	---
METROPOLITAN LOUISVILLE, JEFFERSON COUNTY, KY	100	---	100	---
METROPOLITAN LOUISVILLE, MILL CREEK BASIN, KY	250	---	250	---
METROPOLITAN LOUISVILLE, SOUTHWEST, KY	161	---	161	---
OHIO RIVER MAIN STEM SYSTEMS STUDY, KY, IL, IN, PA, WV	4,141	---	4,141	---
OHIO RIVER SHORELINE, PADUCAH, KY	---	---	---	400
LOUISIANA				
AMITE RIVER AND TRIBUTARIES ECOSYSTEM RESTORATION, LA.	200	---	400	---
ATCHAFALAYA RIVER, BAYOUS CHENE, BOENF & BLACK, LA	---	---	250	---
CALCASIEU LOCK, LA	339	---	339	---
CALCASIEU RIVER BASIN, LA	100	---	300	---
HURRICANE PROTECTION, LA	---	---	100	---
INTRACOASTAL WATERWAY LOCKS, LA	686	---	686	---
JEFFERSON PARISH, LA	---	215	---	500
LAFAYETTE PARISH, LA	---	200	---	200
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	1,750	---	1,750	---
ORLEANS PARISH, LA	---	164	---	300
ST BERNARD PARISH URBAN FLOOD CONTROL, LA	100	---	500	---
ST. CHARLES PARISH URBAN FLOOD CONTROL. LA	---	---	100	---
PLAQUEMINES PARISH URBAN FLOOD CONTROL, LA	---	---	100	---
WEST SHORE, LAKE PONTCHARTRAIN, LA	346	---	346	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
MARYLAND				
ANACOSTIA RIVER FEDERAL WATERSHED IMPACT ASSESSMENT, M	500	---	500	---
ANACOSTIA RIVER, PG COUNTY LEVEE, MD & DC	455	---	455	---
BALTIMORE METROPOLITAN, GWYNNS FALLS, MD	68	---	68	---
CUMBERLAND, MD	---	700	---	700
EASTERN SHORE, MD	400	---	400	---
LOWER POTOMAC ESTUARY WATERSHED, MATTAWOMAN, MD	100	---	100	---
LOWER POTOMAC ESTUARY WATERSHED, ST MARY'S, MD	250	---	250	---
PATUXENT RIVER, PRINCE GEORGES COUNTY, MD	---	100	---	100
SMITH ISLAND ENVIRONMENTAL RESTORATION, MD	---	100	---	100
MASSACHUSETTS				
BLACKSTONE RIVER WATERSHED RESTORATION, MA & RI	310	---	310	---
BOSTON HARBOR, MA (45-FOOT CHANNEL)	150	---	150	---
COASTAL MASSACHUSETTS ECOSYSTEM RESTORATION, MA	100	---	100	---
MUDDY RIVER, BROOKLINE AND BOSTON, MA	---	---	---	500
SOMERSET AND SEARSBURG DAMS, DEERFIELD RIVER, MA & VT.	100	---	100	---
MICHIGAN				
BELL ISLE SHORELINE, DETROIT, MI	---	---	100	---
DETROIT RIVER ENVIRONMENTAL DREDGING, MI	---	---	250	---
DETROIT RIVER MASTER PLAN, MI	---	---	100	---
DETROIT RIVER SEAWALLS, MI	---	---	100	---
JOHN GLENN GREAT LAKES BASIN PROGRAM, MI	---	---	100	---
MUSKEGON LAKE, MI	---	---	100	---
GREAT LAKES NAVIGATION SYSTEM, MI, IL, IN, MN, NY, OH, PA, & WI	---	---	500	---
SAULT STE MARIE (REPLACEMENT LOCK), MI	---	1,000	---	1,000
ST CLAIR RIVER AND LAKE ST CLAIR, MI	---	---	200	---
MINNESOTA				
LOWER ST ANTHONY FALLS RAPIDS RESTORATION, MN	---	---	400	---
UPPER MISS RIVER WATERSHED MGMT, LAKE ITASCA TO L/D 2,	250	---	250	---
MISSISSIPPI				
PEARL RIVER WATERSHED, MS	---	---	50	---
MISSOURI				
CHESTERFIELD, MO	---	250	---	250
HANNIBAL, MO	---	---	100	---
KANSAS CITY, MO & KS	312	---	312	---
MISSOURI & MIDDLE MISSISSIPPI RIVERS ENHANCEMENT PROJE	500	---	500	---
MISSOURI RIVER LEVEE SYSTEM, UNITS L455 & R460-471, MO	220	---	220	---
RIVER DES PERES, MO	---	330	---	330

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
ST LOUIS HARBOR, MO & IL	---	265	---	265
ST. LOUIS FLOOD PROTECTION, MO	---	445	---	445
SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO	---	170	---	170
MONTANA				
LOWER YELLOWSTONE RIVER DIVERSION DAM, MT	---	---	---	100
YELLOWSTONE RIVER CORRIDOR, MT	500	---	500	---
NEBRASKA				
ANTELOPE CREEK, LINCOLN, NE	---	275	---	275
LOWER PLATTE RIVER AND TRIBUTARIES, NE	217	---	217	---
SAND CREEK WATERSHED, WAHOO, NE	---	220	---	220
NEVADA				
LOWER LAS VEGAS WASH WETLANDS, NV	100	---	500	---
TRUCKEE MEADOWS, NV	---	500	---	500
WALKER RIVER BASIN, NV	100	---	100	---
NEW HAMPSHIRE				
MERRIMACK RIVER BASIN	---	---	500	---
NEW JERSEY				
BARNEGAT BAY, NJ	---	50	---	50
BARNEGAT INLET TO LITTLE EGG HARBOR INLET, NJ	---	---	---	450
BRIGANTINE INLET TO GREAT EGG HARBOR INLET, NJ	---	---	---	391
DELAWARE BAY COASTLINE, OAKWOOD BEACH, NJ & DE	---	---	---	222
DELAWARE BAY COASTLINE, REEDS BEACH TO PIERCES POINT	---	---	---	135
DELWARE BAY COASTLINE, VILLAS AND VICINITY, NJ & DE	---	---	---	155
DELAWARE RIVER BASIN, NJ	---	---	100	---
GREAT EGG HARBOR INLET TO TOWNSENDS INLET, NJ	---	---	---	150
LOWER CAPE MAY MEADOWS TO CAPE MAY POINT, NJ	---	---	---	350
LOWER PASSAIC RIVER, NJ	---	---	100	---
LOWER SADDLE RIVER, NJ	---	---	---	100
MANASQUAN INLET TO BARNEGAT INLET, NJ	---	---	---	150
NEW JERSEY INTRACOASTAL WATERWAY, ENV RESTORATION, NJ	218	---	218	---
PASSAIC RIVER, HARRISON, NJ	---	---	---	300
RARITAN BAY AND SANDY HOOK BAY, LEONARDO, NJ	550	---	550	---
RARITAN BAY AND SANDY HOOK BAY, UNION BEACH, NJ	291	---	291	---
SHREWSBURY RIVER AND TRIBUTARIES IN MONMOUTH COUNTY, N	120	---	120	---
SOUTH RIVER, RARITAN RIVER BASIN, NJ	450	---	450	---
STONY BROOK, NJ	120	---	120	---
UPPER PASSAIC RIVER AND TRIBS, LONG HILL, MORRIS COUNT	300	---	300	---
UPPER ROCKAWAY RIVER, MORRIS COUNTY, NJ	300	---	300	---
WOODBRIDGE AND RAHWAY, NJ	200	---	200	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
NEW MEXICO				
ESPANOLA VALLEY, RIO GRANDE AND TRIBUTARIES, NM.....	50	---	50	---
RIO GRANDE BASIN, NM, CO & TX.....	500	---	600	---
SANTA CRUZ DAM SEDIMENT STUDY, NM.....	---	---	100	---
SW VALLEY FLOOD DAMAGE REDUCTION STUDY, ALBUQUERQUE, N	330	---	330	---
NEW YORK				
ATLANTIC COAST OF NEW YORK MONITORING PROGRAM, NY.....	---	---	1,000	---
ARTHUR KILL CHANNEL, HOWLAND HOOK MARINE TERMINAL, NY.	---	347	---	347
AUSABLE RIVER BASIN, ESSEX AND CLINTON COUNTIES, NY...	200	---	200	---
BOQUET RIVER AND TRIBUTARIES, ESSEX COUNTY, NY.....	200	---	200	---
BRONX RIVER BASIN, NY.....	250	---	450	---
BUFFALO RIVER ENVIRONMENTAL DREDGING, NY.....	---	---	100	---
CLINTON COUNTY, NY.....	150	---	150	---
FLUSHING BAY AND CREEK, NY.....	520	---	520	---
FREEPORT CREEK, VILLAGE OF FREEPORT, NY.....	---	---	100	---
HUDSON - RARITAN ESTUARY, NY & NJ.....	800	---	800	---
HUDSON RIVER HABITAT RESTORATION, NY.....	---	50	---	50
HUDSON RIVER HABITAT RESTORATION, NY.....	50	---	50	---
HUDSON RIVER, HUDSON, NY.....	120	---	120	---
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, ARVERNE, NY.	50	---	50	---
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY.....	296	---	296	---
LAKE MONTAUK HARBOR, NY.....	---	---	200	---
LINDENHURST, NY.....	100	---	100	---
MONTAUK POINT, NY.....	---	---	287	---
NEW YORK AND NEW JERSEY HARBOR, NY & NJ.....	---	2,528	---	2,528
NEW YORK HARBOR ANCHORAGE AREAS, NY.....	259	---	259	---
NORTH SHORE OF LONG ISLAND, BAYVILLE, NY.....	300	---	300	---
ONONDAGA LAKE, NY.....	250	---	250	---
SAW MILL RIVER AND TRIBUTARIES, NY.....	50	---	100	---
SAW MILL RIVER AT ELMSFORD/GREENBURGH, NY.....	---	---	---	750
SOUTH SHORE OF LONG ISLAND, NY.....	90	---	90	---
SOUTH SHORE OF STATEN ISLAND, NY.....	400	---	400	---
SUSQUEHANNA RIVER BASIN WATER MANAGEMENT, NY, PA & MD.	---	100	---	100
UPPER DELAWARE RIVER WATERSHED, NY.....	776	---	776	---
UPPER SUSQUEHANNA RIVER BASIN, NY.....	---	---	200	---
NORTH CAROLINA				
BOGUE BANKS, NC.....	---	---	250	---
CURRITUCK SOUND, NC.....	100	---	100	---
DARE COUNTY BEACHES, NC.....	50	---	300	---
DARE COUNTY BEACHES, HATTERAS AND ORACOKE ISLAND, NC..	---	---	500	---
LOCKWOODS FOLLY RIVER, NC.....	600	---	600	---
MANTEO (SHALLOWBAG) BAY, NC.....	---	250	---	250
NEUSE RIVER BASIN, NC.....	100	---	100	---
SURF CITY, NC.....	---	---	100	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
NORTH DAKOTA				
DEVILS LAKE, ND	50	---	---	4,000
GRAFTON, PARK RIVER, ND	---	900	---	900
RED RIVER OF THE NORTH, ND & MN	---	---	200	---
OHIO				
ASHTABULA RIVER ENVIRONMENTAL DREDGING, OH	---	384	---	384
BUTLER COUNTY, OH	100	---	100	---
COLUMBUS METROPOLITAN AREA, OH	600	---	600	---
HOCKING RIVER BASIN ENV RESTORATION, MONDAY CREEK, OH	306	---	306	---
HOCKING RIVER BASIN ENV RESTORATION, SUNDAY CREEK, OH	200	---	200	---
MAHONING RIVER ENVIRONMENTAL DREDGING, OH & PA	---	---	500	---
MUSKINGUM BASIN SYSTEM STUDY, OH	100	---	100	---
OHIO RIVER FLOW COMMODITY STUDY, OH	---	---	200	---
RICHLAND COUNTY, OHIO	100	---	100	---
SANDUSKY RIVER, TIFFIN, OH	---	---	100	---
STEUBENVILLE, OH	---	---	175	---
WESTERN LAKE ERIE BASIN, OH, IN & MI	---	---	100	---
OKLAHOMA				
CIMARRON RIVER AND TRIBUTARIES, OK, KS, NM & CO	200	---	200	---
SOUTHEAST OKLAHOMA WATER RESOURCE STUDY, OK	200	---	700	---
WARR ACRES, OK	200	---	200	---
OREGON				
COLUMBIA RIVER NAVIGATION CHANNEL DEEPENING, OR & WA	---	923	---	---
TILLAMOOK BAY AND ESTUARY ECOSYSTEM RESTORATION, OR	274	---	274	---
WILLAMETTE RIVER BASIN REVIEW, OR	210	---	210	---
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR	114	---	114	---
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR	200	---	200	---
PENNSYLVANIA				
BEAVER CREEK, CLARION, PA	---	---	100	---
BLOOMSBURG, PA	441	---	441	---
LOWER WEST BR, SUS RIVER, ENV RESTORATION, BUFFALO CRE	250	---	250	---
NEW CASTLE, PA	---	---	100	---
TURTLE CREEK BASIN, UPPER TURTLE CREEK ENV RESTORATION	66	---	66	---
PUERTO RICO				
RIO GUANAJIBO, PR	---	441	---	441

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
RHODE ISLAND				
QUONSET DAVISVILLE PORT, RI	---	---	100	---
RHODE ISLAND ECOSYSTEM RESTORATION, RI	191	---	191	---
RHODE ISLAND SOUTH COAST, HABITAT REST & STRM DMG REDU	54	---	54	---
SOUTH CAROLINA				
ATLANTIC INTRACOASTAL WATERWAY, SC	581	---	581	---
BROAD RIVER BASIN, SC	---	---	200	---
CHARLESTON ESTUARY, SC	150	---	150	---
PAWLEYS ISLAND, SC	219	---	219	---
WACCAMAW RIVER, SC	---	---	100	---
YADKIN - PEE DEE RIVER WATERSHED, SC & NC	---	50	---	50
SOUTH DAKOTA				
JAMES RIVER, SD	---	---	500	---
NIOBRARA AND MISSOURI RIVERS, SD	---	---	100	---
TENNESSEE				
DAVIDSON COUNTY, TN	200	---	200	---
DUCK RIVER WATERSHED, TN	50	---	50	---
FRENCH BROAD WATERSHED, TN	500	---	500	---
NORTH CHICKAMAUGA CREEK, TN	50	---	50	---
TEXAS				
BOIS D'ARC CREEK, BONHAM, TX	200	---	200	---
BUFFALO BAYOU AND TRIBUTARIES, WHITE OAK BAYOU, TX	230	---	230	---
CITY OF BROWNSVILLE (RESACAS), TX	---	---	100	---
CORPUS CHRISTI SHIP CHANNEL, LAQUINTA CHANNEL, TX	456	---	456	---
CORPUS CHRISTI SHIP CHANNEL, TX	1,008	---	1,008	---
DALLAS FLOODWAY EXTENSION, TRINITY RIVER, TX	---	100	---	---
FREEPORT AND VINCITY, HURRICANE/FLOOD PROTECTION, TX	---	---	100	---
GIWW MODIFICATIONS, TX	195	---	195	---
GIWW, BRAZOS RIVER TO PORT O'CONNOR, TX	500	---	500	---
GIWW, HIGH ISLAND TO BRAZOS RIVER, TX	728	---	728	---
GIWW, MATAGORDA BAY, TX	---	100	---	200
GIWW, PORT O'CONNOR TO CORPUS CHRISTI BAY, TX	653	---	653	---
GREENS BAYOU, HOUSTON, TX	---	434	---	434
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX	200	---	200	---
HUNTING BAYOU, HOUSTON, TX	---	100	---	500
LOWER COLORADO RIVER BASIN, TX	600	---	1,500	---
MIDDLE BRAZOS RIVER, TX	300	---	300	---
NORTH BOSQUE RIVER, TX	---	50	---	50
NORTH PADRE ISLAND, CORPUS CHRISTI, TX	---	164	---	1,000
NORTHWEST EL PASO, TX	280	---	280	---
PECAN BAYOU, BROWNWOOD, TX	---	100	---	100

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
RAYMONDVILLE DRAIN, TX	---	100	---	700
SABINE - NECHES WATERWAY, TX	544	---	544	---
SABINE PASS TO GALVESTON BAY, TX	114	---	114	---
SOUTH MAIN CHANNEL, TX	---	574	---	574
SULPHUR RIVER ENVIRONMENTAL RESTORATION, TX	50	---	50	---
UPPER TRINITY RIVER BASIN, TX	500	---	1,100	---
UTAH				
PROVO AND VICINITY, UT	100	---	100	---
VIRGINIA				
AIWW, BRIDGES AT DEEP CREEK, VA	342	---	342	---
AIWW, BRIDGES AT DEEP CREEK, VA	---	200	---	200
CHESAPEAKE BAY SHORELINE, VA	---	---	170	---
ELIZABETH RIVER BASIN, ENVIR RESTORATION, HAMPTON ROAD	247	---	247	---
JAMES RIVER CHANNEL, VA	---	277	---	277
JOHN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216)	200	---	200	---
LAKE MERRIWEATHER, GOSHEN DAM AND SPILLWAY, VA	---	---	---	150
LOWER RAPPAHANNOCK RIVER BASIN, VA	300	---	300	---
NEW RIVER BASIN, VA, NC, & WV	---	---	200	---
NORFOLK HARBOR AND CHANNELS, CRANEY ISLAND, VA	1,188	---	1,188	---
POWELL RIVER WATERSHED, VA	165	---	165	---
POWELL RIVER, STRAIGHT, REEDS AND JONES CREEK, VA	---	200	---	200
PRINCE WILLIAM COUNTY WATERSHED, VA	205	---	205	---
RAPPAHANNOCK RIVER, EMBREY DAM, VA	257	---	---	600
WASHINGTON				
BELLINGHAM BAY, WA	60	---	60	---
CENTRALIA, WA	---	250	---	1,750
CHEHALIS RIVER BASIN, WA	150	---	150	---
DUWAMISH AND GREEN RIVER BASIN, WA	---	222	---	222
HOWARD HANSON DAM, WA	---	600	---	1,500
LAKE WALLULA NAVIGATION CHANNEL, COLUMBIA RIVER, WA	---	---	100	---
LAKE WASHINGTON SHIP CANAL, WA	350	---	790	---
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, WA & OR	---	---	100	---
OCEAN SHORES, WA	100	---	100	---
PUGET SOUND CONFINED DISPOSAL SITES, WA	250	---	250	---
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA	65	---	65	---
SKAGIT RIVER, WA	270	---	270	---
SKOKOMISH RIVER BASIN, WA	100	---	100	---
STILLAGUAMISH RIVER BASIN, WA	---	225	---	225
TRI-CITIES AREA RIVERSHORE ENHANCEMENT, WA	250	---	---	---

CORPS OF ENGINEERS - GENERAL INVESTIGATIONS

PROJECT TITLE	BUDGET REQUEST INVESTIGATIONS	BUDGET REQUEST PLANNING	CONFERENCE INVESTIGATIONS	CONFERENCE PLANNING
WEST VIRGINIA				
ERICSON/WOOD COUNTY PUBLIC PORT, WV	---	---	---	500
ISLAND CREEK AT LOGAN, WV	---	200	---	200
LOWER MUD RIVER, WV	---	650	---	---
MERCER COUNTY, WV	107	---	107	---
WEIRTON PORT, WV	---	---	---	750
WISCONSIN				
BARABOO RIVER, WI	---	---	100	---
FOX RIVER, WI	---	---	250	---
SAXON HARBOR, WI	---	---	50	---
WYOMING				
JACKSON HOLE RESTORATION, WY	---	100	---	300
MISCELLANEOUS				
COASTAL FIELD DATA COLLECTION	2,300	---	2,200	---
ENVIRONMENTAL DATA STUDIES	700	---	100	---
FLOOD DAMAGE DATA	400	---	400	---
FLOOD PLAIN MANAGEMENT SERVICES	9,000	---	8,200	---
GREAT LAKES REMEDIAL ACTION PROGRAM	---	---	600	---
HYDROLOGIC STUDIES	500	---	500	---
INTERNATIONAL WATER STUDIES	500	---	500	---
NATIONAL SHORELINE	300	---	---	---
OTHER COORDINATION PROGRAMS	8,900	---	8,000	---
PLANNING ASSISTANCE TO STATES	6,500	---	6,700	---
PRECIPITATION STUDIES (NATIONAL WEATHER SERVICE)	400	---	400	---
REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT	300	---	300	---
RESEARCH AND DEVELOPMENT	26,000	---	25,000	---
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	100	---	100	---
STREAM GAGING (U.S. GEOLOGICAL SURVEY)	800	---	700	---
TRANSPORTATION SYSTEMS	800	---	700	---
TRI-SERVICE CADD/GIS TECHNOLOGY CENTER	650	---	650	---
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE AND CARRYOVER BALANCES	-23,250	---	-47,693	---
TOTAL, GENERAL INVESTIGATIONS	101,519	36,181	104,496	55,542

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ALABAMA		
BLACK WARRIOR AND TOMBIGBEE RIVERS, VICINITY OF JACKSO	2,000	2,000
DOG RIVER, AL	---	300
ELBA, AL	---	1,500
GENEVA, AL	---	500
MOBILE HARBOR, AL	499	499
WALTER F GEORGE POWERHOUSE AND DAM, AL & GA (MAJOR REH	3,000	3,000
WALTER F GEORGE POWERPLANT, AL & GA (MAJOR REHAB)	2,500	2,500
ALASKA		
CHIGNIK HARBOR, AK	1,312	1,312
GALENA, AK	---	3,000
KAKE HARBOR, AK	5,508	5,508
NOME HARBOR, AK	---	1,000
ST PAUL HARBOR, AK	5,616	5,616
ARIZONA		
RIO SALADO, PHOENIX AND TEMPE REACHES, AZ	2,000	2,000
ARKANSAS		
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	3,300	3,300
MONTGOMERY POINT LOCK AND DAM, AR	20,000	40,000
OZARK POWERHOUSE, AR (MAJOR REHAB)	1,230	---
RED RIVER EMERGENCY BANK PROTECTION, AR	---	4,000
CALIFORNIA		
AMERICAN RIVER WATERSHED, CA	10,000	10,000
AMERICAN RIVER WATERSHED, CA (FOLSOM DAM MODIFICATIONS	5,000	4,000
BERRYESSA CREEK, CA	---	1,000
CORTE MADERA CREEK, CA	100	100
GUADALUPE RIVER, CA	3,500	7,000
HAMILTON AIRFIELDS WETLANDS RESTORATION, CA	---	2,000
HARBOR/SOUTH BAY WATER RECYCLING, CA	---	2,000
IMPERIAL BEACH, CA	---	800
KAWEAH RIVER, CA	500	3,000
LOS ANGELES COUNTY DRAINAGE AREA, CA	9,821	9,821
LOWER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	1,485	1,485
MARYSVILLE/YUBA CITY LEVEE RECONSTRUCTION, CA	760	760
MERCED COUNTY STREAMS, CA	500	500
MID-VALLEY AREA LEVEE RECONSTRUCTION, CA	2,000	2,000
NAPA RIVER, CA	4,000	4,000
NORCO BLUFFS, CA	---	3,225
PORT OF OAKLAND, CA	---	4,000
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	3,300	5,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
SAN FRANCISCO BAY TO STOCKTON, CA	---	250
SAN GABRIEL BASIN RESTORATION, CA	---	25,000
SAN LORENZO RIVER, CA	4,000	4,000
SANTA ANA RIVER MAINSTEM, CA	18,000	23,000
SANTA BARBARA HARBOR, CA	5,000	5,000
STOCKTON METROPOLITAN AREA, CA	---	4,000
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	1,000	1,000
SURFSIDE-SUNSET AND NEWPORT BEACH, CA	---	5,000
UPPER SACRAMENTO AREA LEVEE RECONSTRUCTION, CA	1,665	1,665
WEST SACRAMENTO, CA	1,775	1,775
DELAWARE		
DELAWARE COAST FROM CAPE HELOPEN TO FENWICK ISLAND, DE	---	3,000
DELAWARE COAST PROTECTION, DE	254	254
FLORIDA		
BREVARD COUNTY, FL	---	6,000
CANAVERAL HARBOR, FL	847	847
CEDAR HAMMOCK, WARES CREEK, FL	200	200
CENTRAL AND SOUTHERN FLORIDA, FL	92,423	80,423
DADE COUNTY, FL	3,058	8,000
DUVAL COUNTY, FL	3,800	3,800
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	20,525	20,525
HILLSBORO AND OKEECHOBEE AQUIFER, FL	4,562	---
HILLSBORO INLET, FL	---	500
JACKSONVILLE HARBOR, FL	---	1,000
JIM WOODRUFF LOCK AND DAM POWERHOUSE, FL & GA (MAJOR R	4,500	4,500
KISSIMMEE RIVER, FL	20,000	20,000
MANATEE COUNTY, FL	200	200
MANATEE HARBOR, FL	10,828	10,828
MARTIN COUNTY, FL	2,419	2,419
MIAMI HARBOR CHANNEL, FL	6,591	6,591
PALM VALLEY BRIDGE, FL	4,000	7,500
PANAMA CITY HARBOR, FL	706	706
PINELLAS COUNTY, FL	1,321	1,321
ST. JOHNS COUNTY, FL	---	4,000
ST. LUCIE INLET, FL	---	4,000
TAMPA HARBOR, FL	---	300
GEORGIA		
BRUNSWICK HARBOR, GA	---	250
BUFORD POWERHOUSE, GA (MAJOR REHAB)	2,455	2,455
LOWER SAVANNAH RIVER BASIN, GA & SC	1,500	1,500
MAYO'S BAR LOCK & DAM, GA	---	400
OATES CREEK, RICHMOND COUNTY, GA (DEF CORR)	332	332
RICHARD B RUSSELL DAM AND LAKE, GA & SC	2,666	2,666
THURMOND LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	5,000	5,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
HAWAII		
IAO STREAM FLOOD CONTROL, MAUI, HI (DEF CORR)	239	239
KAUMALAPAU HARBOR, HI	---	3,000
KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI	3,437	3,437
MAALAEA HARBOR, MAUI, HI	325	325
IDAHO		
MILO CREEK, ID	---	1,000
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	2,100	2,100
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL.	400	400
CHICAGO SHORELINE, IL	19,192	19,192
EAST ST LOUIS, IL	900	900
EAST ST LOUIS INTERIOR FLOOD CONTROL	---	150
LOCK AND DAM 24, MISSISSIPPI RIVER, IL & MO (MAJOR REH	5,750	5,750
LOVES PARK, IL	4,010	4,010
MCCOOK AND THORNTON RESERVOIRS, IL	2,800	7,800
MELVIN PRICE LOCK AND DAM, IL & MO	1,400	1,400
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY	38,142	56,000
UPPER MISS RVR SYSTEM ENV MGMT PROGRAM, IL, IA, MN, MO	18,000	21,000
INDIANA		
CALUMET REGION, IN	---	300
FORT WAYNE METROPOLITAN AREA, IN	1,088	1,088
INDIANA HARBOR, IN (CONFINED DISPOSAL FACILITY)	3,291	3,291
INDIANA SHORELINE EROSION, IN	---	1,000
INDIANAPOLIS CENTRAL WATERFRONT, IN	---	10,000
INDIANAPOLIS, WHITE RIVER (NORTH), IN	934	934
LITTLE CALUMET RIVER, IN	5,343	8,843
OHIO RIVER GREENWAY PUBLIC ACCESS, IN	1,500	1,500
PATOKA LAKE, IN (MAJOR REHAB)	5,200	5,200
IOWA		
LOCK AND DAM 11, MISSISSIPPI RIVER, IA (MAJOR REHAB)	3,210	---
LOCK AND DAM 12, MISSISSIPPI RIVER, IA (MAJOR REHAB)	5,260	5,260
MISSOURI RIVER FISH AND WILDLIFE MITIGATION, IA, NE, K	12,000	12,000
MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS & MO	4,400	4,650
PERRY CREEK, IA	7,178	7,178
KANSAS		
ARKANSAS CITY, KS	5,100	5,100

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	1,000	1,000
DEWEY LAKE, KY (DAM SAFETY)	3,832	3,832
KENTUCKY LOCK AND DAM, TENNESSEE RIVER, KY	14,900	30,000
KENTUCKY RIVER LOCK AND DAM #10, KY	---	2,000
MCALPINE LOCKS AND DAM, OHIO RIVER, KY & IN	14,000	18,000
METROPOLITAN LOUISVILLE, BEARGRASS CREEK, KY	---	500
METROPOLITAN LOUISVILLE, POND CREEK, KY	4,000	4,000
SOUTHERN AND EASTERN KENTUCKY, KY	---	4,000
LOUISIANA		
COMITE RIVER, LA	10,000	10,000
INNER HARBOR NAVIGATION CANAL LOCK, LA	14,349	16,349
GRAND ISLE AND VICINITY, LA	---	500
J BENNETT JOHNSTON WATERWAY, LA	18,040	21,040
LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	3,100	10,000
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)	1,414	2,414
MISSISSIPPI RIVER GULF OUTLET, LA	---	500
MISSISSIPPI RIVER SHIP CHANNEL, GULF TO BATON ROUGE, L	719	719
NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION)	1,800	1,800
SOUTHEAST LOUISIANA, LA	47,260	69,000
WEST BANK VICINITY OF NEW ORLEANS, LA	8,065	8,065
MARYLAND		
ANACOSTIA RIVER AND TRIBUTARIES, MD & DC	3,951	3,951
ASSATEAGUE ISLAND, MD	2,500	2,500
ATLANTIC COAST OF MARYLAND, MD	185	185
BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MD & VA	5,000	3,000
CHESAPEAKE BAY ENV RESTORATION AND PROTECTION, MD, VA.	608	1,058
CHESAPEAKE BAY OYSTER RECOVERY, MD & VA	---	3,000
POPLAR ISLAND, MD	19,190	19,190
MASSACHUSETTS		
CAPE COD CANAL RAILROAD BRIDGE, MA (MAJOR REHAB)	8,600	8,600
TOWN BROOK, QUINCY AND BRAINTREE, MA	100	100
MINNESOTA		
CROOKSTON, MN	---	1,000
LOCK AND DAM 3, MISSISSIPPI RIVER, MN (MAJOR REHAB)	5,000	5,000
MARSHALL, MN	1,312	1,312
NORTHEASTERN MINNESOTA, MN	---	2,500
PINE RIVER DAM, CROSS LAKE, MN (DAM SAFETY)	3,873	3,873

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
MISSISSIPPI		
DESOTO COUNTY, MS	---	3,000
GULFPORT HARBOR, MS	---	200
JACKSON COUNTY WATER SUPPLY, MS	---	2,000
PASCAGOULA HARBOR, MS	6,663	6,663
WOLF AND JORDAN RIVERS, MS	1,337	1,337
PEARL RIVER VICINITY OF WALKIAH BLUFF, MS AND LA	---	1,000
MISSOURI		
BLUE RIVER BASIN, KANSAS CITY, MO	---	200
BLUE RIVER CHANNEL, KANSAS CITY, MO	10,500	14,500
CAPE GIRARDEAU, JACKSON, MO	2,350	2,350
MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO	3,000	3,000
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	6,500	6,500
ST LOUIS, MO	---	200
STE GENEVIEVE, MO	6,000	6,000
TABLE ROCK LAKE, MO & AR (DAM SAFETY)	5,920	5,920
NEBRASKA		
MISSOURI NATIONAL RECREATIONAL RIVER, NE & SD	300	1,800
WOOD RIVER, GRAND ISLAND, NE	1,600	3,000
NEVADA		
RURAL NEVADA, NV	---	4,000
TROPICANA AND FLAMINGO WASHES, NV	20,000	21,600
NEW HAMPSHIRE		
LEBANON, NH	---	1,500
NEW JERSEY		
BRIGANTINE INLET/GREAT EGG HARBOR INLET (ABSECON ISL)	---	5,000
CAPE MAY INLET TO LOWER TOWNSHIP, NJ	100	100
DELAWARE RIVER MAIN CHANNEL, NJ, PA & DE	29,756	29,756
GREAT EGG HARBOR INLET AND PECK BEACH, NJ	5,100	5,100
NEW YORK HARBOR & ADJACENT CHANNELS, PORT JERSEY CHANN	5,649	10,000
PASSAIC RIVER PRESERVATION OF NATURAL STORAGE AREAS, N	1,700	1,700
PASSAIC RIVER STREAMBANK RESTORATION, NJ	---	3,000
RAMAPO RIVER AT MAHWAH, NJ	---	750
RAMAPO RIVER AT OAKLAND, NJ	2,717	2,717
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	4,000	4,000
SANDY HOOK TO BARNEGAT INLET, NJ	6,383	6,383
TOWNSENDS INLET TO CAPE MAY INLET, NJ	---	4,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
NEW MEXICO		
ACEQUIAS IRRIGATION SYSTEM, NM	900	900
ALAMOGORDO, NM	3,000	3,000
CENTRAL NEW MEXICO, NM	---	3,000
LAS CRUCES, NM	2,841	2,841
MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELE	600	600
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,	600	600
NEW YORK		
ARTHUR KILL CHANNEL, HOWLAND HOOK MARINE TERMINAL, NY.	5,000	4,000
ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT,	500	500
EAST ROCKAWAY INLET TO ROCKAWAY INLET AND JAMAICA BAY,	1,000	1,000
FIRE ISLAND INLET TO JONES INLET, NY	500	1,500
FIRE ISLAND INLET TO MONTAUK POINT, NY	3,000	3,000
KILL VAN KULL AND NEWARK BAY CHANNEL, NY & NJ	53,000	53,000
NEW YORK CITY WATERSHED, NY	---	3,000
ONONDAGA LAKE, NY	---	5,000
NORTH CAROLINA		
AIWW, REPLACEMENT OF FEDERAL HIGHWAY BRIDGES, NC	1,000	1,000
BRUNSWICK COUNTY BEACHES, NC	---	4,200
CAROLINA BEACH AND VICINITY, NC	2,000	2,000
WEST ONSLOW BEACH AND NEW RIVER INLET, NC	---	330
WILMINGTON HARBOR, NC	40,600	40,600
NORTH DAKOTA		
BUFORD-TRENTON IRRIGATION DISTRICT LAND ACQUISITION, N	4,700	6,000
DEVILS LAKE EMERGENCY OUTLET, ND	24,000	---
GARRISON DAM AND POWER PLANT, ND (MAJOR REHAB)	5,300	5,300
GRAND FORKS, ND - EAST GRAND FORKS, MN	13,044	13,044
HOMME LAKE, ND (DAM SAFETY)	8,000	8,000
SHEYENNE RIVER, ND	2,600	2,600
OHIO		
BEACH CITY LAKE, MUSKINGUM RIVER LAKES, OH (DAM SAFETY	897	897
HOLES CREEK, OH	---	1,000
LOWER GIRARD LAKE DAM, OH	---	1,000
METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH	3,024	3,024
MILL CREEK, OH	500	500
OHIO ENVIRONMENTAL INFRASTRUCTURE, OH	---	1,500
WEST COLUMBUS, OH	6,000	11,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
OKLAHOMA		
SKIATOOK LAKE, OK (DAM SAFETY)	2,400	2,400
TENKILLER FERRY LAKE, OK (DAM SAFETY)	4,500	4,500
OREGON		
BONNEVILLE POWERHOUSE PHASE II, OR & WA (MAJOR REHAB)	6,110	6,110
COLUMBIA RIVER NAVIGATION CHANNEL DEEPENING, OR & WA	---	4,500
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA	5,000	5,000
ELK CREEK LAKE, OR	500	500
LOWER COLUMBIA RIVER BASIN BANK PROTECTION, OR & WA	200	200
WILLAMETTE RIVER TEMPERATURE CONTROL, OR	8,200	8,200
PENNSYLVANIA		
CLINTON COUNTY, PA	---	500
JOHNSTOWN, PA (MAJOR REHAB)	7,000	7,000
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	35,000	60,000
NANTY GLO, PA	---	700
NORTHEAST PENNSYLVANIA, PA	---	4,000
PRESQUE ISLE PENINSULA, PA (PERMANENT)	580	580
SAW MILL RUN, PITTSBURGH, PA	4,300	4,300
SCHUYLKILL RIVER PARK, PA	---	1,000
SOUTH CENTRAL PENNSYLVANIA ENVIRON IMPROVEMENT PROGRAM	---	20,000
SOUTHEASTERN PENNSYLVANIA, PA	---	150
TOWAMENCIN TOWNSHIP, PA	---	1,000
WILLIAMSPORT, PA	---	446
WYOMING VALLEY, PA (LEVEE RAISING)	23,092	23,092
PUERTO RICO		
ARECIBO RIVER, PR	4,102	5,402
PORTUGUES AND BUCANA RIVERS, PR	9,590	9,590
RIO DE LA PLATA, PR	3,493	3,493
RIO GRANDE DE LOIZA, PR	743	750
RIO NIGUA AT SALINAS, PR	198	---
RIO PUERTO NUEVO, PR	11,000	13,800
SAN JUAN HARBOR, PR	6,940	6,940
RHODE ISLAND		
FOX POINT HURRICANE BARRIER, RI	---	1,950
SOUTH CAROLINA		
CHARLESTON HARBOR, SC (DEEPENING & WIDENING)	16,227	16,227
LAKES MARION AND MOULTRIE, SC	---	4,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
SOUTH DAKOTA		
BIG SIOUX RIVER, SIOUX FALLS, SD	1,500	1,500
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX, SD	4,000	4,000
PIERRE, SD	4,000	6,000
TENNESSEE		
BLACK FOX, MURFREE AND OAKLANDS SPRINGS WETLANDS, TN	---	1,000
HAMILTON COUNTY, TN	---	1,500
TEXAS		
BOSQUE AND LEON RIVERS, TX	---	4,000
BRAYS BAYOU, HOUSTON, TX	5,500	6,000
CHANNEL TO VICTORIA, TX	6,104	6,104
CLEAR CREEK, TX	1,525	1,525
DALLAS FLOODWAY EXTENSION, TX	---	2,000
EL PASO, TX	5,200	5,200
GIWW, ARANSAS NATIONAL WILDLIFE REFUGE, TX	1,176	1,176
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	53,492	53,492
JOHNSON CREEK, TX	---	3,000
NECHES RIVER AND TRIBUTARIES SALTWATER BARRIER, TX	9,000	9,000
RED RIVER BASIN CHLORIDE CONTROL, TX	---	1,300
RED RIVER BELOW DENISON DAM, TX	---	900
SAN ANTONIO CHANNEL IMPROVEMENT, TX	900	900
SIMS BAYOU, HOUSTON, TX	11,820	11,820
UTAH		
UPPER JORDAN RIVER, UT	800	800
VIRGINIA		
AIWW, BRIDGE AT GREAT BRIDGE, VA	8,492	8,492
ENVIRONMENTAL REMEDIATION, FRONT ROYAL, VA	---	7,000
JOHN H KERR DAM AND RESERVOIR, VA & NC (MAJOR REHAB)	4,000	4,000
NORFOLK HARBOR AND CHANNELS (DEEPENING), VA	600	600
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	1,000	1,000
SANDBRIDGE BEACH, VA	---	3,000
VIRGINIA BEACH, VA (HURRICANE PROTECTION)	---	20,000
VIRGINIA BEACH, VA (REIMBURSEMENT)	---	1,100
WASHINGTON		
COLUMBIA RIVER FISH MITIGATION, WA, OR & ID	91,000	81,000
LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	1,000	1,000
MT ST HELENS SEDIMENT CONTROL, WA	710	710
MUD MOUNTAIN DAM, WA (DAM SAFETY)	2,000	2,000
THE DALLES POWERHOUSE (UNITS 1-14), WA & OR (MAJOR REH	7,000	7,000

CORPS OF ENGINEERS - CONSTRUCTION, GENERAL

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
WEST VIRGINIA		
BLUESTONE LAKE, WV (DAM SAFETY)	6,300	10,000
CENTRAL WEST VIRGINIA, WV	---	1,500
GREENBRIAR RIVER BASIN, WV	---	1,000
LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	12,100	37,100
LONDON LOCKS AND DAM, KANAWHA RIVER, WV (MAJOR REHAB).	1,800	1,800
LOWER MUD RIVER, WV	---	1,000
MARMET LOCK, KANAWHA RIVER, WV	6,500	10,200
ROBERT C BYRD LOCKS AND DAM, OHIO RIVER, WV & OH	2,700	2,700
SOUTHERN WEST VIRGINIA, WV	---	3,000
TYGART LAKE, WV (DAM SAFETY)	4,293	4,293
WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL, WV & PA.	---	3,000
WINFIELD LOCKS AND DAM, KANAWHA RIVER, WV	300	300
WISCONSIN		
LAFARGE LAKE, KICKAPOO RIVER, WI	---	2,000
MISCELLANEOUS		
AQUATIC ECOSYSTEM RESTORATION (SECTION 206)	10,000	19,000
AQUATIC PLANT CONTROL PROGRAM	3,000	4,000
BENEFICIAL USES OF DREDGED MATERIAL (SECTION 204)	4,000	4,000
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	3,000	7,000
DREDGED MATERIAL DISPOSAL FACILITIES PROGRAM	5,000	5,000
EMERGENCY STREAMBANK & SHORELINE PROTECTION (SEC. 14).	9,000	9,000
EMPLOYEES' COMPENSATION	19,200	19,200
FLOOD CONTROL PROJECTS (SECTION 205)	25,000	35,000
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE	45	45
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE	185	185
NAVIGATION MITIGATION PROJECT (SECTION 111)	300	300
NAVIGATION PROJECTS (SECTION 107)	7,000	11,000
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	14,000	21,000
RECREATION MODERNIZATION PROGRAM	27,000	---
RIVERINE ECOSYSTEM RESTORATION AND FLOOD HAZARD MITIGA	20,000	---
SHORELINE PROTECTION PROJECTS (SECTION 103)	2,500	2,500
SNAGGING AND CLEARING PROJECT (SECTION 208)	200	600
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE AND CARRYOVER BALANCES	-165,253	-198,753
TOTAL, CONSTRUCTION GENERAL	1,346,000	1,695,699

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
GENERAL INVESTIGATIONS		
SURVEYS:		
GENERAL STUDIES:		
ALEXANDRIA, LA TO THE GULF OF MEXICO	750	750
DONALDSONVILLE TO THE GULF, LA	1,100	1,100
SPRING BAYOU, LA	100	100
COLDWATER RIVER BASIN ABOVE ARKABUTLA LAKE, MS	350	350
COLDWATER RIVER BASIN BELOW ARKABUTLA LAKE, MS	100	100
MEMPHIS METRO AREA, TN & MS	657	657
BAYOU METO BASIN, AR	6,500	6,500
SOUTHEAST ARKANSAS, AR	---	900
MORGANZA, LA TO THE GULF OF MEXICO	2,000	2,000
REELFOOT LAKE, TN & KY	318	368
WOLF RIVER, MEMPHIS, TN	216	216
COLLECTION AND STUDY OF BASIC DATA	435	435
SUBTOTAL, GENERAL INVESTIGATIONS	12,526	13,476
CONSTRUCTION		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	35,690	35,690
FRANCIS BLAND FLOODWAY DITCH (EIGHT MILE CREEK), AR	2,110	2,110
GRAND PRAIRIE REGION, AR	22,800	20,300
HELENA AND VICINITY, AR	2,450	2,450
L'ANGUILLE RIVER BASIN, AR	750	750
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	40,621	47,000
ST FRANCIS BASIN, AR & MO	3,195	4,195
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	10,000	10,000
ATCHAFALAYA BASIN, LA	26,000	26,000
LOUISIANA STATE PENITENTIARY LEVEE, LA	5,500	5,500
MISSISSIPPI AND LOUISIANA ESTUARINE AREAS, LA & MS	100	100
MISSISSIPPI DELTA REGION, LA	5,000	5,000
TENSAS BASIN, RED RIVER BACKWATER, LA	2,330	2,330
YAZOO BASIN:	(11,195)	(34,200)
BACKWATER PUMP, MS	500	1,000
BIG SUNFLOWER RIVER, MS	3,500	4,500
DEMONSTRATION EROSION CONTROL, MS	---	15,000
MAIN STEM, MS	25	25
REFORMULATION UNIT, MS	300	300
TRIBUTARIES, MS	84	375
UPPER YAZOO PROJECT, MS	6,786	13,000
ST JOHNS BAYOU AND NEW MADRID FLOODWAY, MO	700	5,000
NONCONNAH CREEK, FLOOD CONTROL FEATURE, TN & MS	2,000	2,000
WEST TENNESSEE TRIBUTARIES, TN	500	500
SUBTOTAL, CONSTRUCTION	170,941	203,125

CORPS OF ENGINEERS - FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
MAINTENANCE		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN.....	58,954	56,500
HELENA HARBOR, PHILLIPS COUNTY, AR.....	421	421
INSPECTION OF COMPLETED WORKS, AR.....	442	442
LOWER ARKANSAS RIVER, NORTH BANK, AR.....	407	407
LOWER ARKANSAS RIVER, SOUTH BANK, AR.....	10	10
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN.	6,160	8,200
ST FRANCIS BASIN, AR & MO.....	6,775	7,775
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA.....	2,384	2,384
WHITE RIVER BACKWATER, AR.....	1,070	1,070
INSPECTION OF COMPLETED WORKS, IL.....	45	45
INSPECTION OF COMPLETED WORKS, KY.....	25	25
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA.....	1,499	1,499
ATCHAFALAYA BASIN, LA.....	9,482	9,482
BATON ROUGE HARBOR, DEVIL SWAMP, LA.....	210	210
BAYOU COCODRIE AND TRIBUTARIES, LA.....	56	56
BONNET CARRE, LA.....	1,340	1,340
INSPECTION OF COMPLETED WORKS, LA.....	389	389
LOWER RED RIVER, SOUTH BANK LEVEES, LA.....	5,739	5,739
MISSISSIPPI DELTA REGION, LA.....	916	916
OLD RIVER, LA.....	4,720	4,720
TENSAS BASIN, RED RIVER BACKWATER, LA.....	3,048	3,048
GREENVILLE HARBOR, MS.....	626	626
INSPECTION OF COMPLETED WORKS, MS.....	193	193
VICKSBURG HARBOR, MS.....	480	480
YAZOO BASIN:	(24,185)	(34,096)
ARKABUTLA LAKE, MS.....	6,242	7,242
BIG SUNFLOWER RIVER, MS.....	137	4,500
ENID LAKE, MS.....	3,376	4,376
GREENWOOD, MS.....	1,007	1,007
GRENADA LAKE, MS.....	4,232	5,280
MAIN STEM, MS.....	1,254	1,254
SARDIS LAKE, MS.....	5,180	7,680
TRIBUTARIES, MS.....	1,162	1,162
WILL M WHITTINGTON AUXILIARY CHANNEL, MS.....	358	358
YAZOO BACKWATER AREA, MS.....	431	431
YAZOO CITY, MS.....	806	806
INSPECTION OF COMPLETED WORKS, MO.....	202	202
WAPPAPELLO LAKE, MO.....	7,000	7,000
INSPECTION OF COMPLETED WORKS, TN.....	113	113
MEMPHIS HARBOR, MCKELLAR LAKE, TN.....	1,085	1,085
MAPPING.....	1,129	1,129
SUBTOTAL, MAINTENANCE.....	139,105	149,602
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE.....	-13,572	-18,472
TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES.....	309,000	347,731

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ALABAMA		
ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL	1,100	1,100
ALABAMA - COOSA RIVER, AL	5,355	5,355
BAYOU LA BATRE, AL	1,999	1,999
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	19,204	20,704
DAUPHIN ISLAND BAY, AL	60	60
DOG AND FOWL RIVERS, AL	66	66
GULF INTRACOASTAL WATERWAY, AL	4,734	4,734
INSPECTION OF COMPLETED WORKS, AL	50	50
MILLERS FERRY LOCK AND DAM, WILLIAM "BILL" DANNELLY LA	4,999	4,999
MOBILE HARBOR, AL	18,665	22,665
MOBILE AREA DIGITAL MAPPING, AL	---	150
PROJECT CONDITION SURVEYS, AL	350	350
ROBERT F HENRY LOCK AND DAM, AL	4,962	4,962
SCHEDULING RESERVOIR OPERATIONS, AL	120	120
TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	23,547	24,547
WALTER F GEORGE LOCK AND DAM, AL & GA	7,373	7,373
ALASKA		
ANCHORAGE HARBOR, AK	1,777	1,777
CHENA RIVER LAKES, AK	1,364	1,364
DILLINGHAM HARBOR, AK	423	423
HOMER HARBOR, AK	191	191
INSPECTION OF COMPLETED WORKS, AK	35	35
NINILCHIK HARBOR, AK	186	186
NOME HARBOR, AK	386	386
PETERSBURG HARBOR, AK	394	394
PROJECT CONDITION SURVEYS, AK	512	512
WRANGELL NARROWS, AK	2,438	3,838
ARIZONA		
ALAMO LAKE, AZ	1,166	1,166
INSPECTION OF COMPLETED WORKS, AZ	69	69
PAINTED ROCK DAM, AZ	1,186	1,186
SCHEDULING RESERVOIR OPERATIONS, AZ	74	74
WHITLOW RANCH DAM, AZ	168	168
ARKANSAS		
BEAVER LAKE, AR	4,520	4,520
BLAKELY MT DAM, LAKE OUACHITA, AR	5,758	5,758
BLUE MOUNTAIN LAKE, AR	1,200	1,200
BULL SHOALS LAKE, AR	4,565	4,565
DARDANELLE LOCK AND DAM, AR	5,937	5,937
DEGRAY LAKE, AR	4,218	4,218
DEQUEEN LAKE, AR	1,058	1,058
DIERKS LAKE, AR	988	988

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
GILLHAM LAKE, AR	929	929
GREERS FERRY LAKE, AR	5,933	5,933
HELENA HARBOR, PHILLIPS COUNTY, AR	304	304
INSPECTION OF COMPLETED WORKS, AR	294	294
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR.	19,988	19,988
MILLWOOD LAKE, AR	1,602	1,602
NARROWS DAM, LAKE GREESON, AR	3,604	3,604
NIMROD LAKE, AR	1,416	1,416
NORFORK LAKE, AR	3,626	3,626
OSCEOLA HARBOR, AR	419	419
OUACHITA AND BLACK RIVERS, AR & LA	6,402	6,402
OZARK - JETA TAYLOR LOCK AND DAM, AR	4,072	4,072
WHITE RIVER, AR	2,258	2,258
YELLOW BEND PORT, AR	125	125
CALIFORNIA		
BLACK BUTTE LAKE, CA	1,854	1,854
BODEGA BAY, CA	---	200
BUCHANAN DAM, H V EASTMAN LAKE, CA	1,580	1,580
CHANNEL ISLANDS HARBOR, CA	3,000	3,000
COYOTE VALLEY DAM, LAKE MENDOCINO, CA	3,403	3,403
CRESCENT CITY HARBOR, CA	---	500
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	4,437	4,687
FARMINGTON DAM, CA	313	313
HIDDEN DAM, HENSLEY LAKE, CA	1,616	1,616
HUMBOLDT HARBOR AND BAY, CA	4,710	4,710
INSPECTION OF COMPLETED WORKS, CA	843	843
ISABELLA LAKE, CA	793	793
JACK D. MALTESTER CHANNEL (SAN LEANDRO MARINA), CA	---	1,500
LOS ANGELES - LONG BEACH HARBOR MODEL, CA	170	170
LOS ANGELES - LONG BEACH HARBORS, CA	3,910	3,910
LOS ANGELES COUNTY DRAINAGE AREA, CA	3,956	3,956
MARINA DEL REY, CA	5,335	5,335
MERCED COUNTY STREAMS, CA	288	288
MOJAVE RIVER DAM, CA	251	251
MORRO BAY HARBOR, CA	170	1,170
MOSS LANDING HARBOR, CA	---	700
NEW HOGAN LAKE, CA	1,778	1,778
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA	1,135	1,135
NEWPORT BAY HARBOR, CA	40	40
OAKLAND HARBOR, CA	8,118	8,118
OCEANSIDE HARBOR, CA	1,535	2,035
PINE FLAT LAKE, CA	2,248	2,248
PROJECT CONDITION SURVEYS, CA	1,256	1,256
REDWOOD CITY HARBOR, CA	---	400
RICHMOND HARBOR, CA	5,774	5,774
SACRAMENTO RIVER (30 FOOT PROJECT), CA	2,037	2,037
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA.	1,113	1,113
SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	163	163

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
SAN FRANCISCO BAY, DELTA MODEL STRUCTURE, CA	2,382	2,382
SAN FRANCISCO BAY LONG TERM MANAGEMENT STRATEGY, CA	---	200
SAN FRANCISCO HARBOR AND BAY (DRIFT REMOVAL), CA	2,000	2,000
SAN FRANCISCO HARBOR, CA	2,573	2,573
SAN JOAQUIN RIVER, CA	2,028	2,028
SANTA ANA RIVER BASIN, CA	3,086	3,086
SANTA BARBARA HARBOR, CA	1,615	1,615
SCHEDULING RESERVOIR OPERATIONS, CA	1,153	1,153
SUCCESS LAKE, CA	1,898	1,898
SUISUN BAY CHANNEL, CA	3,117	3,117
TERMINUS DAM, LAKE KAWEAH, CA	1,659	1,659
VENTURA HARBOR, CA	2,240	3,440
YUBA RIVER, CA	74	74
COLORADO		
BEAR CREEK LAKE, CO	425	425
CHATFIELD LAKE, CO	1,568	1,568
CHERRY CREEK LAKE, CO	707	707
INSPECTION OF COMPLETED WORKS, CO	67	67
JOHN MARTIN RESERVOIR, CO	1,543	1,543
SCHEDULING RESERVOIR OPERATIONS, CO	209	209
TRINIDAD LAKE, CO	619	619
CONNECTICUT		
BLACK ROCK LAKE, CT	309	309
COLEBROOK RIVER LAKE, CT	399	399
HANCOCK BROOK LAKE, CT	269	269
HOP BROOK LAKE, CT	819	819
MANSFIELD HOLLOW LAKE, CT	335	335
NORTHFIELD BROOK LAKE, CT	344	344
STAMFORD HURRICANE BARRIER, CT	311	311
THOMASTON DAM, CT	581	581
WEST THOMPSON LAKE, CT	506	506
DELAWARE		
INTRACOASTAL WATERWAY, DELAWARE R TO CHESAPEAKE BAY, D	19,707	14,757
INTRACOASTAL WATERWAY, REHOBOTH BAY TO DELAWARE BAY, D	433	433
WILMINGTON HARBOR, DE	3,217	3,217
DISTRICT OF COLUMBIA		
POTOMAC AND ANACOSTIA RIVERS (DRIFT REMOVAL), DC	910	910
POTOMAC RIVER BELOW WASHINGTON, DC	235	235
WASHINGTON HARBOR, DC	38	38

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
FLORIDA		
AIWW, NORFOLK, VA TO ST JOHNS RIVER, FL, GA, SC, NC &.	1,660	1,660
CANAVERAL HARBOR, FL	7,625	7,625
CENTRAL AND SOUTHERN FLORIDA, FL	10,558	10,558
ESCAMBIA AND CONECUH RIVERS, FL	1,000	1,000
FERNANDINA HARBOR, FL	2,705	2,705
FORT PIERCE HARBOR, FL	1,051	1,051
INSPECTION OF COMPLETED WORKS, FL	100	100
INTRACOASTAL WATERWAY, CALOOSAHATCHEE R TO ANCLOTE R,.	147	147
INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL	4,035	4,035
JACKSONVILLE HARBOR, FL	7,755	7,755
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA.	5,855	5,855
MANATEE HARBOR, FL	3,080	3,080
MIAMI HARBOR, FL	1,323	1,323
MIAMI RIVER, FL	---	4,000
OKEECHOBEE WATERWAY, FL	5,811	5,811
PALM BEACH HARBOR, FL	4,577	4,577
PANAMA CITY HARBOR, FL	50	50
PENSACOLA HARBOR, FL	---	2,000
PONCE DE LEON INLET, FL	46	46
PORT ST. JOE HARBOR, FL	---	500
PROJECT CONDITION SURVEYS, FL	600	600
REMOVAL OF AQUATIC GROWTH, FL	3,340	4,500
SCHEDULING RESERVOIR OPERATIONS, FL	50	50
ST PETERSBURG HARBOR, FL	3,280	6,580
TAMPA HARBOR, FL	6,308	6,308
WITHLACOOCHIE RIVER, FL	35	35
GEORGIA		
ALLATOONA LAKE, GA	4,520	6,000
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &	5,055	6,755
ATLANTIC INTRACOASTAL WATERWAY, GA	2,460	2,460
BRUNSWICK HARBOR, GA	5,271	5,271
BUFORD DAM AND LAKE SIDNEY LANIER, GA	7,275	7,275
CARTERS DAM AND LAKE, GA	7,489	7,489
HARTWELL LAKE, GA & SC	11,875	11,875
INSPECTION OF COMPLETED WORKS, GA	100	100
J STROM THURMOND LAKE, GA & SC	10,585	10,585
RICHARD B RUSSELL DAM AND LAKE, GA & SC	6,190	6,190
SAVANNAH HARBOR, GA	13,869	14,369
SAVANNAH RIVER BELOW AUGUSTA, GA	650	650
WEST POINT DAM AND LAKE, GA & AL	3,977	4,977
HAWAII		
BARBERS POINT HARBOR, HI	153	153
INSPECTION OF COMPLETED WORKS, HI	165	165
KAHULUI HARBOR, HI	1,296	1,296

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
PROJECT CONDITION SURVEYS, HI	706	706
IDAHO		
ALBENI FALLS DAM, ID	2,291	2,291
DWORSHAK DAM AND RESERVOIR, ID	2,689	2,689
INSPECTION OF COMPLETED WORKS, ID	73	73
LUCKY PEAK LAKE, ID	1,206	1,206
SCHEDULING RESERVOIR OPERATIONS, ID	332	332
ILLINOIS		
CALUMET HARBOR AND RIVER, IL & IN	4,758	4,758
CARLYLE LAKE, IL	5,112	5,112
CHICAGO HARBOR, IL	2,762	2,762
CHICAGO RIVER, IL	362	362
FARM CREEK RESERVOIRS, IL	195	195
ILLINOIS AND MISSISSIPPI CANAL, IL	562	562
ILLINOIS WATERWAY (MVR PORTION), IL & IN	22,808	23,808
ILLINOIS WATERWAY (MVS PORTION), IL & IN	1,598	1,598
INSPECTION OF COMPLETED WORKS, IL	473	473
KASKASKIA RIVER NAVIGATION, IL	2,081	2,081
LAKE MICHIGAN DIVERSION, IL	837	837
LAKE SHELBYVILLE, IL	5,209	5,209
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVR PORTION)	39,842	43,842
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVS PORTION)	14,499	16,999
PROJECT CONDITION SURVEYS, IL	43	43
REND LAKE, IL	3,904	3,904
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	97	97
WAUKEGAN HARBOR, IL	1,473	1,473
INDIANA		
BROOKVILLE LAKE, IN	782	782
BURNS WATERWAY HARBOR, IN	1,937	2,437
CAGLES MILL LAKE, IN	732	732
CECIL M HARDEN LAKE, IN	864	864
INDIANA HARBOR, IN	429	429
INSPECTION OF COMPLETED WORKS, IN	101	101
J EDWARD ROUSH LAKE, IN	824	824
MICHIGAN CITY HARBOR, IN	806	1,206
MISSISSINEWA LAKE, IN	1,182	1,182
MONROE LAKE, IN	799	799
PATOKA LAKE, IN	731	731
PROJECT CONDITION SURVEYS, IN	42	42
SALAMONIE LAKE, IN	749	749
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	62	62

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
IOWA		
CORALVILLE LAKE, IA	2,952	2,952
INSPECTION OF COMPLETED WORKS, IA	738	738
MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	146	146
MISSOURI RIVER - RULO TO MOUTH, IA, NE, KS & MO	5,250	5,950
MISSOURI RIVER - SIOUX CITY TO RULO, IA & NE	2,111	2,111
RATHBUN LAKE, IA	2,058	2,058
RED ROCK DAM AND LAKE RED ROCK, IA	3,827	5,071
SAYLORVILLE LAKE, IA	4,074	4,074
KANSAS		
CLINTON LAKE, KS	1,621	1,621
COUNCIL GROVE LAKE, KS	1,197	1,197
EL DORADO LAKE, KS	487	487
ELK CITY LAKE, KS	728	728
FALL RIVER LAKE, KS	1,429	1,429
HILLSDALE LAKE, KS	908	908
INSPECTION OF COMPLETED WORKS, KS	36	36
JOHN REDMOND DAM AND RESERVOIR, KS	1,186	1,531
KANOPOLIS LAKE, KS	1,541	1,541
MARION LAKE, KS	1,354	1,354
MELVERN LAKE, KS	1,872	1,872
MILFORD LAKE, KS	1,906	1,906
PEARSON - SKUBITZ BIG HILL LAKE, KS	1,074	1,074
PERRY LAKE, KS	1,966	1,966
POMONA LAKE, KS	1,830	1,830
SCHEDULING RESERVOIR OPERATIONS, KS	193	193
TORONTO LAKE, KS	673	673
TUTTLE CREEK LAKE, KS	2,546	2,546
WILSON LAKE, KS	2,017	2,017
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	10,330	10,330
BARREN RIVER LAKE, KY	2,544	2,544
BIG SANDY HARBOR, KY	1,497	1,497
BUCKHORN LAKE, KY	1,685	1,685
CARR CREEK LAKE, KY	1,542	1,542
CAVE RUN LAKE, KY	868	868
DEWEY LAKE, KY	1,429	1,429
ELVIS STAHR (HICKMAN) HARBOR, KY	361	361
FISHTRAP LAKE, KY	1,890	1,890
GRAYSON LAKE, KY	1,366	1,366
GREEN AND BARREN RIVERS, KY	1,079	1,079
GREEN RIVER LAKE, KY	2,917	2,917
INSPECTION OF COMPLETED WORKS, KY	123	123
KENTUCKY RIVER, KY	1,149	1,149
KENTUCKY RIVER LOCKS AND DAMS 5-14, KY	---	750

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
LAUREL RIVER LAKE, KY	1,357	1,357
LICKING RIVER OPEN CHANNEL WORK, KY	21	21
MARTINS FORK LAKE, KY	714	714
MIDDLESBORO CUMBERLAND RIVER BASIN, KY	100	100
NOLIN LAKE, KY	2,285	2,285
OHIO RIVER LOCKS AND DAMS, KY, IL, IN & OH	31,813	31,813
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN & OH	6,007	6,007
PAINTSVILLE LAKE, KY	1,016	1,016
ROUGH RIVER LAKE, KY	1,827	1,827
TAYLORSVILLE LAKE, KY	1,048	1,048
WOLF CREEK DAM, LAKE CUMBERLAND, KY	5,892	5,892
YATESVILLE LAKE, KY	1,211	1,211
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	14,026	14,026
BARATARIA BAY WATERWAY, LA	570	570
BAYOU BODCAU RESERVOIR, LA	509	509
BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA	726	726
BAYOU PIERRE, LA	25	25
BAYOU SEGNETTE WATERWAY, LA	735	735
BAYOU TECHE AND VERMILION RIVER, LA	48	48
BAYOU TECHE, LA	132	132
CADDO LAKE, LA	127	127
CALCASIEU RIVER AND PASS, LA	12,117	12,117
FRESHWATER BAYOU, LA	5,354	5,354
GULF INTRACOASTAL WATERWAY, LA	19,478	21,478
HOUMA NAVIGATION CANAL, LA	3,175	3,175
INSPECTION OF COMPLETED WORKS, LA	268	268
J BENNETT JOHNSTON WATERWAY, LA	8,907	11,907
LAKE PROVIDENCE HARBOR, LA	559	559
MADISON PARISH PORT, LA	108	108
MERMENTAU RIVER, LA	1,933	1,933
MISSISSIPPI RIVER OUTLETS AT VENICE, LA	2,773	2,773
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO,	63,359	63,359
MISSISSIPPI RIVER, GULF OUTLET, LA	11,286	11,286
PROJECT CONDITION SURVEYS, LA	80	80
REMOVAL OF AQUATIC GROWTH, LA	2,000	2,000
WALLACE LAKE, LA	233	233
WATERWAY FROM INTRACOASTAL WATERWAY TO B DULAC, LA	45	45
MAINE		
PROJECT CONDITION SURVEYS, ME	1,060	1,060
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ME	17	17
UNION RIVER, ME	---	900
WELLS HARBOR, ME	1,455	2,205

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
MARYLAND		
BALTIMORE HARBOR (DRIFT REMOVAL), MD	455	455
BALTIMORE HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),	710	710
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD	16,354	16,354
CUMBERLAND, MD AND RIDGELEY, WV	141	141
HONGA RIVER AND TAR BAY, MD	55	55
INSPECTION OF COMPLETED WORKS, MD	327	327
JENNINGS RANDOLPH LAKE, MD & WV	1,616	1,616
OCEAN CITY HARBOR AND INLET AND SINEPUXENT BAY, MD	1,810	1,810
PROJECT CONDITION SURVEYS, MD	450	450
RHODES POINT TO TYLERTON, MD	70	70
SCHEDULING RESERVOIR OPERATIONS, MD	140	140
ST JEROME CREEK, MD	175	175
TOLCHESTER CHANNEL, MD	5,801	6,801
TWITCH COVE AND BIG THOROFARE RIVER, MD	75	75
UPPER THOROFARE, MD	220	220
WICOMICO RIVER, MD	740	740
MASSACHUSETTS		
BARRE FALLS DAM, MA	368	368
BIRCH HILL DAM, MA	439	439
BUFFUMVILLE LAKE, MA	361	361
CAPE COD CANAL, MA	8,787	8,787
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	213	213
CONANT BROOK LAKE, MA	147	147
EAST BRIMFIELD LAKE, MA	267	267
HODGES VILLAGE DAM, MA	462	462
INSPECTION OF COMPLETED WORKS, MA	125	125
KNIGHTVILLE DAM, MA	390	390
LITTLEVILLE LAKE, MA	461	461
NEW BEDFORD AND FAIRHAVEN HARBOR, MA	310	310
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER,	480	480
PLYMOUTH HARBOR, MA	500	500
PROJECT CONDITION SURVEYS, MA	3,113	3,113
SALEM HARBOR, MA	200	200
TULLY LAKE, MA	436	436
WEST HILL DAM, MA	647	647
WESTVILLE LAKE, MA	342	342
MICHIGAN		
ALPENA HARBOR, MI	203	203
ARCADIA HARBOR, MI	85	85
BLACK RIVER, PORT HURON, MI	306	306
CEDAR RIVER HARBOR, MI	---	1,000
CHANNELS IN LAKE ST CLAIR, MI	458	458
CHARLEVOIX HARBOR, MI	118	118
DETROIT RIVER, MI	2,342	2,342

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
FRANKFORT HARBOR, MI	130	130
GRAND HAVEN HARBOR, MI	1,264	1,264
HOLLAND HARBOR, MI	905	905
INLAND ROUTE, MI	33	33
INSPECTION OF COMPLETED WORKS, MI	205	305
KEWEENAW WATERWAY, MI	256	256
LELAND HARBOR, MI	168	168
LUDINGTON HARBOR, MI	663	663
MANISTEE HARBOR, MI	272	272
MANISTIQUE HARBOR, MI	239	239
MENOMINEE HARBOR, MI & WI	174	174
MONROE HARBOR, MI	695	695
NEW BUFFALO HARBOR, MI	----	150
ONTONAGON HARBOR, MI	603	603
PENTWATER HARBOR, MI	450	450
PORTAGE LAKE HARBOR, MI	1,974	1,974
PROJECT CONDITION SURVEYS, MI	275	275
ROUGE RIVER, MI	417	417
SAGINAW RIVER, MI	1,453	1,453
SEBEWAING RIVER (ICE JAM REMOVAL), MI	10	10
SOUTH HAVEN HARBOR, MI	481	481
ST CLAIR RIVER, MI	996	996
ST JOSEPH HARBOR, MI	1,194	1,194
ST MARYS RIVER, MI	20,502	23,502
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	3,197	3,197
WHITE LAKE HARBOR, MI	290	290
MINNESOTA		
BIGSTONE LAKE WHETSTONE RIVER, MN & SD	178	178
DULUTH - SUPERIOR HARBOR, MN & WI	5,310	5,310
DULUTH ALTERNATIVE TECHNOLOGY STUDY, MN	---	320
GRAND MARAIS HARBOR, MN	186	186
INSPECTION OF COMPLETED WORKS, MN	154	154
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	453	453
MINNESOTA RIVER, MN	196	196
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVP PORTION)	42,765	42,765
ORWELL LAKE, MN	315	315
PROJECT CONDITION SURVEYS, MN	25	25
RED LAKE RESERVOIR, MN	101	101
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	2,805	2,805
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	64	64
TWO HARBORS, MN	208	208
MISSISSIPPI		
BILOXI HARBOR, MS	801	801
CLAIBORNE COUNTY PORT, MS	122	122
EAST FORK, TOMBIGBEE RIVER, MS	150	150
GULFPORT HARBOR, MS	2,500	2,500

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
INSPECTION OF COMPLETED WORKS, MS	360	360
MOUTH OF YAZOO RIVER, MS	133	133
OKATIBBEE LAKE, MS	955	955
PASCAGOULA HARBOR, MS	3,406	10,400
PEARL RIVER, MS & LA	250	250
ROSEDALE HARBOR, MS	645	645
YAZOO RIVER, MS	115	115
MISSOURI		
CARUTHERSVILLE HARBOR, MO	184	295
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	5,196	5,196
CLEARWATER LAKE, MO	2,015	2,015
HARRY S TRUMAN DAM AND RESERVOIR, MO	7,688	7,688
INSPECTION OF COMPLETED WORKS, MO	473	473
LITTLE BLUE RIVER LAKES, MO	854	854
LONG BRANCH LAKE, MO	931	931
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	13,384	13,384
NEW MADRID HARBOR, MO	259	354
POMME DE TERRE LAKE, MO	2,065	2,065
PROJECT CONDITION SURVEYS, MO	26	26
SMITHVILLE LAKE, MO	1,160	1,160
SOUTHEAST MISSOURI PORT, MISSISSIPPI RIVER, MO	401	401
STOCKTON LAKE, MO	3,486	3,486
TABLE ROCK LAKE, MO	6,485	6,485
UNION LAKE, MO	10	10
MONTANA		
FT PECK DAM AND LAKE, MT	3,620	3,620
LIBBY DAM, LAKE KOOCANUSA, MT	2,273	2,273
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	6,151	6,241
HARLAN COUNTY LAKE, NE	2,198	2,198
MISSOURI R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO,.	709	709
MISSOURI RIVER BASIN COLLABORATIVE WATER PLANNING (NWK	125	125
MISSOURI RIVER BASIN COLLABORATIVE WATER PLANNING (NWO	125	125
PAPILLION CREEK AND TRIBUTARIES LAKES, NE	721	721
SALT CREEK AND TRIBUTARIES, NE	796	796
SCHEDULING RESERVOIR OPERATIONS, NE	327	327
NEVADA		
INSPECTION OF COMPLETED WORKS, NV	34	34
MARTIS CREEK LAKE, NV & CA	522	522
PINE AND MATHEWS CANYONS LAKES, NV	193	193

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
NEW HAMPSHIRE		
BLACKWATER DAM, NH	389	389
EDWARD MACDOWELL LAKE, NH	412	412
FRANKLIN FALLS DAM, NH	478	478
HOPKINTON - EVERETT LAKES, NH	984	984
OTTER BROOK LAKE, NH	554	554
PORTSMOUTH HARBOR & PISCATAQUA RIVER, NH & ME	---	250
SURRY MOUNTAIN LAKE, NH	469	469
NEW JERSEY		
BARNEGAT INLET, NJ	1,400	1,400
COLD SPRING INLET, NJ	580	580
DELAWARE RIVER AT CAMDEN, NJ	19	19
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	16,355	17,855
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	3,180	3,180
NEW JERSEY INTRACOASTAL WATERWAY, NJ	2,005	2,005
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	120	120
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ	425	425
RARITAN RIVER TO ARTHUR KILL CUT-OFF, NJ	140	140
RARITAN RIVER, NJ	120	120
SALEM RIVER, NJ	278	278
SHREWSBURY RIVER, MAIN CHANNEL, NJ	175	175
NEW MEXICO		
ABIQUIU DAM, NM	1,315	1,315
COCHITI LAKE, NM	1,766	3,266
CONCHAS LAKE, NM	1,037	1,537
GALISTEO DAM, NM	305	305
INSPECTION OF COMPLETED WORKS, NM	50	50
JEMEZ CANYON DAM, NM	445	3,445
SANTA ROSA DAM AND LAKE, NM	846	1,026
SCHEDULING RESERVOIR OPERATIONS, NM	73	73
TWO RIVERS DAM, NM	313	313
UPPER RIO GRANDE WATER OPERATIONS MODEL, NM	---	1,250
NEW YORK		
ALMOND LAKE, NY	468	468
ARKPORT DAM, NY	257	257
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	2,966	2,966
BUFFALO HARBOR, NY	176	176
DUNKIRK HARBOR, NY	310	310
EAST RIVER, NY	750	750
EAST ROCKAWAY INLET, NY	2,250	2,250
EAST SIDNEY LAKE, NY	473	473
FIRE ISLAND INLET TO JONES INLET, NY	340	340
FIRE ISLAND INLET, NY	1,000	1,000

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
FLUSHING BAY AND CREEK, NY	490	490
GREAT SOUTH BAY, NY	1,540	1,540
HUDSON RIVER CHANNEL, NY	1,265	1,265
HUDSON RIVER, NY (MAINT)	2,485	2,485
HUDSON RIVER, NY (O&C)	1,340	1,340
INSPECTION OF COMPLETED WORKS, NY	460	460
JAMAICA BAY, NY	1,410	1,410
JONES INLET, NY	200	200
LONG ISLAND INTRACOASTAL WATERWAY, NY	2,190	2,190
MORICHES INLET, NY	980	980
MT MORRIS LAKE, NY	1,958	1,958
NEW YORK AND NEW JERSEY CHANNELS, NY	6,720	6,720
NEW YORK HARBOR (DRIFT REMOVAL), NY & NJ	5,030	5,030
NEW YORK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS),	740	740
NEW YORK HARBOR, NY	12,319	12,319
OSWEGO HARBOR, NY	353	353
PORTCHESTER HARBOR, NY	200	200
PROJECT CONDITION SURVEYS, NY	3,038	3,038
ROCHESTER HARBOR, NY	725	725
SAG HARBOR, NY	1,600	1,600
SHINNECOCK INLET, NY	2,000	2,000
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	739	739
STURGEON POINT HARBOR, NY	15	15
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	564	564
WHITNEY POINT LAKE, NY	517	517
NORTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, NC	5,831	5,831
B EVERETT JORDAN DAM AND LAKE, NC	1,500	1,500
BEAUFORT HARBOR, NC	350	350
BOGUE INLET AND CHANNEL, NC	627	627
CAPE FEAR RIVER ABOVE WILMINGTON, NC	897	897
CAROLINA BEACH INLET, NC	1,430	1,430
FALLS LAKE, NC	1,276	1,276
INSPECTION OF COMPLETED WORKS, NC	22	22
LOCKWOODS FOLLY RIVER, NC	455	455
MANTEO (SHALLOWBAG) BAY, NC	4,995	4,995
MASONBORO INLET AND CONNECTING CHANNELS, NC	45	45
MOREHEAD CITY HARBOR, NC	4,737	4,737
NEW RIVER INLET, NC	825	825
NEW TOPSAIL INLET AND CONNECTING CHANNELS, NC	610	610
PAMLICO AND TAR RIVERS, NC	139	139
PROJECT CONDITION SURVEYS, NC	64	64
ROANOKE RIVER, NC	100	100
W KERR SCOTT DAM AND RESERVOIR, NC	1,742	1,742
WILMINGTON HARBOR, NC	8,405	8,405

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
NORTH DAKOTA		
BOWMAN - HALEY LAKE, ND	241	241
GARRISON DAM, LAKE SAKAKAWEA, ND	8,513	8,563
HOMME LAKE, ND	153	153
LAKE ASHTABULA AND BALDHILL DAM, ND	1,230	1,230
PIPESTEM LAKE, ND	401	401
SOURIS RIVER, ND	292	292
OHIO		
ALUM CREEK LAKE, OH	790	790
ASHTABULA HARBOR, OH	750	750
BERLIN LAKE, OH	3,270	3,270
CAESAR CREEK LAKE, OH	1,309	1,309
CLARENCE J BROWN DAM, OH	1,175	1,175
CLEVELAND HARBOR, OH	3,915	5,915
CONNEAUT HARBOR, OH	735	735
DEER CREEK LAKE, OH	745	745
DELAWARE LAKE, OH	777	777
DILLON LAKE, OH	709	709
FAIRPORT HARBOR, OH	1,785	1,785
HURON HARBOR, OH	790	790
INSPECTION OF COMPLETED WORKS, OH	240	240
LORAIN HARBOR, OH	2,152	2,152
MASSILLON LOCAL PROTECTION PROJECT, OH	25	25
MICHAEL J KIRWAN DAM AND RESERVOIR, OH	1,033	1,033
MOSQUITO CREEK LAKE, OH	1,329	1,329
MUSKINGUM RIVER LAKES, OH	7,993	7,993
NORTH BRANCH KOKOSING RIVER LAKE, OH	544	544
PAINT CREEK LAKE, OH	661	661
PROJECT CONDITION SURVEYS, OH	85	85
ROCKY RIVER HARBOR, OH	---	590
ROSEVILLE LOCAL PROTECTION PROJECT, OH	30	30
SANDUSKY HARBOR, OH	870	870
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH	174	174
TOLEDO HARBOR, OH	4,550	4,550
TOM JENKINS DAM, OH	350	350
WEST FORK OF MILL CREEK LAKE, OH	565	565
WILLIAM H HARSHA LAKE, OH	821	821
OKLAHOMA		
ARCADIA LAKE, OK	417	417
BIRCH LAKE, OK	480	480
BROKEN BOW LAKE, OK	1,471	1,971
CANDY LAKE, OK	18	168
CANTON LAKE, OK	2,656	2,656
COPAN LAKE, OK	823	823
EUFAULA LAKE, OK	7,240	7,240

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
FORT GIBSON LAKE, OK	5,954	5,954
FORT SUPPLY LAKE, OK	838	838
GREAT SALT PLAINS LAKE, OK	209	209
HEYBURN LAKE, OK	557	557
HUGO LAKE, OK	1,639	1,639
HULAH LAKE, OK	447	447
INSPECTION OF COMPLETED WORKS, OK	72	72
KAW LAKE, OK	1,756	1,756
KEYSTONE LAKE, OK	6,435	6,435
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, OK.	4,588	4,588
OOLOGAH LAKE, OK	2,353	2,353
OPTIMA LAKE, OK	63	63
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK	32	32
PINE CREEK LAKE, OK	1,160	1,160
ROBERT S KERR LOCK AND DAM AND RESERVOIRS, OK	4,001	4,001
SARDIS LAKE, OK	944	944
SCHEDULING RESERVOIR OPERATIONS, OK	386	386
SKIATOOK LAKE, OK	947	947
TENKILLER FERRY LAKE, OK	3,178	3,178
WAURIKA LAKE, OK	1,441	1,441
WEBBERS FALLS LOCK AND DAM, OK	3,297	3,297
WISTER LAKE, OK	729	1,429
OREGON		
APPLEGATE LAKE, OR	748	748
BLUE RIVER LAKE, OR	332	332
BONNEVILLE LOCK AND DAM, OR & WA	6,250	6,250
CHETCO RIVER, OR	435	435
COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	16,274	18,874
COLUMBIA RIVER AT THE MOUTH, OR & WA	7,403	7,403
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, O	357	357
COOS BAY, OR	4,144	4,144
COQUILLE RIVER, OR	316	316
COTTAGE GROVE LAKE, OR	919	919
COUGAR LAKE, OR	705	705
DEPOE BAY, OR	3	363
DETROIT LAKE, OR	672	672
DORENA LAKE, OR	580	580
FALL CREEK LAKE, OR	619	619
FERN RIDGE LAKE, OR	1,277	1,277
GREEN PETER - FOSTER LAKES, OR	1,050	1,050
HILLS CREEK LAKE, OR	408	408
INSPECTION OF COMPLETED WORKS, OR	220	220
JOHN DAY LOCK AND DAM, OR & WA	4,507	4,507
LOOKOUT POINT LAKE, OR	1,990	1,990
LOST CREEK LAKE, OR	2,919	2,919
MCNARY LOCK AND DAM, OR & WA	4,989	4,989
PORT ORFORD, OR	702	702
PROJECT CONDITION SURVEYS, OR	200	200

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ROGUE RIVER, OR	641	641
SCHEDULING RESERVOIR OPERATIONS, OR	67	67
SIUSLAW RIVER, OR	822	822
SKIPANON CHANNEL, OR	176	176
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	134	134
TILLAMOOK BAY AND BAR, OR	148	148
UMPQUA RIVER, OR	1,421	1,421
WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	1,234	1,234
WILLAMETTE RIVER BANK PROTECTION, OR	285	285
WILLOW CREEK LAKE, OR	646	646
YAQUINA BAY AND HARBOR, OR	7,895	7,895
PENNSYLVANIA		
ALLEGHENY RIVER, PA	6,905	6,905
ALVIN R BUSH DAM, PA	608	608
AYLESWORTH CREEK LAKE, PA	216	216
BELTZVILLE LAKE, PA	832	832
BLUE MARSH LAKE, PA	2,121	2,121
CONEMAUGH RIVER LAKE, PA	1,259	1,259
COWANESQUE LAKE, PA	1,785	2,035
CROOKED CREEK LAKE, PA	1,491	1,491
CURWENSVILLE LAKE, PA	659	659
EAST BRANCH CLARION RIVER LAKE, PA	903	903
ERIE HARBOR, PA	125	125
FOSTER JOSEPH SAYERS DAM, PA	713	713
FRANCIS E WALTER DAM, PA	663	663
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	321	321
INSPECTION OF COMPLETED WORKS, PA	95	95
JOHNSTOWN, PA	13	13
KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,472	1,472
LOYALHANNA LAKE, PA	1,778	1,778
MAHONING CREEK LAKE, PA	1,392	1,392
MONONGAHELA RIVER, PA	14,293	14,293
OHIO RIVER LOCKS AND DAMS, PA, OH & WV	22,407	22,407
OHIO RIVER OPEN CHANNEL WORK, PA, OH & WV	218	218
PROJECT CONDITION SURVEYS, PA	88	88
PROMPTON LAKE, PA	437	437
PUNXSUTAWNEY, PA	13	13
RAYSTOWN LAKE, PA	3,533	4,783
SCHUYLKILL RIVER, PA	740	740
SHENANGO RIVER LAKE, PA	2,644	2,644
STILLWATER LAKE, PA	334	334
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA	70	70
TIOGA - HAMMOND LAKES, PA	2,382	3,352
TIONESTA LAKE, PA	1,788	1,788
UNION CITY LAKE, PA	258	258
WOODCOCK CREEK LAKE, PA	817	817
YORK INDIAN ROCK DAM, PA	517	517
YOUGHIOGHENY RIVER LAKE, PA & MD	2,011	2,011

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
RHODE ISLAND		
PROVIDENCE RIVER AND HARBOR, RI	584	1,584
SAKONNET HARBOR, RI	---	500
SOUTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, SC	3,629	5,629
CHARLESTON HARBOR, SC	7,145	7,145
COOPER RIVER, CHARLESTON HARBOR, SC	3,235	3,235
FOLLY RIVER, SC	266	266
GEORGETOWN HARBOR, SC	5,234	5,234
INSPECTION OF COMPLETED WORKS, SC	26	26
MURRELLS INLET, SC	---	1,000
PORT ROYAL HARBOR, SC	21	21
PROJECT CONDITION SURVEYS, SC	60	60
SHIPYARD RIVER, SC	477	477
TOWN CREEK, SC	398	398
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD	6,422	6,502
COLD BROOK LAKE, SD	496	496
COTTONWOOD SPRINGS LAKE, SD	172	172
FORT RANDALL DAM, LAKE FRANCIS CASE, SD	8,852	8,942
LAKE TRAVERSE, SD & MN	580	580
MISSOURI R BETWEEN FORT PECK DAM AND GAVINS PT, SD, MT	586	586
OAHE DAM, LAKE OAHE, SD & ND	11,192	11,282
SCHEDULING RESERVOIR OPERATIONS, SD	306	306
TENNESSEE		
CENTER HILL LAKE, TN	6,070	6,070
CHEATHAM LOCK AND DAM, TN	5,307	5,307
CHICKAMAUGA LOCK, TN	1,900	1,900
CORDELL HULL DAM AND RESERVOIR, TN	4,916	4,916
DALE HOLLOW LAKE, TN	4,191	4,191
INSPECTION OF COMPLETED WORKS, TN	5	5
J PERCY PRIEST DAM AND RESERVOIR, TN	3,278	3,278
OLD HICKORY LOCK AND DAM, TN	6,326	6,326
TENNESSEE RIVER, TN	14,484	14,484
WOLF RIVER HARBOR, TN	348	348
TEXAS		
AQUILLA LAKE, TX	738	738
ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VI	1,340	1,340
BARBOUR TERMINAL CHANNEL, TX	314	314
BARDWELL LAKE, TX	1,453	1,453
BAYPORT SHIP CHANNEL, TX	1,810	1,810

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
BELTON LAKE, TX	3,103	3,103
BENBROOK LAKE, TX	1,975	1,975
BRAZOS ISLAND HARBOR, TX	4,802	4,802
BUFFALO BAYOU AND TRIBUTARIES, TX	2,029	2,029
CANYON LAKE, TX	2,689	2,689
CHANNEL TO PORT MANSFIELD, TX	2,627	2,627
CORPUS CHRISTI SHIP CHANNEL, TX	5,036	5,036
DENISON DAM, LAKE TEXOMA, TX	5,517	5,517
DOUBLE BAYOU, TX	805	805
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	10	10
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX	2,801	2,801
FREEPORT HARBOR, TX	4,802	4,802
GALVESTON HARBOR AND CHANNEL, TX	87	87
GIWW, CHANNEL TO VICTORIA, TX	752	752
GRANGER DAM AND LAKE, TX	1,573	1,573
GRAPEVINE LAKE, TX	2,433	2,433
GULF INTRACOASTAL WATERWAY, TX	21,765	21,765
HORDS CREEK LAKE, TX	1,203	1,203
HOUSTON SHIP CHANNEL, TX	8,137	8,137
INSPECTION OF COMPLETED WORKS, TX	393	393
JIM CHAPMAN LAKE, TX	1,144	1,144
JOE POOL LAKE, TX	759	759
LAKE KEMP, TX	201	201
LAVON LAKE, TX	2,439	2,439
LEWISVILLE DAM, TX	2,959	2,959
MATAGORDA SHIP CHANNEL, TX	4,315	4,315
MOUTH OF THE COLORADO RIVER, TX	2,953	2,953
NAVARRO MILLS LAKE, TX	1,524	1,524
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	1,785	1,785
O C FISHER DAM AND LAKE, TX	1,005	1,005
PAT MAYSE LAKE, TX	941	941
PROCTOR LAKE, TX	1,709	1,709
PROJECT CONDITION SURVEYS, TX	75	75
RAY ROBERTS LAKE, TX	1,002	1,002
SABINE - NECHES WATERWAY, TX	10,013	10,013
SAM RAYBURN DAM AND RESERVOIR, TX	4,191	4,191
SCHEDULING RESERVOIR OPERATIONS, TX	249	249
SOMERVILLE LAKE, TX	2,773	2,773
STILLHOUSE HOLLOW DAM, TX	1,744	1,744
TEXAS CITY SHIP CHANNEL, TX	371	371
TOWN BLUFF DAM, B A STEINHAGEN LAKE, TX	2,007	2,007
TRINITY RIVER AND TRIBUTARIES, TX	29	29
TEXAS WATER ALLOCATION ASSESMENT	---	1,500
WACO LAKE, TX	2,301	2,901
WALLISVILLE LAKE, TX	1,208	1,208
WHITNEY LAKE, TX	4,680	4,680
WRIGHT PATMAN DAM AND LAKE, TX	2,643	2,643

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
UTAH		
INSPECTION OF COMPLETED WORKS, UT	55	55
SCHEDULING RESERVOIR OPERATIONS, UT	305	305
VERMONT		
BALL MOUNTAIN LAKE, VT	607	607
BURLINGTON HARBOR, VT	---	1,000
NARROWS OF LAKE CHAMPLAIN, VT & NY	46	46
NORTH HARTLAND LAKE, VT	561	561
NORTH SPRINGFIELD LAKE, VT	583	583
TOWNSHEND LAKE, VT	629	629
UNION VILLAGE DAM, VT	464	464
VIRGINIA		
APPOMATTOX RIVER, VA	593	593
ATLANTIC INTRACOASTAL WATERWAY - ACC, VA	1,750	1,750
ATLANTIC INTRACOASTAL WATERWAY - DSC, VA	1,325	1,325
CHANNEL TO NEWPORT NEWS, VA	120	120
CHINCOTEAGUE INLET, VA	877	877
GATHRIGHT DAM AND LAKE MOOMAW, VA	1,465	1,465
HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR, VA (DRIFT REM	995	995
INSPECTION OF COMPLETED WORKS, VA	77	77
JAMES RIVER CHANNEL, VA	4,294	4,294
JOHN H KERR LAKE, VA & NC	8,041	8,041
JOHN W FLANNAGAN DAM AND RESERVOIR, VA	1,525	1,525
LITTLE WICOMICO RIVER, VA	605	605
NORFOLK HARBOR (PREVENTION OF OBSTRUCTIVE DEPOSITS), V	225	225
NORFOLK HARBOR, VA	6,105	6,105
NORTH FORK OF POUND RIVER LAKE, VA	406	406
OCCOQUAN RIVER,VA	---	1,000
PAGAN RIVER, VA	145	145
PHILPOTT LAKE, VA	3,060	3,060
POTOMAC RIVER AT MT VERNON, VA	410	410
PROJECT CONDITION SURVEYS, VA	617	617
RUDEE INLET, VA	646	646
STARLINGS CREEK, VA	551	551
THIMBLE SHOAL CHANNEL, VA	204	204
WATERWAY ON THE COAST OF VIRGINIA, VA	1,185	1,185
WASHINGTON		
CHIEF JOSEPH DAM, WA	2,113	2,113
COLUMBIA RIVER AT BAKER BAY, WA & OR	3	3
COLUMBIA RIVER BETWEEN CHINOOK AND SAND ISLAND, WA	6	6
EVERETT HARBOR AND SNOHOMISH RIVER, WA	1,212	1,212
GRAYS HARBOR AND CHEHALIS RIVER, WA	9,820	12,570
HOWARD HANSON DAM, WA	1,849	1,849

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
ICE HARBOR LOCK AND DAM, WA	6,094	6,094
INSPECTION OF COMPLETED WORKS, WA	146	146
LAKE WASHINGTON SHIP CANAL, WA	6,797	6,797
LITTLE GOOSE LOCK AND DAM, WA	1,537	1,537
LOWER GRANITE LOCK AND DAM, WA	4,291	4,291
LOWER MONUMENTAL LOCK AND DAM, WA	2,821	2,821
MILL CREEK LAKE, WA	925	925
MT ST HELENS SEDIMENT CONTROL, WA	312	312
MUD MOUNTAIN DAM, WA	2,440	2,440
PROJECT CONDITION SURVEYS, WA	316	316
PUGET SOUND AND TRIBUTARY WATERS, WA	967	967
QUILLAYUTE RIVER, WA	37	1,037
SCHEDULING RESERVOIR OPERATIONS, WA	415	415
SEATTLE HARBOR, EAST WATERWAY CHANNEL DEEPENING, WA	100	450
SEATTLE HARBOR, WA	714	714
STILLAGUAMISH RIVER, WA	205	205
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	56	56
TACOMA, PUYALLUP RIVER, WA	78	78
THE DALLES LOCK AND DAM, WA & OR	3,432	3,432
WILLAPA RIVER AND HARBOR, WA	---	650
WEST VIRGINIA		
BEECH FORK LAKE, WV	1,137	1,137
BLUESTONE LAKE, WV	1,689	4,800
BURNSVILLE LAKE, WV	1,723	1,723
EAST LYNN LAKE, WV	1,714	1,714
ELKINS, WV	16	16
INSPECTION OF COMPLETED WORKS, WV	91	91
KANAWHA RIVER LOCKS AND DAMS, WV	7,782	7,782
OHIO RIVER LOCKS AND DAMS, WV, KY & OH	15,934	15,934
OHIO RIVER OPEN CHANNEL WORK, WV, KY & OH	2,786	2,786
R D BAILEY LAKE, WV	1,934	1,934
STONEWALL JACKSON LAKE, WV	1,216	1,216
SUMMERSVILLE LAKE, WV	1,526	1,526
SUTTON LAKE, WV	1,903	1,903
TYGART LAKE, WV	3,568	3,568
WHEELING CREEK, WV	---	500
WISCONSIN		
ASHLAND HARBOR, WI	170	170
EAU GALLE RIVER LAKE, WI	735	735
FOX RIVER, WI	3,252	3,252
GREEN BAY HARBOR, WI	1,640	1,640
KENOSHA HARBOR, WI	925	925
KEWAUNEE HARBOR, WI	490	490
LA FARGE LAKE, WI	53	53
MANITOWOC HARBOR, WI	738	738
MILWAUKEE HARBOR, WI	819	819

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE

PROJECT TITLE	BUDGET REQUEST	CONFERENCE
SHEBOYGAN HARBOR, WI	290	290
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI	1,534	1,534
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	28	28
TWO RIVERS HARBOR, WI	537	537
WYOMING		
JACKSON HOLE LEVEES, WY	1,163	1,163
MISCELLANEOUS		
COASTAL INLET RESEARCH PROGRAM	3,000	2,750
CULTURAL RESOURCES (NAGPRA/CURATION)	3,000	1,500
DREDGE WHEELER READY RESERVE	13,500	8,000
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,166	1,000
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	8,000	7,000
DREDGING OPERATIONS TECHNICAL SUPPORT (DOTS) PROGRAM	2,100	1,500
EARTHQUAKE HAZARDS PROGRAM FOR BUILDINGS AND LIFELINES	600	500
GREAT LAKES SEDIMENT TRANSPORT MODELS	---	500
HARBOR MAINTENANCE FEE DATA COLLECTION	975	575
MANAGEMENT TOOLS FOR O&M	1,100	500
MONITORING OF COASTAL NAVIGATION PROJECTS	2,000	1,700
NATIONAL DAM SAFETY PROGRAM	40	40
NATIONAL DAM SECURITY PROGRAM	25	25
NATIONAL EMERGENCY PREPAREDNESS PROGRAMS (NEPP)	6,000	4,000
PERFORMANCE BASED BUDGETING SUPPORT PROGRAM	1,650	415
PROTECTING, CLEARING AND STRAIGHTENING CHANNELS(SEC 3)	50	50
RECREATION MANAGEMENT SUPPORT PROGRAM (RMSP)	1,950	1,500
REGIONAL SEDIMENT MANAGEMENT SEDIMENT DEMO PROGRAM	1,500	1,500
RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION	675	675
REMOVAL OF SUNKEN VESSELS	500	500
WATER OPERATIONS TECHNICAL SUPPORT (WOTS) PROGRAM	1,500	700
WATERBORNE COMMERCE STATISTICS	4,600	4,000
WETLANDS FUNCTIONAL ASSESSMENT METHODOLOGY	1,000	---
ZEBRA MUSSEL CONTROL	700	700
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-16,867	-43,867
TOTAL, OPERATION AND MAINTENANCE	1,854,000	1,901,959

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

The conference agreement appropriates $39,940,000 to carry out the provisions of the Central Utah Project Completion Act as proposed by the House and the Senate.

BUREAU OF RECLAMATION

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Bureau of Reclamation. Additional items of the conference agreement are discussed below.

WATER AND RELATED RESOURCES

The conference agreement appropriates $678,450,000 for Water and Related Resources instead of $635,777,000 as proposed by the House and $655,192,000 as proposed by the Senate.

The conference agreement includes $39,467,000 for the Central Arizona Project as proposed by the House.

The additional funds provided by the House under the California Investigations Program for studies of ways to increase the reliability of water supplies in southern Orange County, California, have been included under the Southern California Investigations Program.

The conference agreement includes an additional $1,000,000 for the Columbia and Snake Rivers Salmon Recovery project. The additional funds may be used for water acquisition and other actions that may be required by Endangered Species Act biological opinions concerning the operation and maintenance of Bureau of Reclamation projects.

The conference agreement includes an increase of $4,758,000 over the budget request for the Middle Rio Grande project in New Mexico for the Bureau of Reclamation to undertake research, monitoring, and modeling of evapotranspiration, implement a program for the transplant of silvery minnow larvae and young-of-year, and carry out habitat conservation and restoration activities along the middle Rio Grande River valley as specified in the Senate report. Additional funding is also provided for Bureau of Reclamation participation in the recent settlement regarding the recovery of the Rio Grande silvery minnow.

The conference agreement includes $2,960,000 for the Title XVI Water Reclamation and Reuse Program. Of the funds provided, $500,000 is provided for the Bureau of Reclamation to participate with the City of Espanola, New Mexico, in a feasibility study to investigate opportunities to reclaim and reuse municipal wastewater and naturally impaired surface and groundwater, and $300,000 is provided to continue the Phoenix Metropolitan Water Reclamation and Reuse (Aqua Fria) project in Arizona. In addition, up to $1,000,000 is provided for the Bureau of Reclamation to support the WateReuse Foundation's research program as described in the House report.

The conferees have provided $5,000,000 for the Drought Emergency Assistance Program to address the severe drought conditions that currently exist in New Mexico and other western states. The conferees direct the attention of the Bureau of Reclamation to the need for the acquisition of water for the San Carlos Reservoir on the Gila River in Arizona.

The conference agreement includes $8,500,000 for the Native American Affairs Program of the Bureau of Reclamation, of which $200,000 is for the Bureau to undertake studies, in consultation and cooperation with the Jicarilla Apache Tribe, of the most feasible method of developing a safe and adequate municipal, rural and industrial water supply for the residents of the Jicarilla Apache Indian Reservation in New Mexico.

Of the amount provided for the Wetlands Development Program, $1,500,000 is provided for design and construction of the restoration of the Upper Truckee River in the vicinity of the airport at South Lake Tahoe, California, including channel realignment, and meadow and floodplain restoration.

The conference agreement deletes language proposed by the House which provides that none of the funds appropriated in the Act may be used by the Bureau of Reclamation for closure of the Auburn Dam, California, diversion tunnel or restoration of the American River channel through the Auburn Dam construction site.

The conferees have included language in the bill proposed by the Senate which provides that $16,000,000 shall be available for the Rocky Boys Indian Water Rights Settlement project in Montana; provides that not more than $500,000 shall be available for projects carried out by the Youth Conservation Corps; increases the amount authorized for Indian municipal, rural, and industrial water features of the Garrison Diversion project in North Dakota by $2,000,000; and amends the Reclamation Safety of Dams Act of 1978.

The conference agreement deletes bill language proposed by the Senate providing $2,300,000 for the Albuquerque Metropolitan Area Water Reclamation and Reuse project. Funding for this project is included in the total amount appropriated for Water and Related Resources.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

The conference agreement appropriates $9,369,000 for the Bureau of Reclamation Loan Program account as proposed by the House and the Senate.

CENTRAL VALLEY PROJECT RESTORATION FUND

The conference agreement appropriates $38,382,000 for the Central Valley Project Restoration Fund as proposed by the House and the Senate.

POLICY AND ADMINISTRATION

The conference agreement appropriates $50,224,000 for Policy and Administration as proposed by the Senate instead of $47,000,000 as proposed by the House.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

Section 201. The conference agreement includes language proposed by the House which provides that none of the funds appropriated by this or any other Act may be used to purchase or lease water in the Middle Rio Grande or Carlsbad projects in New Mexico unless the purchase or lease is in compliance with the requirements of section 202 of Public Law 106–60.

Section 202. The conference agreement includes language proposed by the Senate which provides that funds for Drought Emergency Assistance are to be used primarily for leasing of water for specified drought related purposes from willing lessors in compliance with State laws. The language also provides that leases may be entered into with an option to purchase provided the purchase is approved in the State in which the purchase takes place and does not cause economic harm in the State in which the purchase is made.

Section 203. The conference agreement includes language proposed by the House which provides authority to the Secretary of the Interior to make an annual assessment upon Central Valley Project water and power contractors for the purpose of making an annual payment to the Trinity Public Utilities District. The language has been amended to clarify that the payments to the Trinity Public Utilities District will be made without the need for appropriations.

Section 204. The conference agreement includes language proposed by the Senate regarding the activities of the Glen Canyon Dam Adaptive Management Program. The language in the Senate bill has been amended to increase the funding limit for the program to not more than $7,850,000, adjusted for inflation, and to not preclude voluntary contributions to the Adaptive Management Program.

Section 205. The conference agreement includes language proposed by the Senate which authorizes and directs the Secretary of the Interior to use not to exceed $1,000,000 to refund amounts received by the United States as payments for charges assessed by the Secretary prior to January 1, 1994, for failure to file certain certification or reporting forms prior to the receipt of project water pursuant to sections 206 and 224(c) of the Reclamation Reform Act of 1982.

Section 206. The conference agreement includes language proposed by the Senate which amends the Canyon Ferry Reservoir, Montana, Act.

Section 207. The conference agreement includes language proposed by the Senate which provides that beginning in fiscal year 2000 and thereafter, any amounts provided for the Newlands Water Rights Fund for purchasing and retiring water rights in the Newlands Reclamation Project shall be nonreimbursable.

Section 208. The conference agreement includes language proposed by the Senate which permits the use of Colorado-Big Thompson Project facilities for nonproject water.

Section 209. The conference agreement includes language proposed by the Senate which amends the Irrigation Project Contract Extension Act of 1998.

Section 210. The conference agreement includes a provision proposed by the Senate which extends through fiscal year 2001 the prohibition on the use of funds to further reallocate Central Arizona Project water until the enactment of legislation authorizing and directing the Secretary of the Interior to make allocations and enter into contracts for the delivery of Central Arizona Project water.

Section 211. The conference agreement includes language which amends the San Luis Rey Indian Water Rights Settlement Act, Public Law 100–675.

Section 212. The conference agreement includes language providing for the conveyance of the Sly Park Unit in California to the El Dorado Irrigation District.

Provision not included in the conference agreement.—The conference agreement does not include a provision proposed by the Senate related to recreation development within the State of Montana.

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
WATER AND RELATED				
ARIZONA				
AK CHIN INDIAN WATER RIGHTS SETTLEMENT ACT PROJECT....	---	6,762	---	6,762
CENTRAL ARIZONA PROJECT.....	33,667	---	39,467	---
COLORADO RIVER BASIN SALINITY CONTROL, TITLE I.....	1,068	10,315	1,068	10,315
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM.....	3,722	380	3,722	380
HOPI/WESTERN NAVAJO WATER DEVELOPMENT PLAN.....	---	---	1,000	---
NORTHERN ARIZONA INVESTIGATIONS PROGRAM.....	300	---	300	---
SOUTH CENTRAL ARIZONA INVESTIGATIONS PROGRAM.....	690	---	890	---
SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT.....	5,189	---	5,189	---
TRES RIOS WETLANDS DEMONSTRATION.....	550	---	550	---
TUCSON AREA WATER RECLAMATION AND REUSE STUDY.....	300	---	300	---
YUMA AREA PROJECTS.....	1,738	17,450	1,738	17,450
CALIFORNIA				
CACHUMA PROJECT.....	666	401	666	401
CALIFORNIA INVESTIGATIONS PROGRAM.....	1,293	---	1,293	---
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING PROJ.....	500	---	824	---
CENTRAL VALLEY PROJECT:				
AMERICAN RIVER DIVISION, AUBURN-FOLSOM SOUTH UNIT.	4,740	10,708	10,240	10,708
DELTA DIVISION.....	14,636	4,706	14,636	4,706
EAST SIDE DIVISION.....	585	3,595	585	3,595
FRIANT DIVISION.....	4,170	2,531	4,170	2,531
MISCELLANEOUS PROJECT PROGRAMS.....	11,824	1,009	11,824	1,009
REPLACEMENTS, ADDITIONS, EXTRAORDINARY MAINT.....	---	8,013	---	8,013
SACRAMENTO RIVER DIVISION.....	6,171	1,612	8,691	1,612
SAN FELIPE DIVISION.....	897	---	897	---
SAN JOAQUIN DIVISION.....	2,608	---	2,608	---
SHASTA DIVISION.....	3,474	7,356	3,474	7,356
TRINITY RIVER DIVISION.....	7,116	4,791	7,116	4,791
WATER AND POWER OPERATIONS.....	897	6,490	897	6,490
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT.....	6,385	5,447	7,385	5,447
YIELD FEASIBILITY INVESTIGATION.....	1,800	---	1,800	---
LONG BEACH AREA WATER RECLAMATION PROJECT.....	2,000	---	2,000	---
LOS ANGELES AREA WATER RECLAMATION/REUSE PROJ.....	740	---	740	---
MISSION BASIN BRACKISH GROUNDWATER DESALTING DEMO.....	---	---	503	---
NORTH SAN DIEGO COUNTY AREA WATER RECYCLING PROJ.....	2,000	---	5,000	---
ORANGE COUNTY REGIONAL WATER. RECLAMATION PROJ.....	2,000	---	2,000	---
ORLAND PROJECT.....	---	617	---	617
SALTON SEA RESEARCH PROJECT.....	1,000	---	5,000	---
SAN DIEGO AREA WATER RECLAMATION PROGRAM.....	7,500	---	7,500	---
SAN GABRIEL BASIN PROJECT.....	2,000	---	2,000	---
SAN JOSE AREA WATER RECLAMATION AND REUSE PROG.....	3,500	---	3,500	---
SOLANO PROJECT.....	1,084	1,088	1,084	1,088
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM.....	624	---	1,124	---
VENTURA RIVER PROJECT, CASITAS DAM.....	---	5,500	---	5,500

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
COLORADO				
ANIMAS-LAPLATA PROJECT, SECTIONS 5 & 8	2,000	---	2,000	---
COLLBRAN PROJECT	132	967	132	967
COLORADO-BIG THOMPSON PROJECT	355	7,381	355	7,381
COLORADO INVESTIGATIONS PROGRAM	188	---	188	---
FRUITGROWERS DAM PROJECT	102	16	102	16
FRYINGPAN-ARKANSAS PROJECT	285	4,653	285	4,653
GRAND VALLEY UNIT, CRBSCP	412	507	412	507
LEADVILLE/ARKANSAS RIVER RECOVERY PROJECT	469	1,291	469	1,291
LOWER COLORADO RIVER BASIN INVESTIGATIONS PROGRAM	69	---	69	---
LOWER GUNNISON BASIN UNIT, CRBSCP, TITLE II	---	332	---	332
MANCOS PROJECT	42	22	42	22
PARADOX VALLEY UNIT, CRBSCP, TITLE II	---	2,058	---	2,058
PINE RIVER PROJECT	90	58	90	58
SAN LUIS VALLEY PROJECT, CLOSED BASIN/CONEJOS DIV	410	2,812	410	2,812
UNCOMPAHGRE PROJECT	287	23	287	23
IDAHO				
BOISE AREA PROJECTS	1,746	5,683	1,746	5,683
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	4,622	---	5,622	---
DRAIN WATER MANAGEMENT STUDY, BOISE PROJECT	250	---	500	---
IDAHO INVESTIGATIONS PROGRAM	248	---	248	---
MINIDOKA AREA PROJECTS	3,466	1,841	3,766	1,841
MINIDOKA NORTHSIDE DRAINWATER MANAGEMENT PROJECT	288	---	288	---
KANSAS				
KANSAS INVESTIGATIONS PROGRAM	400	---	400	---
WICHITA PROJECT	---	226	---	226
MONTANA				
CANYON FERRY RESRVOIR	---	---	325	---
FORT PECK RURAL COUNTY WATER SYSTEM	---	---	1,500	---
FORT PECK, DRY PRAIRIE RURAL WATER SYSTREM	---	---	435	---
HUNGRY HORSE PROJECT	---	283	---	283
MILK RIVER PROJECT	325	512	325	512
MONTANA INVESTIGATIONS PROGRAM	251	---	251	---
ROCKY BOYS INDIAN WATER RIGHTS SETTLEMENT	16,000	---	16,000	---
NEBRASKA				
MIRAGE FLATS PROJECT	35	53	35	53
NORTH LOOP DIVISION, MIRDAN CANAL	---	---	1,750	---
NEBRASKA INVESTIGATIONS PROGRAM	17	---	17	---

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
NEVADA				
LAKE MEAD/LAS VEGAS WASH PROGRAM	800	---	1,500	---
LAHONTAN BASIN PROJECT	6,864	1,577	6,864	1,577
NEWLANDS PROJECT WATER RIGHTS FUND	---	---	2,700	---
SOUTHERN NEVADA WATER RECYCLING	---	---	500	---
WALKER RIVER BASIN PROJECT	---	---	300	---
NEW MEXICO				
ALBUQUERQUE METRO AREA WATER & RECLAMATION REUSE	---	---	2,300	---
CARLSBAD PROJECT	2,345	607	2,345	857
EASTERN NEW MEXICO WATER SUPPLY	---	---	250	---
MIDDLE RIO GRANDE PROJECT	2,604	8,480	7,362	8,480
NAVAJO-GALLUP WATER SUPPLY PROJECT	---	---	450	---
PECOS RIVER BASIN WATER SALVAGE PROJECT	---	176	---	176
RIO GRANDE PROJECT	947	2,287	947	2,287
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM	183	---	183	---
SO. NEW MEXICO/WEST TEXAS INVESTIGATIONS PROGRAMS	238	---	238	---
TUCUMARI PROJECT	18	5	18	5
UPPER RIO GRANDE BASIN INVESTIGATIONS PROGRAM	164	---	164	---
VELARDE COMMUNITY DITCH PROJECT	3,880	---	3,880	---
NORTH DAKOTA				
DAKOTA INVESTIGATIONS PROGRAM	387	---	387	---
DAKOTA TRIBES INVESTIGATIONS PROGRAM	187	---	187	---
GARRISON DIVERSION UNIT, P-SMBP	17,416	3,875	21,416	3,875
OKLAHOMA				
ARBUCKLE PROJECT	---	168	---	168
MCGEE CREEK PROJECT	---	535	---	535
MOUNTAIN PARK PROJECT	---	232	---	232
NORMAN PROJECT	---	163	---	163
OKLAHOMA INVESTIGATIONS PROGRAM	234	---	234	---
W.C. AUSTIN PROJECT	---	262	---	262
WASHTIA BASIN PROJECT	---	638	---	638
OREGON				
CROOKED RIVER PROJECT	384	307	384	307
DESCHUTES ECOSYSTEM RESTORATION PROJECT	500	---	1,000	---
DESCHUTES PROJECT	294	137	294	137
EASTERN OREGON PROJECTS	205	249	205	249
GRANDE RONDE WATER OPTIMIZATION STUDY	50	---	50	---
KLAMATH PROJECT	10,837	348	10,837	348
OREGON INVESTIGATIONS PROGRAM	601	---	601	---
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	260	623	260	623
TUALATIN PROJECT	197	123	197	123

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
TUALATIN VALLEY WATER SUPPLY FEASIBILITY STUDY	100	---	100	---
UMATILLA BASIN PROJECT, PHASE III STUDY	100	---	100	---
UMATILLA PROJECT	571	1,723	571	1,723
SOUTH DAKOTA				
LEWIS AND CLARK RURAL WATER SYSTEM	---	---	---	1,000
MID-DAKOTA RURAL WATER PROJECT	6,000	40	8,000	40
MNI WICONI PROJECT	23,570	6,165	27,570	6,165
RAPID VALLEY PROJECT	---	30	---	30
TEXAS				
BALMORHEA PROJECT	31	---	31	---
CANADIAN RIVER PROJECT	---	131	---	131
HASKELL STREET RECLAIMED WATER PROJECT	---	---	500	---
NUECES RIVER PROJECT	---	393	---	393
PALMETTO BEND PROJECT	---	546	---	546
SAN ANGELO PROJECT	---	262	---	262
TEXAS INVESTIGATIONS PROGRAM	346	---	596	---
UTAH				
HYRUM PROJECT	62	11	62	11
MOON LAKE PROJECT	15	5	15	5
NAVAJO SANDSTONE AQUIFER RECHARGE STUDY	250	---	250	---
NEWTON PROJECT	39	14	39	14
NORTHERN UTAH INVESTIGATIONS PROGRAM	230	---	230	---
OGDEN RIVER PROJECT	76	29	76	29
PROVO RIVER PROJECT	401	340	401	340
SCOFIELD PROJECT	91	24	91	24
SOUTHERN UTAH INVESTIGATIONS PROGRAM	235	---	235	---
STRAWBERRY VALLEY PROJECT	88	7	88	7
WEBER BASIN PROJECT	1,267	141	1,267	141
WEBER RIVER PROJECT	296	32	296	32
WASHINGTON				
COLUMBIA BASIN PROJECT	3,600	7,524	3,600	7,524
WASHINGTON INVESTIGATIONS PROGRAM	264	---	264	---
YAKIMA PROJECT	523	7,483	523	7,483
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	11,056	---	11,056	---
WYOMING				
KENDRICK PROJECT	4	5,597	4	5,597
NORTH PLATTE PROJECT	19	1,295	19	1,295
SHOSHONE PROJECT	42	905	42	905
WYOMING INVESTIGATIONS PROGRAM	70	---	70	---

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
VARIOUS				
COLORADO RIVER BASIN SALINITY CONTROL, TITLE II	11,085	---	11,085	---
COLORADO RIVER STORAGE PROJECT, SECTION 5	3,813	1,455	3,813	1,455
COLORADO RIVER STORAGE PROJECT, SECTION 8, RFW	7,135	---	7,135	---
COLORADO RIVER WATER QUALITY IMPROVEMENT	150	---	150	---
DAM SAFETY PROGRAM:				
DEPARTMENT DAM SAFETY PROGRAM	---	1,700	---	1,700
INITIATE SOD CORRECTIVE ACTION	---	51,600	---	51,600
SAFETY EVALUATION OF EXISTING DAMS	---	17,500	---	17,500
SAFETY OF DAMS CORRECTIVE ACTION STUDIES	---	1,000	---	1,000
DEPARTMENTAL IRRIGATION DRAINAGE PROGRAM	3,000	---	2,000	---
DROUGHT EMERGENCY ASSISTANCE PROGRAM	500	---	5,000	---
EFFICIENCY INCENTIVES PROGRAM	3,169	---	3,000	---
EMERGENCY PLANNING AND DISASTER RESPONSE PROG	---	309	---	309
ENDANGERED SPECIES RECOVERY IMPLEMENT. PROG	12,179	---	12,179	---
ENVIRONMENTAL AND INTERAGENCY COORDINATION	1,824	---	1,000	---
ENVIRONMENTAL PROGRAM ADMINISTRATION	2,155	---	1,500	---
EXAMINATION OF EXISTING STRUCTURES	30	4,740	30	4,240
FEDERAL BUILDING SEISMIC SAFETY PROGRAM	---	1,400	---	1,000
GENERAL PLANNING ACTIVITIES	1,842	---	1,700	---
LAND RESOURCES MANAGEMENT PROGRAM	6,484	---	5,884	---
LOWER COLORADO RIVER OPERATIONS PROGRAM	13,729	---	11,729	---
MISCELLANEOUS FLOOD CONTROL OPERATIONS	---	506	---	506
NATIONAL FISH AND WILDLIFE FOUNDATION	1,300	---	1,300	---
NATIVE AMERICAN AFFAIRS PROGRAM	8,500	---	8,500	---
NEGOTIATION AND ADMINISTRATION OF WATER MARKETING	1,254	---	1,000	---
OPERATION AND MAINTENANCE PROGRAM MANAGEMENT	169	865	169	865
PICK-SLOAN MISSOURI BASIN PROGRAM - OTHER PROJ	3,232	25,667	3,232	25,667
POWER PROGRAM SERVICES	1,023	473	1,023	473
PUBLIC ACCESS AND SAFETY PROGRAM	464	---	464	---
RECLAMATION LAW ADMINISTRATION	4,914	---	4,696	---
RECLAMATION RECREATION MANAGEMENT ACT - TITLE XXVIII	3,743	---	3,743	---
RECREATION, FISH AND WILDLIFE PROGRAM ADMIN	2,766	---	2,000	---
SCIENCE AND TECHNOLOGY:				
ADVANCED WATER TREATMENT RESEARCH PROGRAM	1,225	---	1,225	---
APPLIED SCIENCE AND TECHNOLOGY DEVELOPMENT	3,249	---	3,249	---
DESALINATION RESEARCH DEVELOPMENT PROGRAM	300	---	1,300	---
HYDROELECTRIC INFRASTRUCTURE PROT/EHNANCE	660	---	660	---
TECHNOLOGY ADVANCEMENT PROGRAM	283	---	283	---
WATERSHED/RIVER SYSTEMS MANAGEMENT PROGRAM	933	---	933	---
SITE SECURITY	---	1,043	---	1,043
SOIL AND MOISTURE CONSERVATION	263	---	263	---
TECHNICAL ASSISTANCE TO STATES	1,840	---	1,000	---
TITLE XVI WATER RECLAMATION AND REUSE PROGRAM	1,460	---	2,960	---
UNITED STATES/MEXICO BORDER ISSUES- TECH SUPPORT	50	---	50	---
WATER MANAGEMENT AND CONSERVATION PROGRAM	7,605	---	7,100	---
WETLANDS DEVELOPMENT	3,750	---	3,250	---

BUREAU OF RECLAMATION

PROJECT TITLE	BUDGET REQUEST RESOURCES MANAGEMENT	BUDGET REQUEST FACILITIES OM&R	CONFERENCE RESOURCES MANAGEMENT	CONFERENCE FACILITIES OM&R
UNDISTRIBUTED REDUCTION BASED ON ANTICIPATED DELAYS...	-31,120	---	-47,720	---
TOTAL, WATER AND RELATED RESOURCES.....	353,822	289,236	388,864	289,586
LOAN PROGRAM				
CALIFORNIA				
CASTROVILLE IRRIGATION WATER SUPPLY PROJECT.....	1,300	---	1,300	---
SALINAS VALLEY WATER RECLAMATION.....	800	---	800	---
SAN SEVAINE CREEK WATER PROJECT.....	6,844	---	6,844	---
VARIOUS				
LOAN ADMINISTRATION.....	425	---	425	---
TOTAL, LOAN PROGRAM.....	9,369	---	9,369	---

TITLE III

DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items of conference agreement are discussed below.

PROJECT MANAGEMENT

The conferees strongly support the progress being made by the Office of Engineering and Construction Management in bringing standardization, discipline, oversight, and increased professionalism to the Department's project management efforts. The project engineering and design (PED) process developed by the Department represents significant progress toward correcting serious management deficiencies that have historically plagued the Department's construction projects. The conferees believe that implementation of the PED process for all construction and environmental projects throughout the Department will provide the assurance necessary to eliminate the current requirement for an external independent review of all projects prior to releasing funds for construction. The conferees expect the continuation of the external independent review process as discussed in both the House and Senate reports.

PASSENGER MOTOR VEHICLES

The conferees have provided statutory limitations on the number of passenger motor vehicles that can be purchased by the Department of Energy in fiscal year 2001. These limitations are included each year, but the Department has been interpreting this limitation to mean that sport utility vehicles are not considered passenger motor vehicles and do not count against the appropriation ceiling. The conferees consider this to be disingenuous at best and a violation of the appropriations language at worst.

The conferees expect the Department to adhere strictly to the limits set for the purchase of motor vehicles. It is the intention of the conferees in prescribing these limitations that sport utility vehicles are to be considered passenger motor vehicles and, therefore, subject to the limitation. Further, the Department is to provide a full and complete accounting of the current motor vehicle inventory at each location. The Department should work with the Committees on Appropriations to ensure that the report provides the necessary information.

CONTRACTOR TRAVEL

The conference agreement includes a statutory provision limiting reimbursement of Department of Energy management and operating contractors for travel expenses to not more than $185,000,000. This limitation consists of $175,000,000 for contractor travel and a reserve fund of $10,000,000 to be administered by the Department's Chief Financial Officer and released for emergency travel requirements.

The Department had requested $200,000,000 for contractor travel. The reduction in fiscal year 2001 is not to be prorated, but should be applied to those organizations that appear to have the most questionable travel practices. This is not meant to restrict trips between laboratories to coordinate on program issues.

INDEPENDENT CENTERS

The Department is to identify all independent centers at each DOE laboratory and facility in the fiscal year 2002 budget submission. These centers are to be funded directly in program accounts, rather than overhead, with the exception of those centers which clearly benefit more than one program at a laboratory or facility. The Department is directed to provide a list of any centers that are funded through overhead accounts with the fiscal year 2002 budget submission.

REPROGRAMMINGS

The conference agreement does not provide the Department of Energy with any internal reprogramming flexibility in fiscal year 2001 unless specifically identified by the House, Senate, or conference agreement. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the House and Senate Committees on Appropriations in advance, in writing, and may not be implemented prior to approval by the Committees.

LABORATORY DIRECTED RESEARCH AND DEVELOPMENT

The conference agreement includes an allowance of six percent for the laboratory directed research and development (LDRD) program and two percent for nuclear weapons production plants. Travel costs for LDRD are exempt from the contractor travel ceiling. The conferees direct the Department's Chief Financial Officer to develop and execute a financial accounting report of LDRD expenditures by laboratory and weapons production plant. This report, due to the House and Senate Committees on Appropriations by December 31, 2000, and each year thereafter, should provide costs by personnel salaries, equipment, and travel. The Department should work with the Committees on the specific information to be included in the report.

SAFEGUARDS AND SECURITY BUDGET AMENDMENT

The conferees have chosen to reflect the amounts requested for safeguards and security funding in the manner proposed in the budget amendment submitted to Congress by the Department. Adjustments have been made in each account to reflect the consolidation of safeguards and security costs into a few major accounts and the transfer of these costs from overhead accounts to specific program line items. However, the conferees do not concur with the amendment to the extent its purpose is to reorganize all safeguards and security functions at the Department under the control and direction of the Office of Security and Emergency Operations, or any other entity not part of line management. The conferees agree that the direct responsibility for safeguards and security must be united and integrated with the responsibility of line operations.

ADDITIONAL DEPARTMENT OF ENERGY REQUIREMENTS

The conferees agree with the House report language on augmenting Federal staff, overhead costs reviews and reprogramming guidelines.

GENERAL REDUCTIONS NECESSARY TO ACCOMMODATE SPECIFIC PROGRAM DIRECTIONS

The Department is directed to provide a report to the House and Senate Committees on Appropriations by January 15, 2001, on the actual application of any general reductions of funding or use of prior year balances contained in the conference agreement. In general, such reductions should not be applied disproportionately against any program, project, or activity. However, the conferees are aware there may be instances where proportional reductions would adversely impact critical programs and other allocations may be necessary. The report should also include the distribution of the safeguards and security funding adjustments.

ENERGY SUPPLY

The conference agreement provides $660,574,000 for Energy Supply instead of $616,482,000 as proposed by the House and $691,520,000 as proposed by the Senate. The conference agreement includes the House proposal to make funds available until expended rather than the Senate proposal to limit availability to two years. The conference agreement does not include the Senate bill language transferring funds from the United States Enrichment Corporation or earmarking funds for a variety of projects to demonstrate alternative energy technologies.

RENEWABLE ENERGY RESOURCES

The conference agreement provides $422,085,000 instead of $390,519,000 as proposed by the House and $444,117,000 as proposed by the Senate for renewable energy resources.

Biomass/biofuels.—The conference agreement includes $112,900,000 for biomass/biofuels. The conferees have provided $26,740,000 for research to be managed by the Office of Science, the same as the budget request. The conference agreement includes $40,000,000 for power systems and $46,160,000 for the transportation program. The conference agreement does not include prescriptive language specifying funding allocations as contained in the House and Senate reports.

The conferees encourage the Department to continue the integrated approach to bioenergy activities and recommend the use of up to $18,000,000 within available funds for the bioenergy initiative. Funding for this initiative may be derived from both the power and transportation programs.

In the power program, the conference agreement provides $2,000,000 for the Iowa switch grass project which is a multi-year project; $4,000,000 for the McNeill biomass plant in Burlington, Vermont; $395,000 for the final Federal contribution to the Vermont agriculture methane project; $500,000 for the bioreactor landfill project to be administered by the Environmental Education and Research Foundation and Michigan State University; $1,000,000 for methane energy and agriculture development (MEAD) in Tillamook Bay, Oregon; and $1,000,000 for the Mount Wachusett College biomass conversion project in Massachusetts.

The Department is to accelerate the large-scale biomass demonstration at the Winona, Mississippi, site.

The conference agreement provides $4,000,000 in power systems to support a project to demonstrate a commercial facility employing the thermo-depolymerization technology at a site adjacent to the Nevada Test Site. The project shall proceed on a cost-shared basis where Federal funding shall be matched in at least an equal amount with non-Federal funding.

In the transportation program, the conference agreement provides $1,000,000 for continuation of biomass research at the Energy and Environmental Research Center on the integration of biomass with fossil fuels for advanced power systems transportation fuels; $600,000 for the University of Louisville to work on the design of bioreactors for production of fuels and chemicals for ethanol production; and $2,000,000 for the design and construction of a demonstration facility for regional biomass ethanol manufacturing in southeast Alaska.

The conference agreement also includes $2,000,000 for the Michigan Biotechnology Institute to be derived equally from power and transportation systems.

Funding allocated by the Department for the regional biomass program and feedstock production should be derived equally from the power and transportation programs.

Geothermal.—The conference agreement includes $27,000,000 for geothermal activities. The conference agreement does not include language specifying funding allocations as contained in the Senate report. The conferees have provided $2,000,000 to complete

the Lake County Basin 2000 Geothermal project in Lake County, California.

Hydrogen.—The conference agreement includes $29,970,000 for hydrogen activities, including $350,000 for the Montana Trade Port Authority in Billings, Montana; $250,000 for the gasification of Iowa switch grass; and $800,000 for the ITM Syngas project.

The conferees have also provided $2,000,000 for the multi-year demonstration of an underground mining locomotive and an earth loader powered by hydrogen at existing facilities within the State of Nevada. The demonstration is subject to a private sector industry cost-share of not less than an equal amount, and a portion of these funds may also be used to acquire a prototype hydrogen fueling appliance to provide on-site hydrogen in the demonstration.

Hydropower.—The conference agreement includes $5,000,000 for hydropower. The conferees are aware that the Department is funding research that is supposed to be applicable to the needs of the large dams in the northwest United States. The Department is concerned that the Federal power marketing administrations are not involved in developing this research program. The Department is directed to provide a report coordinated with the power marketing administrations that indicates how this hydropower research is applicable to the current and future needs of the power marketing administrations and the schedule by which this research will provide useable products.

Solar Energy.—The conference agreement includes $110,632,000 for solar energy programs. The conference agreement does not include language specifying funding allocations as contained in the House and Senate reports.

The conference agreement provides $13,800,000 for concentrating solar power, including $1,000,000 to initiate planning of a one MW dish engine field validation power project at the University of Nevada-Las Vegas.

The conference agreement includes $78,622,000 for photovoltaic energy systems, including up to $3,000,000 for the million solar roofs initiative. The conferees have provided $1,500,000 for the Southeast and Southwest photovoltaic experiment stations.

The conference agreement includes $3,950,000 for solar building technology research.

Wind.—The conference agreement includes $40,283,000 for wind programs. The conference agreement does not include prescriptive language specifying allocations as included in the Senate report. The conferees have provided $1,000,000 for the Kotzebue wind project. Of the funding for wind energy systems, not less than $5,000,000 shall be made available for new and ongoing small wind programs, including not less than $2,000,000 for the small wind turbine development project. From within available funds, $100,000 has been provided for a wind turbine and for educational purposes at the Turtle Mountain Community College in North Dakota.

Electric energy systems and storage.—The conference agreement includes $52,000,000 for electric energy systems and storage. The conferees urge the Department to support the university, industry-based partnership at the University of California-Irvine Advanced Power and Energy Program to conduct energy and information related technology demonstrations to accelerate the development and deployment of cost-efficient technologies benefiting all energy consumers affected by a deregulated energy industry.

The conference agreement includes $6,000,000 to accelerate the development and application of high temperature superconductor technologies through joint efforts among DOE laboratories, universities, and industry to be lead by Los Alamos and Oak Ridge National Laboratories.

The conference agreement includes $500,000 for completion of the distributed power demonstration project begun last year at the Nevada Test Site.

Renewable Support and Implementation.—The conference agreement includes $21,600,000 for renewable support and implementation programs.

The Federal Energy Management Program should report to the Committees on Appropriations by December 31, 2001, on the accomplishments of the Departmental energy management program with the fiscal year 2001 appropriations including the number of energy efficiency projects funded, the number of energy savings performance contracts supported, and the total estimated savings.

From within available funds, the conference agreement provides $1,000,000 for the Office of Arctic Energy as proposed by the Senate.

The conference agreement includes $5,000,000 for the international renewable energy program. Of this amount, $1,000,000 is to be provided to International Utility Efficiency Partnerships, Inc. (IUEP). The IUEP shall competitively award all projects, continuing its leadership role in reducing carbon dioxide emissions using voluntary market-based mechanisms.

The conference agreement includes $4,000,000 for the renewable energy production incentive program.

The conference agreement includes $6,600,000 for renewable Indian energy resources projects as proposed by the Senate.

The conference agreement includes $4,000,000 for renewable program support, of which $1,000,000 is for an Indoor Air Quality and Energy Conservation Research Planning grant to study and develop technologies to improve air quality within homes and buildings.

Program direction.—The conference agreement includes $18,700,000 for program direction. The conferees have provided additional funding to support implementation of the management reforms identified in the recent National Academy of Public Administration review.

NUCLEAR ENERGY

The conference agreement provides $259,925,000 for nuclear energy activities instead of $231,815,000 as proposed by the House and $262,084,000 as proposed by the Senate.

Advanced radioisotope power systems.—The conference agreement includes $32,200,000, an increase over the budget request of $30,864,000. The additional funds are to maintain the infrastructure to support future national security needs and NASA missions.

Isotope support.—The conference agreement includes a total program level of $27,215,000 for the isotope program. This amount is reduced by offsetting collections of $8,000,000 to be received in fiscal year 2001, resulting in a net appropriation of $19,215,000. The conferees understand that the total estimated cost of Project 99–E–201, the isotope production facility at Los Alamos National Laboratory, has increased significantly due to factors outside the control of the Office of Nuclear Energy and have included $2,500,000 to partially cover these additional costs.

University reactor fuel assistance and support.—The conference agreement includes $12,000,000, the same as the budget request.

Research and development.—The conference agreement provides $47,500,000 for nuclear energy research and development activities.

The conference agreement includes $5,000,000, the same as the budget request, for nuclear energy plant optimization. The conferees direct the Department to ensure that projects are funded jointly with non-Federal partners and that total non-Federal contributions are equal to or in excess of total Department contributions to projects funded in this program.

The conferees have provided $35,000,000 for the nuclear energy research initiative.

The conference agreement includes $7,500,000 for nuclear energy technologies. The Senate had included these activities in the nuclear energy research initiative program. Funding of $4,500,000 is provided to develop a road map for the commercial deployment of a next generation power reactor; $1,000,000 for the preparation of a detailed assessment that analyzes and describes the changes needed to existing advanced light water reactor (ALWR) designs; $1,000,000 for planning and implementation of initiatives in support of an advanced gas reactor; and $1,000,000 to undertake a study to determine the feasibility of deployment of small modular reactors.

Infrastructure.—The conference agreement includes the budget request of $39,150,000 for ANL-West Operations, $9,000,000 for test reactor landlord activities, and $44,010,000 for the Fast Flux Test Facility.

Nuclear facilities management.—The conference agreement adopts the budget structure proposed by the House and provides $34,850,000 for nuclear facilities management activities, the same as the budget request.

The conference agreement provides the full amount of the budget request to complete draining and processing EBR-II primary sodium. The conferees direct the Department to notify the House and Senate Committees on Appropriations immediately if any issues arise that would delay the Department's scheduled date to complete these activities.

Uranium programs.—The conference agreement transfers the budget request of $53,400,000 for uranium programs to a new appropriation account, Uranium Facilities Maintenance and Remediation.

Program direction.—The conference agreement includes $22,000,000 for program direction. This reduction reflects the transfer of 25 employees in the field and up to 5 employees at Headquarters who managed the uranium programs to the Office of Environmental Management.

ENVIRONMENT, SAFETY AND HEALTH

The conference agreement includes $35,998,000 for non-defense environment, safety and health activities. The conferees direct that the reduction from the budget request be directed to eliminate lower-priority activities currently funded in this program. The conference agreement includes $1,000,000 to be transferred to the Occupational Safety and Health Administration as proposed by the House. The conferees expect the Department to budget for this activity in fiscal year 2002.

TECHNICAL INFORMATION MANAGEMENT PROGRAM

The conference agreement includes $8,600,000 as proposed by the Senate.

FUNDING ADJUSTMENTS

The conference agreement also includes $47,100,000, the same amount as the budget request, for research performed by the Office of Science related to renewable energy technologies, and $2,352,000 proposed as an offset from nuclear energy royalties to be received in fiscal year 2001. A reduction of $16,582,000 reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

The conference agreement provides $277,812,000 for Non-Defense Environmental Management instead of $281,001,000 as proposed by the House and $309,141,000 as proposed by the Senate. Funding of $5,000,000 is

provided to expedite environmental cleanup at the Brookhaven National Laboratory. No funding has been provided for the Atlas site in Moab, Utah, which has not been authorized. The recommendation transfers $1,900,000 from the post–2006 program to the site/project completion program to maintain the schedule for completing cleanup of three Oakland geographic sites.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

The conference agreement provides $393,367,000 for uranium activities instead of $301,400,000 as proposed by the House and $297,778,000 as proposed by the Senate, and adopts the budget structure proposed by the House.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement includes $345,038,000 for the uranium enrichment decontamination and decommissioning fund. This includes $273,038,000 for cleanup activities and $72,000,000 for uranium and thorium reimbursements. The conferees recognize there are eligible uranium and thorium licensee claims under Title X of the Energy Policy Act that have been approved for reimbursement, but not yet paid in full. Additional funding of $42,000,000 over the budget request of $30,000,000 has been provided for these payments.

URANIUM PROGRAMS

The conference agreement provides $62,400,000 for uranium activities, an increase of $9,000,000 over the budget request of $53,400,000. Additional funding of $9,000,000, as proposed by the Senate, has been provided for activities associated with the depleted uranium hexafluoride (DUF6) management and conversion project.

DOMESTIC URANIUM INDUSTRY

The conferees are very concerned about the front end of the U.S. nuclear fuel cycle. The conferees direct the Secretary to work with the President and other Federal agencies to ensure that current laws with respect to the privatization of USEC and with respect to the implementation of the Russian HEU agreement and their impact on United States domestic capabilities are carried out. In addition, the Secretary is instructed to take timely measures to ensure that conversion capability is not lost in the United States. The conferees expect that any such measures will not interfere with the implementation of the Russian HEU agreement and the important national security goals it is accomplishing.

The conferees direct the Secretary to undertake an evaluation and make specific recommendations on the various options to sustain a domestic uranium enrichment industry in the short and long-term to be delivered to Congress no later than December 31, 2000. The Secretary's evaluation shall include recommendations for dealing with the Portsmouth facility and its role in maintaining a secure and sufficient domestic supply of enriched uranium. Further, this investigation should consider the technological viability and commercial feasibility of all proposed enrichment technologies including various centrifuge options, AVLIS and SILEX technologies, or other emerging technology. The evaluation should also consider the role of the Federal government in developing and supporting the implementation and regulation of these new technologies in order to secure a reliable and competitive source of domestic nuclear fuel.

FUNDING ADJUSTMENT

A reduction of $14,071,000 reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

SCIENCE

The conference agreement provides $3,186,352,000 instead of $2,830,915,000 as proposed by the House and $2,870,112,000 as proposed by the Senate. The conference agreement does not include the Senate language earmarking funds for various purposes and limiting funding for the small business innovation research program.

High energy physics.—The conference agreement provides $726,130,000 for high energy physics and reflects the adjustments recommended in the Science budget amendment submitted by the Department. Funding of $230,931,000 has been provided for facility operations at the Fermi National Accelerator Laboratory.

Nuclear physics.—The conference agreement provides $369,890,000 for nuclear physics, the same as the original budget request.

Biological and environmental research.—The conference agreement includes $500,260,000 for biological and environmental research. The conferees have included $20,135,000 for the low-dose effects program, an increase of $8,453,000 over the budget request. The conference agreement provides $9,000,000 for molecular nuclear medicine.

The conferees have provided the budget request of $2,500,000 for the Laboratory for Comparative and Functional Genomics at Oak Ridge National Laboratory.

The conference agreement includes $2,000,000 for the Discovery Science Center in Orange County, California; $1,500,000 for the Children's Hospital emergency power plant in San Diego; $1,000,000 for the Center for Science and Education at the University of San Diego; $500,000 for the bone marrow transplant program at Children's Hospital Medical Center Foundation in Oakland, California; $1,000,000 for the North Shore Long Island Jewish Health System in New York; $1,700,000 for the Museum of Science and Industry in Chicago; $2,000,000 for the Livingston Digital Millenium Center to be located at Tulane University; and $1,000,000 for the Center for Nuclear Magnetic Resonance at the University of Alabama-Birmingham.

The conference agreement includes $3,000,000 for the Nanotechnology Engineering Center at the University of Notre Dame in South Bend, Indiana; $2,000,000 for the School of Public Health at the University of South Carolina for modernization upgrades; $2,000,000 for the National Center for Musculoskeletal Research at the Hospital for Special Surgery in New York; and $1,300,000 for the Western States Visibility Assessment Program at New Mexico Tech to trace emissions resulting from energy consumption.

The conference agreement includes $1,000,000 for high temperature super conducting research and development at Boston College; $2,500,000 for the positron emission tomography facility at West Virginia University; $1,000,000 for the advanced medical imaging center at Hampton University; $500,000 for the Natural Energy Laboratory in Hawaii; $800,000 for the Child Health Institute of New Brunswick, New Jersey; and $900,000 for the linear accelerator for University Medical Center of Southern Nevada.

The conference agreement also includes $200,000 for the study of biological effects of low level radioactive activity at University of Nevada-Las Vegas; $1,000,000 for the Medical University of South Carolina Oncology Center; $11,000,000 for development of technologies using advanced functional brain imaging methodologies, including magneto-encephalography, for conduct of basic research in mental illness and neurological disorders, and for construction; $2,000,000 for a science and technology facility at New Mexico Highlands University; $2,000,000 for the University of Missouri-Columbia to expand the federal investment in the university's nuclear medicine and cancer research capital program; and $2,000,000 for the Inland Northwest Natural Resources Research Center at Gonzaga University.

Basic energy sciences.—The conference agreement includes $1,013,370,000 for basic energy sciences. The conferees have included $8,000,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR).

Spallation Neutron Source.—The recommendation includes $278,600,000, including $259,500,000 for construction and $19,100,000 for related research and development, the same as the amended budget request, for the Spallation Neutron Source.

Advanced scientific computing research.—The conference agreement includes $170,000,000 for advanced scientific computing research.

Energy research analyses.—The conference agreement includes $1,000,000 for energy research analyses, the same amount provided by the House and the Senate.

Multiprogram energy labs—facility support.—The conference agreement includes $33,930,000 for multi-program energy labs-facility support.

Fusion energy sciences.—The conference agreement includes $255,000,000, as proposed by the House, for fusion energy sciences.

Safeguards and security.—Consistent with the Department's amended budget request for safeguards and security, the conference agreement includes $49,818,000 for safeguards and security activities at laboratories and facilities managed by the Office of Science. This is offset by a reduction of $38,244,000 that is to be allocated among the various programs which budgeted for safeguards and security costs in their overhead accounts.

Program Direction.—The conference agreement includes $139,245,000 for program direction. Funding of $4,500,000 has been provided for science education.

Funding adjustments.—A reduction of $38,244,000 reflects the allocation of safeguards and security costs in accordance with the Department's amended budget request. A general reduction of $34,047,000 has been applied to this account.

NUCLEAR WASTE DISPOSAL

The conference agreement provides $191,074,000 for Nuclear Waste Disposal instead of $213,000,000 as proposed by the House and $59,175,000 as proposed by the Senate. Combined with the appropriation of $200,000,000 to the Defense Nuclear Waste Disposal account, a total of $391,074,000 will be available for program activities in fiscal year 2001. The funding level reflects a reduction of $39,500,000 from the budget request and the transfer of $6,926,000 in safeguards and security costs in accordance with the Department's amended budget request.

In addition, the conferees recommend that $10,000,000 of funds previously appropriated for interim waste storage activities in Public Law 104–46 may be made available upon written certification by the Secretary of Energy to the House and Senate Committees on Appropriations that the site recommendation report cannot be completed on time without additional funding.

Site recommendation report.—The conferees reiterate the expectation by Congress that the Department submit its site recommendation report in July 2001 according to the current schedule. While the conference agreement does not provide the full funding requested by the Department, the conferees expect the Department to promptly submit a reprogramming request if it becomes apparent that limited funding will delay the site recommendation report beyond July 2001.

The conferees further expect that, if the site is approved, the Department will continue to analyze further design improvements and enhancements between that time

and the submittal of a license application to the Nuclear Regulatory Commission.

State oversight funding.—The conference agreement includes $2,500,000 for the State of Nevada. This funding will be provided to the Department of Energy which will reimburse the State for actual expenditures on appropriate scientific oversight responsibilities conducted pursuant to the Nuclear Waste Policy Act of 1982. These funds are to be provided to the Nevada Division of Emergency Management for program management and execution and may not be used for payment of salaries and expenses for State employees.

Local oversight funding.—The conference agreement includes $6,000,000 for affected units of local government. The conferees expect the Department to provide the full amount of funding allocated to the State and local counties for oversight activities. Any proposed reduction to the amounts identified by Congress for State and local oversight will require prior approval of a reprogramming request by the Committees on Appropriations.

Limitation on the use of funds to promote or advertise public tours.—The conferees direct that none of the funds be used to promote or advertise any public tour of the Yucca Mountain facility, other than public notice that is required by statute or regulation.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides $226,107,000 for Departmental Administration instead of $153,527,000 as proposed by the House and $210,128,000 as proposed by the Senate. Additional funding adjustments include a transfer of $25,000,000 from Other Defense Activities; the use of $8,000,000 of prior year balances; and a reduction of $18,000 for safeguards and security costs. Revenues of $151,000,000 are estimated to be received in fiscal year 2001, resulting in a net appropriation of $75,107,000.

The conference agreement provides $5,000,000 for the Office of the Secretary as proposed by the House. All funds for the newly established National Nuclear Security Administration have been provided in the defense portion of this bill.

The conference agreement provides $32,148,000 for the Chief Financial Officer, an increase of $1,400,000 over the budget request of $30,748,000. These additional funds are to support the DOE project management career development program.

Working capital fund.—The conference agreement does not include statutory language proposed by the House prohibiting funding Federal employee salaries and expenses in the working capital fund. However, any proposal by the Department to transfer salaries and expenses to the working capital fund will require prior approval by the House and Senate Committees on Appropriations.

Cost of work for others.—The conference agreement includes a one-time increase of $40,000,000 in the cost of work for others program to accommodate safeguards and security requirements. It is anticipated that this amount will be offset by an estimated $40,000,000 in revenues derived from non-Department of Energy customers for the purpose of funding safeguards and security activities throughout the Department. In fiscal year 2002 and beyond, the conferees expect the Department to submit a safeguards and security budget that includes amounts obtained previously from other agencies or customers.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $31,500,000 for the Inspector General as proposed by the House instead of $28,988,000 as proposed by the Senate. The conference agreement does not include statutory language proposed by the House requiring a study of the economic basis of recent gasoline price levels.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The conferees support the Administrator's efforts to establish and fill critical positions within the National Nuclear Security Administration (NNSA). The conferees agree that the Administrator's authority should not be impacted by any action that would otherwise limit or preclude hiring which may occur as a result of a change of administrations, and that the Administrator should to the maximum extent possible under applicable statutes proceed with effecting appointments.

WEAPONS ACTIVITIES

The conference agreement provides $5,015,186,000 for Weapons Activities instead of $4,579,684,000 as proposed by the House and $4,883,289,000 as proposed by the Senate. Statutory language proposed by the House limiting the funds availability to two years has not been included by the conferees.

Reprogramming.—The conference agreement provides limited reprogramming authority of $5,000,000 or 5 percent, whichever is less, within the Weapons Activities account without submission of a reprogramming to be approved in advance by the House and Senate Committees on Appropriations. No individual program account may be increased or decreased by more than this amount during the fiscal year using this reprogramming authority. This should provide the needed flexibility to manage this account.

Congressional notification within 30 days of the use of this reprogramming authority is required. Transfers which would result in increases or decreases in excess of $5,000,000 or 5 percent to an individual program account during the fiscal year require prior notification and approval from the House and Senate Committees on Appropriations.

The Department is directed to submit a report to the Committees on Appropriations by January 15, 2001, that reflects the allocation of the safeguards and security reduction, the use of prior year balances and the application of general reductions, and any proposed accounting adjustments.

Directed stockpile work.—In stockpile research and development, additional funding of $19,000,000 has been provided for life extension development activities and to support additional sub-critical experiments. Additional funding of $10,000,000 has been provided to support activities required to maintain the delivery date for a certified pit. No additional funds are provided for cooperative research on hard and deeply buried targets.

Funding for stockpile maintenance has been increased by $22,000,000 as follows: $13,000,000 for life extension operations and development and engineering activities; $5,000,000 for the Kansas City Plant; and $4,000,000 for the Y–12 Plant.

Funding for stockpile evaluation has been increased by $23,000,000 as follows: $6,000,000 for the elimination of the testing backlog and joint test equipment procurements; $8,000,000 for the Pantex Plant; $6,000,000 for the Y–12 Plant; and $3,000,000 for the Savannah River Plant.

Campaigns.—The conference agreement provides $41,400,000 for pit certification, the same as the budget request. Additional funding of $10,000,000 has been provided for dynamic materials properties to support the maintenance of core scientific capabilities, Liner Demonstration Experiments, and other various multi-campaign supporting physics demonstrations for the Atlas pulsed power facility at the Los Alamos National Laboratory and the Nevada Test Site.

An additional $15,000,000 has been provided to support research, development and preconceptual design studies for an advanced hydrodynamic test facility using protons.

Additional funding of $17,000,000 has been provided for enhanced surveillance activities as follows: $3,000,000 for the Kansas City Plant; $7,000,000 for the Pantex Plant; $4,000,000 for the Y–12 Plant; $1,000,000 for the Savannah River Plant; and $2,000,000 to support accelerated deployment of test and diagnostic equipment.

Funding for pit manufacturing readiness is increased by $17,000,000. An increase of $2,000,000 is provided to initiate conceptual design work on a pit manufacturing facility. Additional funding of $15,000,000 is provided to support the pit production program which is now behind schedule and over cost. The conferees strongly support the Senate language regarding the Department's lack of attention to this critical program and the requirement for a progress report by December 1, 2000, and each quarter thereafter.

An additional $5,000,000 has been provided to the Y–12 Plant for secondary readiness.

Inertial Fusion.—The conference agreement includes $449,600,000 for the inertial fusion program in the budget structure proposed by the House.

Additional funding of $25,000,000 as proposed by the House has been provided to further development of high average power lasers. The conference agreement includes the budget request of $9,750,000 for the Naval Research Laboratory and the budget request of $32,150,000 for the University of Rochester. The conference agreement reflects the transfer of $40,000,000 from National Ignition Facility (NIF) operations funding to the NIF construction project.

The conference agreement provides $2,500,000 from within available funds to transfer the Petawatt Laser from Lawrence Livermore National Laboratory to the University of Nevada-Reno, as proposed by the Senate.

National Ignition Facility.—The conference agreement provides $199,100,000 for continued construction of the National Ignition Facility (NIF). The conferees have included a directed reduction of $25,000,000 in the Weapons Activities account which is to be applied to programs under the direction of the Lawrence Livermore National Laboratory.

The conferees have included statutory language providing that only $130,000,000 shall be made available for NIF at the beginning of fiscal year 2001 and the remaining $69,100,000 shall be available only upon a certification after March 31, 2001, by the Administrator of the National Nuclear Security Administration that several requirements have been met. These requirements include:

A. A recommendation on an appropriate path forward for the project based on a detailed review of alternative construction options that would (1) focus on first achieving operation of a 48 or 96 beam laser; (2) allow for the full demonstration of a such a system in support of the stockpile stewardship program before proceeding with construction and operation of a larger laser complex; and (3) include a program and funding plan for the possible future upgrade to a full NIF configuration. The recommendation should include identification of available ''off-ramps'' and decision points where the project could be scaled to a smaller system.

B. Certification that project and scientific milestones as established in the revised construction project data sheet for the fourth quarter of fiscal year 2000 and the first two quarters of fiscal year 2001 have been met on schedule and on cost.

C. Certification that the first and second quarter project reviews in fiscal year 2001 determined the project to be on schedule and

cost and have provided further validation to the proposed path forward.

D. Completion of a study that includes conclusions as to whether the full-scale NIF is required in order to maintain the safety and reliability of the current nuclear weapons stockpile, and whether alternatives to the NIF could achieve the objective of maintaining the safety and reliability of the current nuclear weapons stockpile.

E. Certification that the NIF project has implemented an integrated cost-schedule earned-value project control system by March 1, 2001.

F. A five-year budget plan for the stockpile stewardship program that fully describes how the NNSA intends to pay for NIF over the out years and what the potential for other impacts on the stockpile stewardship program will be.

The conferees remain concerned about the Department's proposed budget increase and schedule delay for the NIF at the Lawrence Livermore National Laboratory (LLNL). The conferees believe that previously the Department of Energy, and most recently the National Nuclear Security Administration (NNSA), may have failed to examine adequately options for NIF that have fewer than the full 192 beams. For example, a preferred course for NIF may be to complete 48 or 96 beams as soon as possible (although block procurement of infrastructure and glass may be considered), bring the reduced NIF into operation, perform the necessary scientific and technical tests to evaluate whether a full NIF will work and its impact on stockpile stewardship, and then develop a path forward for NIF that balances its scientific importance within the overall needs of the stockpile stewardship program. To move on this path in fiscal year 2001, the conferees recommend that $199,100,000 be appropriated for NIF as follows: $74,100,000 as originally proposed for Project 96–D–111, $40,000,000 from NIF operations funding within the budget request for LLNL, $25,000,000 to be identified within the budget request at LLNL, plus an additional $60,000,000 in new appropriations.

Furthermore, the conferees direct the Administration to prepare a budget request for fiscal year 2002 that fully reflects a balanced set of programs and investments within the stockpile stewardship program, and that the overall budget profile over the next eight years will accommodate a $3.4 billion NIF along with the other critical aspects of the program.

Defense computing and modeling.—The conference agreement provides $786,175,000 for defense computing modeling and the Accelerated Strategic Computing Initiative in the budget structure proposed by the House. The recommendation is $10,000,000 less than the budget request, and the reduction should be taken against lower priority activities.

Tritium.—A total of $167,000,000 is provided for continued research and development on a new source of tritium. Funding of $15,000,000 has been provided for design only activities in Project 98–D–126, Accelerator Production of Tritium.

Readiness in technical base and facilities.—The conference agreement includes several funding adjustments transferring funds from this program to individual campaigns.

For operations of facilities, $137,300,000 has been transferred to the inertial fusion program. An additional $36,000,000 has been provided to the production plants for replacement of critical infrastructure and equipment as follows: $12,000,000 for the Kansas City Plant; $12,000,000 for the Pantex Plant; $10,000,000 for the Y–12 Plant; and $2,000,000 for the Savannah River Plant.

Additional funding of $10,000,000 has been provided for the operation of pulsed power facilities; $20,000,000 for microsystems and microelectronics activities at the Sandia National Laboratory; $7,000,000 for a replacement CMR facility at Los Alamos National Laboratory; and $3,100,000 to fund the transition period for the new contractor at the Pantex Plant in Texas.

For program readiness, the conference agreement transfers $7,400,000 to the inertial fusion program and adds $6,100,000 for the TA–18 relocation.

For nuclear weapons incident response, a new program established in readiness technical base and facilities, the conference agreement provides $56,289,000. Funding of $44,205,000 for the nuclear emergency search team and $12,084,000 for the accident response group was transferred from the emergency management program in the Other Defense Activities account.

Special projects are supported at the budget request of $48,297,000. Additional funds have not been provided for AMTEX. From within available funds, $1,000,000 has been provided to support a program in partnership with university systems to meet the needs of the NNSA.

For materials recycling, the conference agreement provides an additional $8,000,000 to maintain restart schedules for hydrogen fluoride and wet chemistry operations at the Y–12 Plant.

For containers, the conference agreement provides an additional $4,000,000 to support the effort to repackage pits which is currently behind schedule at the Pantex Plant due to operational problems.

Funding for advanced simulation and computing has been transferred to the defense computing and modeling campaign.

The conference agreement does not provide additional funding to process uranium-233 as proposed by the Senate, but the conferees expect the Department to act expeditiously to process this material in a manner that would retain and make available isotopes for beneficial use. The Department should provide to the House and Senate Committees a report on the status of this project by March 1, 2001.

Construction projects.—The conference agreement provides $35,500,000 for preliminary project engineering and design. Funding of $20,000,000 is provided for design and supporting infrastructure upgrades for the Microsystems and Engineering Sciences Applications facility at Sandia National Laboratory; $5,000,000 for proof of concept and completion of facility operational capability for the Atlas pulsed power machine at the Nevada Test Site; and $1,000,000 for initiation of design activities for the relocation of the TA–18 nuclear materials handling facility at Los Alamos National Laboratory.

Safeguards and security.—Consistent with the Department's amended budget request for safeguards and security, the conference agreement includes $377,596,000 for safeguards and security activities at laboratories and facilities managed by the Office of Defense Programs. This is offset by a reduction of $310,796,000 to be allocated among the various programs which budgeted for safeguards and security costs in their overhead accounts.

Program direction.—The conference agreement provides $224,071,000 for program direction as proposed by the Senate.

Funding adjustments.—The conference agreement includes the use of $13,647,000 in prior year balances and a reduction of $310,796,000 that reflects the allocation of safeguards and security costs in accordance with the Department's amended budget request. In addition, the conference agreement includes a general reduction of $35,700,000 of which $25,000,000 is to be taken against programs at Lawrence Livermore National Laboratory.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement provides $874,196,000 for Defense Nuclear Nonproliferation instead of $861,477,000 as proposed by the House and $908,967,000 as proposed by the Senate. Statutory language proposed by the House limiting the funds availability to two years has not been included by the conferees. Statutory language proposed by the Senate to earmark funding for the Incorporated Research Institutions for Seismology has not been included. The conferees have provided a total of $53,000,000 for the long-term Russian initiative within this account.

Limitation on Russian and Newly Independent States' (NIS) program funds.—The conferees are concerned about the amount of funding for Russian and NIS programs which remains in the United States for Department of Energy contractors and laboratories rather than going to the facilities in Russia and the NIS. The conferees direct that not more than the following percentages of funding may be spent in the United States in fiscal year 2001 for these programs: Materials Protection, Control and Accounting, 43%; International Proliferation Prevention Program, 40%; Nuclear Cities Initiative, 49%; Russian Plutonium Disposition, 38%; and International Nuclear Safety, 78%.

The conferees expect the Department to continue to increase the level of funding which is provided to Russia versus the funding which remains in the United States for Department of Energy contractors and laboratories in each subsequent year. The Department is to provide a report to the Committees by January 31, 2001, and each subsequent year on the amount of funding provided to Russia and NIS in each program area. The Department should work with the Committees on the specific information to be included in the report.

Nonproliferation and verification research and development.—The conference agreement provides $252,990,000 for nonproliferation and verification research and development. Funding of $17,000,000 has been provided for the nonproliferation and international security center (NISC) at Los Alamos National Laboratory, and $1,000,000 for the Incorporated Research Institutions for Seismology PASSCAL Instrument Center.

Concerns have been raised repeatedly that there should be more opportunity for open competition in certain areas of the nonproliferation and verification research and development program. A recent report by an outside group established by the Department to review the Office of Nonproliferation Research and Engineering included a similar recommendation. The report stated that, ''There should be greater opportunity for the wider U.S. scientific and technical community to contribute to the success of the NN–20 portfolio. This can be done through open competition administered by DOE Headquarters and through partnerships chosen and managed by the DOE national laboratories.'' * * * ''Areas that come to mind as candidates for open competition include seismic verification technologies for very low yield underground nuclear tests and chemical and biological agent detection and identification technologies. Other possible areas might be specialized electronic chip development and certain radio-frequency technologies.''

The conferees expect the Department to act in good faith on the recommendations provided by the external review group, and direct the Department to initiate a free and open competitive process for 25 percent of its research and development activities during fiscal year 2001 for ground-based systems treaty monitoring. The competitive process should be open to all Federal and non-Federal entities.

The conferees direct the Department to report to the Committees on Appropriations on the status of implementing the external review panel's recommendations and the results of the directed open competition by March 30, 2001.

Arms control.—The conference agreement provides $152,014,000 for arms control activities including $24,500,000 for the Initiatives for Proliferation Prevention and $27,500,000 for the Nuclear Cities Initiative. In addition to the $10,000,000 added to the Nuclear Cities Initiative, the conferees have provided another $19,000,000 for the long-term Russian initiative in the arms control program to be distributed as follows: $15,000,000 for spent fuel dry storage; $500,000 for the plutonium registry at Mayak; $2,500,000 for geologic repository cooperation research and planning; and $1,000,000 for research reactor spent fuel acceptance.

International materials protection, control and accounting (MPC&A).—The conference agreement includes $173,856,000 for the MPC&A program including $24,000,000 for the long-term Russian initiative. The conferees have provided $5,000,000 for plutonium storage at Mayak and $19,000,000 for expanded MPC&A activities at Russian naval sites.

HEU transparency implementation.—The conference agreement provides $15,190,000, the same as the budget request.

International nuclear safety.—The conference agreement provides $20,000,000, the same as the budget request, for the international nuclear safety program. This funding is to be used only for activities in support of completing the upgrades to Soviet-designed nuclear reactors. From within available funds, the conference agreement provides $1,000,000 for a cooperative effort between the United States and Russia to address intergranular stress corrosion cracking and restore the structural integrity of Russian nuclear plants until decommissioning.

Fissile materials disposition.—The conference agreement provides $249,449,000 for fissile materials disposition. Funding of $139,517,000, as proposed by the House, has been provided for the U.S. surplus materials disposition program. The conference agreement provides $26,000,000 for Project 99–D–143, the MOX fuel fabrication facility.

Program direction.—The conference agreement provides $51,468,000 for the program direction account as proposed by the House. The conferees are aware that the Department does not have enough qualified Federal employees available to manage the nonproliferation and national security programs, particularly the Russian programs. The conferees will favorably consider a reprogramming of funds from program areas to the program direction account as Federal employees are hired to replace the contractor employees who currently oversee these programs.

Funding adjustment.—The conference agreement includes a reduction of $40,245,000 that reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

NAVAL REACTORS

The conference agreement provides $690,163,000 for Naval Reactors instead of $694,600,000 as proposed by the Senate and $677,600,000 as proposed by the House. Additional funding of $17,000,000 is provided to optimize the program to shutdown prototype reactors and complete all major inactivation work by fiscal year 2002.

Funding adjustment.—The conference agreement includes a reduction of $4,437,000 that reflects the transfer of safeguards and security costs in accordance with the Department's amended budget request.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides $10,000,000 for this new account as proposed by the Senate. These funds are provided to the Administrator of the National Nuclear Security Administration for the costs associated with hiring new employees and establishing the office.

OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

The conference agreement provides $4,974,476,000 for Defense Environmental Restoration and Waste Management instead of $4,522,707,000 as proposed by the House and $4,635,763,000 as proposed by the Senate. Additional funding of $1,082,714,000 is contained in the Defense Facilities Closure Projects account and $65,000,000 in the Defense Environmental Management Privatization account for a total of $6,122,190,000 provided for all defense environmental management activities.

The conference agreement does not include statutory language proposed by the House pertaining to the use of funds for the Waste Isolation Pilot Plant or language proposed by the Senate earmarking funds for programs to be managed by the Carlsbad office of the Department of Energy.

The conference agreement limits the number of motor vehicles that can be purchased in fiscal year 2001 to not more than 30 for replacement only. The conferees have included an additional reporting requirement on the entire Department and have specified that sport utility vehicles are to be counted within this ceiling.

National monument designation.—The conferees agree that no funds spent by the Department for the coordination, integration, or implementation of a management plan related to the Hanford Reach National Monument shall result in the reduction or delay of cleanup at the Hanford site.

Site/Project Completion.—The conference agreement provides an additional $11,000,000 for F and H-area stabilization activities at the Savannah River Site in South Carolina as proposed by the House, and $19,000,000 to address funding shortfalls at the Hanford site in Richland, Washington, as proposed by the Senate. Funding of $12,308,000 has been transferred to other accounts as proposed by the House.

The conference agreement supports the budget request of $2,500,000 for the cooperative agreement with WERC and provides $25,000 for an independent evaluation of the mixed-waste landfill at Sandia National Laboratories in New Mexico.

For construction, the conference agreement provides $17,300,000 for Project 01–D–414, preliminary project engineering and design (PE&D). Project 01–D–415, 235–F packaging and stabilization, at the Savannah River Site has been funded at $4,000,000. Funding of $500,000 requested for Project 01–D–402, INTEC cathodic protection system expansion project, at Idaho Falls has been transferred to the new PE&D project. Funding of $27,932,000 for the Highly Enriched Blend Down Facility has been transferred to the fissile materials disposition program.

Post 2006 Completion.—The conference agreement includes an additional $10,000,000 to maintain schedules required by revised compliance agreements with the State of Washington as proposed by the Senate, and $6,000,000 to support transuranic and low-level waste activities at the Savannah River Site in South Carolina as proposed by the House. Funding of $10,000,000 for the Four Mile Branch project and $18,000,000 for the Consolidated Incinerator Facility at the Savannah River Site has not been provided as proposed by the House. Funding of $18,692,000 has been transferred to the Science and Technology program.

The conference agreement provides $400,000 to begin design activities for a subsurface geosciences laboratory at Idaho.

From within available funds for the Waste Isolation Pilot Plant, $1,000,000 has been provided for a transparency demonstration project.

A total of $3,000,000 has been provided to support a program with the United States-Mexico Border Health Commission to demonstrate technologies to reduce hazardous waste streams and to support the Materials Corridor Partnership Initiative.

Funding of $1,300,000 for Project 01–D–403, immobilized high level waste interim storage facility, at Richland, Washington, has been transferred to the PE&D project in site/project completion account.

Office of River Protection.—The conference agreement provides $757,839,000 for the Office of River Protection at the Hanford site in Washington. The conference agreement provides $377,000,000 for Project 01–D–416, Tank Waste Remediation System, at Richland, Washington, to vitrify the high-level waste in underground tanks. Funding to vitrify waste at the Hanford site was requested in the Defense Environmental Management Privatization account in fiscal year 2001. However, due to the failure of the contractor to provide a viable cost estimate under the concept of a ''privatized'' contract, the contract will now be structured as a cost plus incentive fee contract and will be funded in the regular appropriation account.

Science and technology development.—The conference agreement provides $256,898,000 for the science and technology development program. Funding of $21,000,000 has been transferred to this account for the Idaho validation and verification program. This transfer is not intended to reduce the environmental management base program in Idaho. The Department is directed to provide $10,000,000 for the next round of new and innovative research grants in the environmental management science program in fiscal year 2001, and $10,000,000 for technology deployment activities.

The conference agreement provides $4,000,000 for the international agreement with AEA Technology; $4,500,000 for the Diagnostic Instrumentation and Analysis Laboratory; $4,350,000 for the university robotics research program; an additional $1,000,000 for the D&D focus area; and up to $4,000,000 to continue evaluation, development and demonstration of the Advanced Vitrification System upon successful completion of supplemental testing. The conferees have provided $2,000,000 to the National Energy Technology Laboratory to be used for the continuation of the Mid-Atlantic Recycling Center for End-of-Life Electronics initiative (MARCEE) in cooperation with the Polymer Alliance Zone.

The conference agreement includes $4,000,000 for the long-term stewardship program to be administered at Headquarters and $4,000,000 for the Idaho National Engineering and Environmental Laboratory. No funds are provided for the low dose radiation effects program, as the entire Senate recommended amount is provided within the Office of Science.

Safeguards and security.—Consistent with the Department's amended budget request for safeguards and security, the conference agreement includes $203,748,000 for safeguards and security activities at laboratories and facilities managed by the Office of Defense Programs. This is offset by a reduction of $193,217,000 to be allocated among the various programs which budgeted for safeguards and security costs in their overhead accounts.

Program direction.—The conferees have provided $363,988,000 for the program direction account. This funding level reflects the transfer of the uranium programs from the office of nuclear energy to the office of environmental management. Funding of

$4,100,000 has been provided to allow for the transfer of up to 5 employees from Headquarters and 25 employees at Oak Ridge who manage the uranium programs.

Funding adjustments.—The conference agreement includes the use of $34,317,000 of prior year balances and $50,000,000 in pension refunds, the same as the budget request. The conference agreement includes a reduction of $193,217,000 that reflects the allocation of safeguards and security costs in accordance with the Department's amended budget request. A general reduction of $10,700,000 has also been included.

DEFENSE FACILITIES CLOSURE PROJECTS

The conference agreement appropriates $1,082,714,000 the same as the amended budget request. The conferees expect the Department to request adequate funds to keep each of these projects on a schedule for closure by 2006 or earlier.

Any savings resulting from safeguards and security costs are to be retained and used for cleanup activities at the closure sites.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

The conference agreement provides $65,000,000 for the defense environmental management privatization program instead of $259,000,000 as proposed by the House and $324,000,000 as proposed by the Senate. The conference agreement provides no funds for the Tank Waste Remediation System (TWRS) project at Hanford. Funding for this project, which had previously been considered as a privatization contract, has been transferred to the Defense Environmental Restoration and Waste Management appropriation account.

The conference agreement also includes a rescission of $97,000,000 of funds previously appropriated for the TWRS project in the Defense Environmental Management Privatization appropriation account.

OTHER DEFENSE ACTIVITIES

The conference agreement appropriates $585,755,000 for Other Defense Activities instead of $592,235,000 as proposed by the House and $579,463,000 as proposed by the Senate. Details of the conference agreement are provided below.

SECURITY AND EMERGENCY OPERATIONS

For nuclear safeguards and security, the conference agreement provides $116,409,000 as proposed by the House. The conferees have provided $3,000,000 for the critical infrastructure protection program, an increase of $600,000 over fiscal year 2000. The conference agreement also provides $2,000,000 to procure safety locks to meet Federal specifications.

The conference agreement provides $33,000,000 for security investigations, the same as the budget request.

The conference agreement includes $33,711,000 for emergency management. Funding of $3,600,000 was transferred to the program direction account to reflect the conversion of contractor employees to Federal employees at a substantial cost savings. Funding of $44,205,000 for the nuclear emergency search team and $12,084,000 for the accident response group was transferred to the Weapons Activities account.

Program direction.—The conference agreement provides $92,967,000 for the program direction account as proposed by the House. This reflects the transfer of $3,600,000 from the emergency management program.

INTELLIGENCE

The conference agreement includes $38,059,000 as proposed by the House and the Senate to support the Department's intelligence program.

COUNTERINTELLIGENCE

The conference agreement includes $45,200,000 as proposed by the House and the Senate to support the Department's counterintelligence program.

ADVANCED ACCELERATOR APPLICATIONS

The conference agreement provides $34,000,000 to establish a new program for advanced accelerator applications, including $3,000,000 for research and development of technologies for economic and environmentally sound refinement of spent nuclear fuel at the University of Nevada-Las Vegas.

The Department is directed to prepare a program plan for managing and executing this program using the extensive expertise of the Office of Science and the Office of Defense Programs in accelerator research, design, and applications, and the expertise of the Office of Nuclear Energy in transmutation of nuclear waste. This program plan should be submitted to the Committees by March 1, 2001.

The conferees make no recommendation as to how the Department should manage the advanced accelerator application program.

INDEPENDENT OVERSIGHT AND PERFORMANCE ASSURANCE

The conference agreement provides $14,937,000, the same as the budget request for the office of independent oversight and performance assurance.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The conference agreement provides $125,567,000 for defense-related environment, safety and health activities. The conferees have provided $3,000,000 to establish a program at the University of Nevada-Las Vegas for Department-wide management of electronic records; $1,750,000 for the University of Louisville and the University of Kentucky to undertake epidemiological studies of workers; $880,000 to provide medical screening for workers employed at the Amchitka nuclear weapons test site; and $500,000 for the State of Nevada to address deficiencies in the Cancer Registry, Vital Statistics, and Birth Defects Registry activities.

The conference agreement includes $17,000,000 for the Department's administrative costs associated with the proposed Energy Employees Compensation Initiative. These funds are not available until the program is authorized by law.

WORKER AND COMMUNITY TRANSITION

The conference agreement provides $24,500,000 for the worker and community transition program, including $2,100,000 for infrastructure improvements at the former Pinellas plant. The conferees expect that communities denied funds in fiscal year 2000 will be granted priority status in fiscal year 2001.

The conference agreement provides that no funds may be used to augment the $24,500,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

NATIONAL SECURITY PROGRAMS ADMINISTRATIVE SUPPORT

The conference agreement provides $25,000,000 for national security programs administrative support instead of $51,000,000 as proposed by the House and no funding as proposed by the Senate.

OFFICE OF HEARINGS AND APPEALS

The conference agreement provides $3,000,000 as proposed by the House and the Senate.

FUNDING ADJUSTMENTS

A reduction of $595,000 and the elimination of the $20,000,000 offset to user organizations for security investigations reflects the allocation of the safeguards and security amended budget request.

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement provides $200,000,000 as proposed by the House instead of $292,000,000 as proposed by the Senate.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION

The conferees have included the statutory language extending Bonneville's voluntary separation incentive program until January 1, 2003.

During fiscal year 2001, Bonneville plans to pay the Treasury $620,000,000 of which $163,000,000 is to repay principal on the Federal investment in these facilities.

SOUTHEASTERN POWER ADMINISTRATION

The conference agreement includes $3,900,000, the same as the budget request, for the Southeastern Power Administration.

SOUTHWESTERN POWER ADMINISTRATION

The conference agreement includes $28,100,000, the same as the budget request, for the Southwestern Power Administration.

WESTERN AREA POWER ADMINISTRATION

The conference agreement provides $165,830,000, instead of $164,916,000 as proposed by the Senate and $160,930,000 as proposed by the House. The conference agreement increases the amount of purchase power and wheeling to $65,224,000 and increases offsetting collections by the same amount. Funding of $5,950,000 is provided for the Utah Reclamation Mitigation and Conservation Account.

FALCON AND AMISTAD FUND

The conference agreement includes $2,670,000, the same as the budget request, for the Falcon and Amistad Operating and Maintenance Fund.

FEDERAL ENERGY REGULATORY COMMISSION

The conference agreement includes $175,200,000, the same as the budget request for the Federal Energy Regulatory Commission.

RESCISSIONS

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement includes language rescinding $75,000,000 from funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal in Public Law 104–46, the fiscal year 1996 Energy and Water Development Appropriations Act.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

The conference agreement includes language rescinding $97,000,000 from the Defense Environmental Management Privatization account. Funds were appropriated in this account in prior years for the Hanford Tank Waste Remediation System Project. This project is no longer being considered for a privatization contract. It has been transferred to the Defense Environmental Restoration and Waste Management appropriation account and will be funded there in future appropriation acts.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

Sec. 301. The conference agreement includes a provision proposed by the House that none of the funds may be used to award a management and operating contract unless such contract is awarded using competitive procedures, or the Secretary of Energy grants a waiver to allow for such a deviation. Section 301 does not preclude extension of a contract awarded using competitive procedures.

Sec. 302. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or implement workforce restructuring plans or provide enhanced severance

payments and other benefits and community assistance grants for Federal employees of the Department of Energy under section 3161 of the National Defense Authorization Act of Fiscal Year 1993, Public Law 102–484.

Sec. 303. The conference agreement modifies a provision proposed by the House that none of the funds may be used to augment the $24,500,000 made available for obligation for severance payments and other benefits and community assistance grants unless the Department of Energy submits a reprogramming request subject to approval by the appropriate Congressional committees.

Sec. 304. The conference agreement includes a provision proposed by the House and Senate that none of the funds may be used to prepare or initiate Requests for Proposals for a program if the program has not been funded by Congress in the current fiscal year. This provision precludes the Department from initiating activities for new programs which have been proposed in the budget request, but which have not yet been funded by Congress.

Sec. 305. The conference agreement includes a provision proposed by the House and Senate that permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill.

Sec. 306. The conference agreement includes language providing that not to exceed 6 percent of funds shall be available for Laboratory Directed Research and Development.

Sec. 307. The conference agreement includes language limiting to $185,000,000 the funds available for reimbursement of management and operating contractor travel expenses. Of the $185,000,000, $175,000,000 is available for contractor travel and $10,000,000 is to be held in reserve by the Department's Chief Financial Officer for emergency travel requirements. The language also requires the Department of Energy to reimburse contractors for travel consistent with regulations applicable to Federal employees and specifies that the travel ceiling does not apply to travel funded from Laboratory Directed Research and Development funds.

Sec. 308. The conference agreement includes language prohibiting the Bonneville Power Administration from performing energy efficiency services outside the legally defined Bonneville service territory.

Sec. 309. The conference agreement includes language limiting the types of waste that can be disposed of in the Waste Isolation Pilot Plant in New Mexico. None of the funds may be used to dispose of transuranic waste in excess of 20 percent plutonium by weight for the aggregate of any material category. At the Rocky Flats site, this provision includes ash residues; salt residues; wet residues; direct repackage residues; and scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''.

Sec. 310. The conference agreement includes language allowing the Administrator of the National Nuclear Security Administration to authorize certain nuclear weapons production plants to use not more than 2 percent of available funds for research, development and demonstration activities.

Sec. 311. The conference agreement includes language allowing each Federal power marketing administration to engage in activities relating to the formation and operation of a regional transmission organization.

Sec. 312. The conference agreement includes language that would permit the Secretary of Energy to use $10,000,000 of funds previously appropriated for interim waste storage activities for Defense Nuclear Waste Disposal upon receipt of written certification that the site recommendation report cannot be completed on time without additional funding.

Sec. 313. The conference agreement includes language proposed by the Senate that would provide a three year term of office for the first person appointed to the position of the Under Secretary of Nuclear Security of the Department of Energy.

Sec. 314. The conference agreement includes language proposed by the Senate limiting the authority of the Secretary of Energy to modify the organization of the National Nuclear Security Administration.

Sec. 315. The conference agreement includes language proposed by the Senate prohibiting the pay of personnel engaged in concurrent service or duties inside and outside the National Nuclear Security Administration.

Report on impacts of limits on on-site storage.—The conference agreement does not include statutory language proposed by the Senate, but the conferees direct that not later than 90 days after enactment of the fiscal year 2001 Energy and Water Development Appropriations Act, the Secretary of Energy shall submit to Congress a report containing a description of all alternatives that are available to the Northern States Power Company and the Federal government to allow the company to continue to operate the Prairie Island nuclear generating plant until the end of the term of the license issued to the company by the Nuclear Regulatory Commission, in view of a law of the State of Minnesota that limits the quantity of spent nuclear fuel that may be stored at the plant, assuming that the existing Federal and State laws remain unchanged.

Report on electricity prices.—The conferees note that California is currently experiencing an energy crisis. Wholesale electricity prices have soared, resulting in electrical bills that have increased by as much as 300 percent in the San Diego area. Conferees understand that the staff of the Federal Energy Regulatory Commission is currently investigating the crisis. The Commission is directed to submit to Congress a report on the results of the investigation no later than December 1, 2000. The report shall include identification of the causes of the San Diego price increases, a determination whether California wholesale electricity markets are competitive, a recommendation whether a regional price cap should be set in the Western States, a determination whether manipulation of prices has occurred at the wholesale level, and a determination of remedies, including legislation or regulations, that are necessary to correct the problem and prevent similar incidents in California and elsewhere in the United States.

Provisions not adopted by the conferees.—The conference agreement deletes language proposed by the House and Senate prohibiting the use of funds for contracts modified in a manner that deviates from the Federal Acquisition Regulation.

The conference agreement deletes language proposed by the Senate allowing the Secretary of Energy to enter into multiyear contracts without obligating the estimated costs.

The conference agreement deletes language proposed by the Senate requiring the Department of Energy's laboratories to provide an annual funding plan to the Department.

The conference agreement deletes language proposed by the House prohibiting the payment of Federal salaries in the working capital fund.

The conference agreement deletes language proposed by the Senate prohibiting the expenditure of funds to establish or maintain independent centers at Department of Energy laboratories or facilities. The conference agreement includes report language requiring the Department to identify these centers in the budget request.

The conference agreement deletes language proposed by the House requiring a report on activities of the executive branch to address high gasoline prices and develop an overall national energy strategy.

The conference agreement deletes language proposed by the Senate prohibiting the expenditure of funds to restart the High Flux Beam Reactor.

The conference agreement deletes language proposed by the Senate limiting the inclusion of costs of protecting fish and wildlife within the rates charged by the Bonneville Power Administration.

The conference agreement deletes language proposed by the Senate limiting the cost of construction of the National Ignition Facility.

The conference agreement deletes language proposed by the Senate requiring an evaluation of innovative technologies for demilitarization of weapons components and treatment of hazardous waste.

The conference agreement deletes language proposed by the Senate requiring a report on national energy policy.

The conference agreement deletes language proposed by the Senate noting concern with the House provision on limiting funds for worker and community transition. The conference agreement deletes language proposed by the Senate requiring a report on the impact of State-imposed limits on spent nuclear fuel storage. This requirement has been included in report language.

The conference agreement deletes language proposed by the Senate limiting the use of funds to promote or advertise public tours at Yucca Mountain. This requirement has been included in report language.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations for programs in title III are contained in the following table.

Department of Energy (in thousands)

	Budget Request	Conference
ENERGY SUPPLY		
RENEWABLE ENERGY RESOURCES		
Renewable energy technologies		
Biomass/biofuels energy systems		
Power systems	47,830	40,000
Transportation	54,110	46,160
Subtotal, Biomass/biofuels energy systems	101,940	86,160
Biomass/biofuels energy research	26,740	26,740
Subtotal, Biomass	128,680	112,900
Geothermal technology development	26,970	27,000
Hydrogen research	22,940	27,000
Hydrogen energy research	2,970	2,970
Subtotal, Hydrogen	25,910	29,970
Hydropower	5,000	5,000
Solar energy		
Concentrating solar power	14,940	13,800
Photovoltaic energy systems	81,450	75,775
Photovoltaic energy research	2,847	2,847
Subtotal, Photovoltaic	84,297	78,622
Solar building technology research	4,470	3,950
Solar photoconversion energy research	14,260	14,260
Subtotal, Solar energy	117,967	110,632
Wind energy systems	50,140	40,000
Wind energy research	283	283
Subtotal, Wind	50,423	40,283
Total, Renewable energy technologies	354,950	325,785

Department of Energy (in thousands)

	Budget Request	Conference
Electric energy systems and storage		
High temperature superconducting R&D	31,900	37,000
Energy storage systems	5,000	6,000
Transmission reliability	10,960	9,000
Total, Electric energy systems and storage	47,860	52,000
Renewable support and implementation		
Departmental energy management	4,988	2,000
International renewable energy program	11,460	5,000
Renewable energy production incentive program	4,000	4,000
Renewable Indian energy resources	5,000	6,600
Renewable program support	6,500	4,000
Total, Renewable support and implementation	31,948	21,600
National renewable energy laboratory	1,900	4,000
Program direction	18,159	18,700
TOTAL, RENEWABLE ENERGY RESOURCES	454,817	422,085

Department of Energy (in thousands)

	Budget Request	Conference
NUCLEAR ENERGY		
Advanced radioisotope power system	30,864	32,200
Isotopes		
Isotope support and production	16,218	24,715
Construction		
99-E-201 Isotope production facility (LANL)	500	2,500
Subtotal, Isotope support and production	16,718	27,215
Offsetting collections	---	-8,000
Total, Isotopes	16,718	19,215
University reactor fuel assistance and support	12,000	12,000
Research and development		
Nuclear energy plant optimization	5,000	5,000
Nuclear energy research initiative	34,903	35,000
Nuclear energy technologies	---	7,500
Total, Research and development	39,903	47,500
Infrastructure		
ANL-West operations	---	39,150
Fast flux test facility (FFTF)	38,524	44,010
Test reactor area landlord	7,415	7,575
Construction		
99-E-200 Test reactor area electrical utility upgrade, Idaho National Engineering Laboratory, ID	879	925
95-E-201 Test reactor area fire and life safety improvements, Idaho National Engineering Laboratory, ID	458	500
Subtotal, Construction	1,337	1,425
Subtotal, Test reactor area landlord	8,752	9,000
Total, Infrastructure	47,276	92,160

Department of Energy (in thousands)

	Budget Request	Conference
Nuclear facilities management	66,126	---
Nuclear facilities management		
EBR-II shutdown	---	8,800
Disposition of spent fuel and legacy materials	---	16,200
Disposition technology activities	---	9,850
Total, Nuclear facilities management	---	34,850
Uranium programs	47,779	---
Program direction	27,620	22,000
TOTAL, NUCLEAR ENERGY	288,286	259,925
ENVIRONMENT, SAFETY AND HEALTH		
Environment, safety and health	19,906	16,000
Program direction	19,998	19,998
TOTAL, ENVIRONMENT, SAFETY AND HEALTH	39,904	35,998
ENERGY SUPPORT ACTIVITIES		
Technical information management program	1,802	1,600
Program direction	7,335	7,000
TOTAL, ENERGY SUPPORT ACTIVITIES	9,137	8,600
Subtotal, Energy supply	792,144	726,608
Renewable energy research program	-47,100	-47,100
Transfer from Geothermal and USEC	-12,000	---
Offset from nuclear energy royalties	-2,352	-2,352
Reduction for safeguards and security	---	-16,582
TOTAL, ENERGY SUPPLY	730,692	660,574

Department of Energy (in thousands)

	Budget Request	Conference
NON-DEFENSE ENVIRONMENTAL MANAGEMENT		
Site closure	81,248	81,636
Site/project completion	63,798	61,621
Post 2006 completion	137,766	137,744
Reduction for safeguards and security	---	-3,189
TOTAL, NON-DEFENSE ENVIRONMENTAL MANAGEMENT	282,812	277,812
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
Decontamination and decommissioning	264,588	---
Uranium/thorium reimbursement	30,000	---
TOTAL, URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING	294,588	---
URANIUM FACILITIES MAINTENANCE AND REMEDIATION		
Uranium Enrichment Decontamination and Decommissioning Fund		
Decontamination and decommissioning	---	273,038
Uranium/thorium reimbursement	---	72,000
Total, Uranium enrichment D&D fund	---	345,038
Other Uranium Activities		
Maintenance of facilities and inventories	---	29,193
Pre-existing liabilities	---	11,330
Depleted UF6 conversion project	---	21,877
Total, Other uranium activities	---	62,400
Reduction for safeguards and security	---	-14,071
TOTAL, URANIUM FACILITIES MAINTENANCE AND REMEDIATION	---	393,367

Department of Energy (in thousands)

	Budget Request	Conference
SCIENCE		
High energy physics		
Research and technology	236,000	234,720
Facility operations	440,872	459,010
Construction		
00-G-307 SLAC office building	5,200	5,200
99-G-306 Wilson hall safety improvements, Fermilab	4,200	4,200
98-G-304 Neutrinos at the main injector, Fermilab	23,000	23,000
Subtotal, Construction	32,400	32,400
Subtotal, Facility operations	473,272	491,410
Total, High energy physics	709,272	726,130
Nuclear physics	365,069	369,890
Biological and environmental research	435,954	497,760
Construction		
01-E-300 Laboratory for Comparative and Functional Genomics, ORNL	2,500	2,500
Total, Biological and environmental research	438,454	500,260

Department of Energy (in thousands)

	Budget Request	Conference
Basic energy sciences		
Materials sciences	448,964	456,111
Chemical sciences	219,090	223,229
Engineering and geosciences	40,304	40,816
Energy biosciences	33,662	33,714
Construction		
99-E-334 Spallation neutron source (ORNL)	261,900	259,500
Total, Basic energy sciences	1,003,920	1,013,370
Advanced scientific computing research	179,817	170,000
Energy research analyses	988	1,000
Multiprogram energy labs - facility support		
Infrastructure support	1,023	1,160
Oak Ridge landlord	7,475	10,711
Construction		
MEL-001 Multiprogram energy laboratory infrastructure projects, various locations	22,059	22,059
Total, Multiprogram energy labs - fac. support	30,557	33,930
Fusion energy sciences program	243,907	255,000
Safeguards and security	49,818	49,818
Program direction		
Field offices	82,929	83,307
Headquarters	51,408	51,438
Science education	6,500	4,500
Total, Program direction	140,837	139,245
Subtotal, Science	3,162,639	3,258,643
General reduction	---	-34,047
Reduction for safeguards and security	---	-38,244
TOTAL, SCIENCE	3,162,639	3,186,352

Department of Energy (in thousands)

	Budget Request	Conference
NUCLEAR WASTE DISPOSAL		
Repository program	255,034	135,200
Program direction	63,540	62,800
Reduction for safeguards and security	---	-6,926
TOTAL, NUCLEAR WASTE DISPOSAL	318,574	191,074
DEPARTMENTAL ADMINISTRATION		
Administrative operations		
Salaries and expenses		
Office of the Secretary	6,648	5,000
Board of contract appeals	878	878
Chief financial officer	30,748	32,148
Contract reform	2,500	2,500
Congressional and intergovernmental affairs	5,146	5,000
Economic impact and diversity	5,126	5,126
General counsel	22,724	22,724
International affairs	9,400	8,500
Management and administration	78,882	77,800
Policy office	6,688	6,600
Public affairs	4,150	3,900
Subtotal, Salaries and expenses	172,890	170,176
Program support		
Minority economic impact	1,498	1,500
Policy analysis and system studies	406	422
Environmental policy studies	1,600	1,000
Corporate management information program	12,000	12,000
Subtotal, Program support	15,504	14,922
Total, Administrative operations	188,394	185,098
Cost of work for others	34,027	74,027
Subtotal, Departmental Administration	222,421	259,125
Use of prior year balances and other adjustments	-8,000	-8,000
Transfer from other defense activities	---	-25,000
Reduction for safeguards and security	---	-18
Total, Departmental administration (gross)	214,421	226,107
Miscellaneous revenues	-128,762	-151,000
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	85,659	75,107

Department of Energy (in thousands)

	Budget Request	Conference
OFFICE OF INSPECTOR GENERAL		
Office of Inspector General	33,000	31,500
ATOMIC ENERGY DEFENSE ACTIVITIES		
NATIONAL NUCLEAR SECURITY ADMINISTRATION		
WEAPONS ACTIVITIES		
Stewardship operation and maintenance		
Directed stockpile work		
Stockpile research and development	243,300	272,300
Stockpile maintenance	257,994	279,994
Stockpile evaluation	151,710	174,710
Dismantlement/disposal	29,260	29,260
Production support	149,939	149,939
Field engineering, training and manuals	4,400	4,400
Reduction for safeguards and security	-17,427	---
Subtotal, Directed stockpile work	819,176	910,603
Campaigns		
Primary certification	41,400	41,400
Dynamic materials properties	64,408	74,408
Advanced radiography	43,000	58,000
Construction		
97-D-102 Dual-axis radiographic hydrotest facility (LANL), Los Alamos, NM	35,232	35,232
Subtotal, Advanced radiography	78,232	93,232
Secondary certification and nuclear systems margins	52,964	52,964
Enhanced surety	40,600	40,600
Weapons system engineering certification	16,300	16,300
Certification in hostile environments	15,400	15,400
Enhanced surveillance	89,651	106,651
Advanced design and production technologies	75,735	75,735
Inertial confinement fusion	120,800	250,500
Construction		
96-D-111 National ignition facility, LLNL	73,469	199,100
Subtotal, Inertial confinement fusion	194,269	449,600

Department of Energy (in thousands)

	Budget Request	Conference
Defense computing and modeling	249,100	716,175
Construction		
01-D-101 Distributed information systems laboratory, SNL, Livermore, CA	2,300	2,300
00-D-103, Terascale simulation facility, LLNL, Livermore, CA	4,900	5,000
00-D-105 Strategic computing complex, LANL, Los Alamos, NM	56,000	56,000
00-D-107 Joint computational engineering laboratory, SNL, Albuquerque, NM	6,700	6,700
Subtotal, Construction	69,900	70,000
Subtotal, Defense computing and modeling	319,000	786,175
Pit manufacturing readiness	108,038	125,038
Secondary readiness	15,000	20,000
Materials readiness	40,511	40,511
Tritium readiness	77,000	77,000
Construction		
98-D-125 Tritium extraction facility, SR	75,000	75,000
98-D-126 Accelerator production of Tritium, various locations	---	15,000
Subtotal, Construction	75,000	90,000
Subtotal, Tritium readiness	152,000	167,000
Reduction for safeguards and security	-52,204	---
Subtotal, Campaigns	1,251,304	2,105,014

Department of Energy (in thousands)

	Budget Request	Conference
Readiness in technical base and facilities		
Operations of facilities	1,313,432	1,252,232
Program readiness	75,800	74,500
Nuclear weapons incident response	---	56,289
Special projects	48,297	48,297
Material recycle and recovery	22,018	30,018
Containers	7,876	11,876
Storage	9,075	9,075
Advanced simulation and computing	477,075	---
Reduction for safeguards and security	-220,867	---
Subtotal, Readiness in technical base and fac.	1,732,706	1,482,287
Construction		
01-D-103 Preliminary project engineering and design (PE&D), various locations	14,500	35,500
01-D-124 HEU storage facility, Y-12 plant, Oak Ridge, TN	17,749	17,800
01-D-126 Weapons Evaluation Test Laboratory Pantex Plant, Amarillo, TX	3,000	3,000
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA	4,975	5,000
99-D-104 Protection of real property (roof reconstruction-Phase II), LLNL, Livermore, CA	2,786	2,800
99-D-106 Model validation & system certification center, SNL, Albuquerque, NM	5,200	5,200
99-D-108 Renovate existing roadways, Nevada Test Site, NV	1,874	2,000
99-D-125 Replace boilers and controls, Kansas City plant, Kansas City, MO	13,000	13,000
99-D-127 Stockpile management restructuring initiative, Kansas City plant, Kansas City, MO	23,566	23,765
99-D-128 Stockpile management restructuring initiative, Pantex consolidation, Amarillo, TX	4,998	4,998
98-D-123 Stockpile management restructuring initiative, Tritium factory modernization and consolidation, Savannah River, SC	30,767	30,767
97-D-123 Structural upgrades, Kansas City plant, Kansas City, KS	2,864	2,918

Department of Energy (in thousands)

	Budget Request	Conference
95-D-102 Chemistry and metallurgy research (CMR) upgrades project (LANL)	13,337	13,337
Subtotal, Construction	138,616	160,085
Subtotal, Readiness in technical base and fac	1,871,322	1,642,372
Total, Stewardship operation and maintenance	3,941,802	4,657,989
Transportation safeguards division		
Operations and equipment	79,357	79,357
Program direction	36,316	36,316
Total, Transportation safeguards division	115,673	115,673
Safeguards and security	356,840	356,840
Construction		
99-D-132 SMRI nuclear material safeguards and security upgrade project (LANL), Los Alamos, NM	18,043	18,043
88-D-123 Security enhancements, Pantex plant, Amarillo, TX	2,713	2,713
Subtotal, Construction	20,756	20,756
Total, Safeguards and security	377,596	377,596
Program direction	204,154	224,071
Subtotal, Weapons activities	4,639,225	5,375,329
Use of prior year balances	---	-13,647
General reduction	---	-35,700
Reduction for safeguards and security	---	-310,796
TOTAL, WEAPONS ACTIVITIES	4,639,225	5,015,186

Department of Energy (in thousands)

	Budget Request	Conference
DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D	216,550	235,990
Construction		
00-D-192 Nonproliferation and international security center (NISC), LANL	7,000	17,000
Total, Nonproliferation and verification, R&D	223,550	252,990
Arms control	119,915	152,014
International materials protection, control, and accounting	146,081	173,856
Long-term nonproliferation program for Russia	100,000	---
HEU transparency implementation	15,166	15,190
International nuclear safety	18,902	20,000
Fissile materials disposition		
U.S. surplus materials disposition	117,912	139,517
Russian surplus materials disposition	34,803	40,000
Program direction - MD	9,878	---
Construction		
01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC	---	20,932
01-D-142 Immobilization and associated processing facility, various locations	3,000	3,000
99-D-141 Pit disassembly and conversion facility, various locations	20,000	20,000
99-D-143 Mixed oxide fuel fabrication facility various locations	15,000	26,000
Subtotal, Construction	38,000	69,932
Total, Fissile materials disposition	200,593	249,449
Program direction	41,383	51,468
Use of prior year balances	---	-526
Reduction for safeguards and security	---	-40,245
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	865,590	874,196

Department of Energy (in thousands)

	Budget Request	Conference
NAVAL REACTORS		
Naval reactors development	623,063	644,500
Construction		
GPN-101 General plant projects, various locations	11,400	11,400
01-D-200 Major office replacement building, Schenectady, NY	1,300	1,300
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID	16,000	16,000
Subtotal, Construction	28,700	28,700
Total, Naval reactors development	651,763	673,200
Program direction	21,320	21,400
Reduction for safeguards and security	---	-4,437
TOTAL, NAVAL REACTORS	673,083	690,163
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator	---	10,000
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	6,177,898	6,589,545

Department of Energy (in thousands)

	Budget Request	Conference
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MGMT.		
Site/project completion		
Operation and maintenance	856,812	919,167
Construction		
01-D-402 Intec cathodic protection system expansion project, Idaho National Engineering and Environmental Laboratory, Idaho Falls, ID	481	---
01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC	27,932	---
01-D-414 Preliminary project, engineering and design (PE&D), various locations	---	17,300
01-D-415 235-F packaging and stabilization project, Savannah River, SC	---	4,000
99-D-402 Tank farm support services, F&H area, Savannah River site, Aiken, SC	7,714	7,714
99-D-404 Health physics instrumentation laboratory (INEL), ID	4,277	4,300
98-D-453 Plutonium stabilization and handling system for PFP, Richland, WA	1,690	1,690
97-D-470 Regulatory monitoring and bioassay laboratory, Savannah River site, Aiken, SC	3,949	3,949
96-D-471 CFC HVAC/chiller retrofit, Savannah River site, Aiken, SC	12,512	12,512
92-D-140 F&H canyon exhaust upgrades, Savannah River, SC	8,879	8,879
86-D-103 Decontamination and waste treatment facility (LLNL), Livermore, CA	2,000	2,000
Subtotal, Construction	69,434	62,344
Total, Site/project completion	926,246	981,511

Department of Energy (in thousands)

	Budget Request	Conference
Post 2006 completion		
Operation and maintenance	2,453,735	2,251,514
Uranium enrichment D&D fund contribution	420,000	420,000
Construction		
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC	27,212	27,212
Office of River Protection		
Operation and maintenance	---	309,619
Construction		
01-D-403 Immobilized high level waste interim storage facility, Richland, WA	1,300	---
01-D-416 Tank waste remediation system, Richland, WA	---	377,000
99-D-403 Infrastructure support, Richland, WA	7,812	7,812
97-D-402 Tank farm restoration and safe operations, Richland, WA	46,023	46,023
94-D-407 Initial tank retrieval systems, Richland, WA	17,385	17,385
Subtotal, Construction	72,520	448,220
Subtotal, Office of River Protection	72,520	757,839
Total, Post 2006 completion	2,973,467	3,456,565

Department of Energy (in thousands)

	Budget Request	Conference
Science and technology	195,032	256,898
Safeguards and security	203,748	203,748
Program direction	347,881	363,988
Subtotal, Defense environmental management	4,646,374	5,262,710
Use of prior year balances	-34,317	-34,317
Pension refund	-50,000	-50,000
General reduction	---	-10,700
Reduction for safeguards and security	---	-193,217
TOTAL, DEFENSE ENVIRON. RESTORATION AND WASTE MGMT	4,562,057	4,974,476
DEFENSE FACILITIES CLOSURE PROJECTS		
Site closure	1,027,942	1,027,942
Safeguards and security	54,772	54,772
TOTAL, DEFENSE FACILITIES CLOSURE PROJECTS	1,082,714	1,082,714
DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION		
Privatization initiatives, various locations	539,976	90,092
Use of prior year balances	-25,092	-25,092
TOTAL, DEFENSE ENVIRONMENTAL MGMT. PRIVATIZATION	514,884	65,000
TOTAL, DEFENSE ENVIRONMENTAL MANAGEMENT	6,159,655	6,122,190

Department of Energy (in thousands)

	Budget Request	Conference
OTHER DEFENSE ACTIVITIES		
Other national security programs		
Security and emergency operations		
Nuclear safeguards	123,566	116,409
Security investigations	38,597	33,000
Emergency management	91,773	33,711
Program direction	89,367	92,967
Subtotal, Security and emergency operations	343,303	276,087
Intelligence	35,010	36,059
Construction		
01-D-800 Sensitive compartmented information facility, LLNL, Livermore, CA	1,975	2,000
Subtotal, Intelligence	36,985	38,059
Counterintelligence	44,328	45,200
Advanced accelerator applications	---	34,000
Independent oversight and performance assurance		
Program direction	14,937	14,937
Environment, safety and health (Defense)	85,963	102,963
Program direction - EH	22,604	22,604
Subtotal, Environment, safety & health (Defense)	108,567	125,567
Worker and community transition	21,497	21,500
Program direction - WT	3,000	3,000
Subtotal, Worker and community transition	24,497	24,500
National Security programs administrative support	---	25,000
Office of hearings and appeals	3,000	3,000
Subtotal, Other defense activities	575,617	586,350
Reduction for safeguards and security	---	-595
TOTAL, OTHER DEFENSE ACTIVITIES	575,617	585,755

Department of Energy (in thousands)

	Budget Request	Conference
DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal	112,000	200,000
ENERGY EMPLOYEES COMPENSATION INITIATIVE		
Energy employees beryllium compensation fund	12,800	---
Energy employees pilot project	2,000	---
Paducah employees exposure compensation fund	2,200	---
TOTAL, ENERGY EMPLOYEES COMPENSATION INITIATIVE	17,000	---
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	13,042,170	13,497,490
POWER MARKETING ADMINISTRATIONS		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance		
Purchase power and wheeling	34,463	34,463
Program direction	5,000	5,000
Subtotal, Operation and maintenance	39,463	39,463
Offsetting collections	-34,463	-34,463
Use of prior year balances	-1,100	-1,100
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	3,900	3,900
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance		
Operating expenses	3,795	3,795
Purchase power and wheeling	288	288
Program direction	18,388	18,388
Construction	6,817	6,817
Subtotal, Operation and maintenance	29,288	29,288
Offsetting collections	-288	-288
Use of prior year balances	-900	-900
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	28,100	28,100

Department of Energy (in thousands)

	Budget Request	Conference
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance		
Construction and rehabilitation	23,115	23,115
System operation and maintenance	36,104	36,104
Purchase power and wheeling	35,500	65,224
Program direction	106,644	106,644
Utah mitigation and conservation	5,036	5,950
Subtotal, Operation and maintenance	206,399	237,037
Offsetting collections	-35,500	-65,224
Use of prior year balances	-5,983	-5,983
TOTAL, WESTERN AREA POWER ADMINISTRATION	164,916	165,830
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance	2,670	2,670
TOTAL, POWER MARKETING ADMINISTRATIONS	199,586	200,500
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission	175,200	175,200
FERC revenues	-175,200	-175,200
TOTAL, FEDERAL ENERGY REGULATORY COMMISSION	---	---
Defense nuclear waste disposal (rescission)	-85,000	-75,000
Defense environmental privatization (rescission)	---	-97,000
GRAND TOTAL, DEPARTMENT OF ENERGY	18,064,720	18,341,776

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement includes $66,400,000 for the Appalachian Regional Commission as proposed by the Senate instead of $63,000,000 as proposed by the House.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

The conference agreement includes $18,500,000 for the Defense Nuclear Facilities Safety Board as proposed by the Senate instead of $17,000,000 as proposed by the House.

DELTA REGIONAL AUTHORITY

The conference agreement includes $20,000,000 for the Delta Regional Authority as proposed by the Senate.

DENALI COMMISSION

The conference agreement includes $30,000,000 for the Denali Commission as proposed by the Senate.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $481,900,000 as proposed by the House and the Senate, to be offset by revenues of $447,958,000, for a net appropriation of $33,942,000. This reflects the statutory language adopted by the conference to reduce the revenues collected in fiscal year 2001 by 2 percent.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $5,500,000 as proposed by the House and the Senate, to be offset by revenues of $5,390,000, for a net appropriation of $110,000. This reflects the statutory language adopted by the conference to reduce the revenues collected in fiscal year 2001 by 2 percent.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

The conference agreement provides $2,900,000 instead of $2,700,000 as proposed by House and $3,000,000 as proposed by the Senate.

GENERAL PROVISIONS

The conference agreement deletes language proposed by the Senate establishing a Presidential Energy Commission.

TITLE V

FISCAL YEAR 2001 EMERGENCY APPROPRIATIONS

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

The conference agreement includes an emergency appropriation of $203,460,000 as proposed by the Senate for Cerro Grande Fire Activities at the Los Alamos National Laboratory in New Mexico.

The recommendation includes $46,860,000 for repair and risk mitigation associated with physical damage and destruction; $25,400,000 for restoring services; $18,000,000 for emergency response; and $15,000,000 for resuming laboratory operations.

In addition, funding is provided for the following construction projects: $6,100,000 for Project 97–D–102, Dual-Axis Radiographic Hydrotest Facility (DAHRT); $25,000,000 for Project 01–D–701, Site-wide Fire Alarm System Replacement; $20,000,000 for Project 01–D–702, Emergency Operations Center Replacement and Relocation; $29,100,000 for Project 01–D–703, TA–54 Waste Management Mitigation; $10,000,000 for Project 01–D–704, Office Building Replacement Program for Vulnerable Facilities; and $8,000,000 for Project 01–D–705, Multi-channel Communications System. The Department is directed to include construction project data sheets for these projects in the fiscal year 2002 budget request.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

The conference agreement includes an emergency appropriation of $11,000,000 for the Appalachian Regional Commission.

TITLE VI

GENERAL PROVISIONS

Sec. 601. The conference agreement includes language directing that none of the funds in this Act or any prior appropriations Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of title 18, United States Code.

Sec. 602. The conference agreement includes language regarding the purchase of American-made equipment and products, and prohibiting contracts with persons falsely labeling products as made in America.

Sec. 603. The conference agreement includes language providing that no funds may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit of the Central Valley Project until certain conditions are met. The language also provides that the costs of the Kesterson Reservoir Cleanup Program and the San Joaquin Valley Drainage Program shall be classified as reimbursable or non-reimbursable by the Secretary of the Interior and that any future obligation of funds for drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries pursuant to Reclamation law.

Sec. 604. The conference agreement includes language proposed by the Senate limiting the use of funds to propose or issue rules, regulations, decrees, or orders for the purpose of implementing the Kyoto Protocol. The conferees do not concur with the report language proposed by the House.

Sec. 605. The conference agreement includes language prohibiting the use of funds to pay an individual who simultaneously holds positions within the National Nuclear Security Administration and the Department of Energy.

Sec. 606. The conference agreement includes language extending the Coastal Wetlands Planning, Protection and Restoration Act.

Sec. 607. The conference agreement includes language redesignating the Interstate Sanitation Commission as the Interstate Environmental Commission.

Provisions not adopted—The conference agreement deletes language proposed by the House amending the Energy Policy and Conservation Act.

The conference agreement deletes language proposed by the House limiting the use of funds to pay salaries of employees of the Department of Energy who refused to take polygraph examinations.

The conference agreement deletes language proposed by the Senate repealing sections of Public Law 106–246.

The conference agreement deletes language proposed by the Senate requiring the Tennessee Valley Authority to complete an environmental impact statement before proceeding with the sale of mineral rights.

The conference agreement deletes language proposed by the Senate requiring a report to Congress on electricity prices. This requirement has been included in report language.

TITLE VII

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

The conference agreement includes language providing funds to reduce the public debt.

TITLE VIII

NUCLEAR REGULATORY COMMISSION

The conference agreement includes language extending the Nuclear Regulatory Commission's (NRC) authority to assess license and annual fees through fiscal year 2005. This extension is necessary to provide the resources needed to fund the activities of the Commission. The conferees have also provided authority to reduce the fee recovery requirement from 100 percent to 98 percent in fiscal year 2001, and further decrease the fee incrementally until the fee recovery requirement is reduced to 90 percent in 2005. This will address fairness and equity concerns relating to charging NRC licensees for agency expenses which do not provide a direct benefit to them.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2001 recommended by the Committee of Conference, with comparisons to the fiscal year 2000 amount, the 2001 budget estimates, and the House and Senate bills for 2001 follow:

(In thousands of dollars)

New budget (obligational) authority, fiscal year 2000	$21,647,047
Budget estimates of new (obligational) authority, fiscal year 2001	23,146,559
House bill, fiscal year 2001	22,204,000
Senate bill, fiscal year 2001	23,131,901
Conference agreement, fiscal year 2001	24,066,880
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2000	+2,419,833
Budget estimates of new (obligational) authority, fiscal year 2001	+920,321
House bill, fiscal year 2001	+1,862,880
Senate bill, fiscal year 2001	+934,979

RON PACKARD,
HAROLD ROGERS,
JOE KNOLLENBERG,
RODNEY P. FRELINGHUYSEN,
SONNY CALLAHAN,
TOM LATHAM,
ROGER F. WICKER,
C.W. BILL YOUNG,
PETER VISCLOSKY,
CHET EDWARDS,
ED PASTOR,
MICHAEL P. FORBES

Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
SLADE GORTON,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY E. CRAIG,
TED STEVENS,
HARRY REID,
ROBERT C. BYRD,
ERNEST F. HOLLINGS,
PATTY MURRAY,
HERB KOHL,
DANIEL INOUYE

Managers on the Part of the Senate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 48 minutes p.m.), the House stood in recess subject to the call of the Chair.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DREIER) at 11 o'clock and 21 minutes p.m.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4733, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2001

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 106–908) on the resolution (H. Res. 598) waiving points of order against the conference report to accompany the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON-LEE of Texas (at the request of Mr. GEPHARDT) for today after 1:30 p.m. on account of official business.

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. NCNULTY) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. FALEOMAVAEGA, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mrs. MINK of Hawaii, for 5 minutes, today.

Mr. ETHERIDGE, for 5 minutes, today.

Mr. UNDERWOOD, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

(The following Members (at the request of Mr. FOLEY) to revise and extend their remarks and include extraneous material:)

Mr. BARTLETT of Maryland, for 5 minutes, today.

Mr. OSE, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. HERGER, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1658. An act to authorize the construction of a Reconciliation Place in Fort Pierre, South Dakota, and for other purposes; to the Committee on Resources.

S. 1865. An act to provide grants to establish demonstration mental health courts; to the Committee on the Judiciary.

S. 1929. An act to amend the Native Hawaiian Health Care Improvement Act to revise and extend such Act; to the Committee on Commerce.

S. 2272. An act to improve the administrative efficiency and effectiveness of the Nation's abuse and neglect courts and for other purposes consistent with the Adoption and Safe Families Act of 1997; to the Committee on the Judiciary.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, bills of the House of the following titles:

On Wednesday, September 26, 2000:

H.R. 2909. To provide for implementation by the United States of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes.

H.R. 4919. To amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes.

H.R. 940. To designate the Lackawanna Valley and the Schuylkill River National Heritage Areas, and for other purposes.

ADJOURNMENT

Mr. HASTINGS of Washington. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 22 minutes p.m.), the House adjourned until tomorrow, Thursday, September 28, 2000, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

10312. A letter from the Administrator, Rural Utilities Services, Department of Agriculture, transmitting the Department's final rule—RUS Form 397, Special Equipment Contract (Including Installation) (RIN: 0572–AB35) received September 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10313. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Dimethyl silicone polymer with silica; silane, dichloromethyl-reaction product with silica; hexamethyldisilizane, reaction product with silica; Tolerance Exemption [OPP–301055; FRL–6745–1] (RIN: 2070–AB78) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10314. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Pesticide Tolerances for Emergency Exemptions [OPP–301047; FRL–6744–4] (RIN: 2070–AB78) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10315. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Pesticide Tolerance [OPP–301069; FRL–6749–1] (RIN: 2070–AB78) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10316. A letter from the Under Secretary of Defense, Acquisition and Technology, Department of Defense, transmitting The Fiscal Year 1999 Defense Environmental Technology Program; to the Committee on Armed Services.

10317. A letter from the Chief, Compliance Division, Office of Civil Rights, Department of Commerce, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10318. A letter from the Office of Civil Rights, Department of Transportation, transmitting the Department's final rule—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance—September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10319. A letter from the Senior Attorney, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards [Docket No. NHTSA–98–4515; Notice 2] (RIN: 2127–AF43) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10320. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New York State Implementation Plan Revision [Region 2 Docket No. NY43a-212, FRL–6873–2] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10321. 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 and Deletions—received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10322. 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 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10323. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Acquisition Regulation [FRL–6874–5] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

10324. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic MACKerel, Squid and Butterfish Fisheries; Inseason Adjustment Procedures [Docket No. 000907254–0254–01; I.D. 082400A] received September 25, 20000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10325. A letter from the Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Coastal Pelagic Fisheries; Annual Specifications [Docket No. 000831250–0250–01; 071400E] (RIN: 0648–AN74) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10326. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Pella, IA [Airspace Docket No. 00–ACE–26] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10327. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; McPherson, KS [Airspace Docket No. 00–ACE–17] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10328. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Hugoton, KS [Airspace Docket No. 00–ACE–18] received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10329. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB–135 and EMB–145 Series Airplanes [Docket No. 2000–NM–301–AD; Amendment 39–11904; AD 2000–19–03] (RIN: 2120–AA64) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10330. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBARER) Model EMB–135 and EMB–145 Series Airplanes [Docket No. 2000–NM–300–AD; Amendment 39–11903; AD 2000–19–02] (RIN: 2120–AA64) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10331. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 1900C, 1900C (C–21J), and 1900D Airplanes [Docket No. 2000–CE–02–AD; Amendment 39–11905; AD 2000–19–04] (RIN: 2120–AA64) received September 25, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10332. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Capital Gains, Partnership, Subchapter S, and Trust Provisions (RIN: 1545–AW22) received September 25,2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PRIVATE 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. SMITH of Texas: Committee on the Judiciary. H.R. 5266. A bill for the relief of Saeed Rezai (Rept. 106–905). Referred to the Private Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. S. 302. An Act for the relief of Kerantha Poole-Christian (Rept. 106–906). Referred to the Private Calendar.

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. HYDE: Committee on the Judiciary. H.S. 3575. A bill to prohibit high school and college sports gambling in all States including States where such gambling was permitted prior to 1991 (Rept. 106–903). Referred to the Committee of the Whole House on the State of the Union.

Mr. HYDE: Committee on the Judiciary. H.R. 604. A bill to amend the charter of the AMVETS organization; with an amendment (Rept. 106–904). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. H. Res. 598. A resolution waiving points of order against the conference report to accompany the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–908). Referred to the House Calendar.

Mr. PACKARD: Committee of Conference. Conference report on H.R. 4733. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes (Rept. 106–907). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. EVANS:

H.R. 5311. A bill to amend title 38, United States Code, to improve programs for homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCOLLUM (for himself, Mr. ROGAN, Mr. MICA, Mr. NETHERCUTT, and Mr. SESSIONS):

H.R. 5312. A bill to amend the Controlled Substances Act to protect children from drug traffickers; referred to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 5313. A bill to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding brand name drugs and generic drugs; referred 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. BARTLETT of Maryland:

H.R. 5314. A bill to require their immediate termination of the Department of Defense practice of euthanizing military working dogs at the end of their useful working life and to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs; to the Committee on Armed Services.

By Mr. TANNER (for himself, Mr. STENHOLM, Mr. BOYD, Ms. HOOLEY of Oregon, Mr. SPRATT, Mr. DOOLEY of California, Ms. ESHOO, Mr. ABERCROMBIE, Mrs. MCCARTHY of New York, Ms. LOFGREN, Mr. CROWLEY, Mr. LUCAS of Kentucky, Ms. DANNER, Mr. HALL of Texas, Mr. SISISKY, Mr. TURNER, Mrs. TAUSCHER, Mr. SMITH, of Washington, Mr. BERRY, Mr. SHOWS, Mr. THOMPSON of California, Mr. HOLDEN, Mr. HILL of Indiana, Mr. JOHN Mr. CRAMER, and Mr. DOYLE):

H.R. 5315. A bill to amend the Internal Revenue Code of 1986 to reduce estate and gift tax rates, and for other purposes; to the Committee on Ways and Means.

By Mr. BRADY of Texas:

H.R. 5316. A bill to protect the energy security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the year 2010 by enhancing the use of renewable energy resources, conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies, mitigating the effect of increases in energy prices on the American consumer, including the poor and elderly, and for other purposes; referred to the Committee on Commerce, and in addition to the Committees on Resources, and 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. DEFAZIO:

H.R. 5317. A bill to increase accountability for Government spending and to reduce wasteful Government spending; referred to the Committee on Ways and Means, and in addition to the Committees on Commerce, Armed Services, Science, Resources, Banking and Financial Services, International Relations, Veterans' Affairs, and Intelligence (Permanent Select), 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. ENGLISH:

H.R. 5318. A bill to prohibit the exploration of Alaskan North Slope crude oil; referred to the Committee on International Relations, 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. INSLEE:

H.R. 5319. A bill to expand the teacher loan forgiveness programs under the guaranteed and direct student loan programs, and for other purposes; referred to the Committee on Education and the Workforce, 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. KOLBE:

H.R. 5320. A bill to amend part C of title XVIII of the Social Security Act to revise and improve the Medicare+Choice Program, and for other purposes; referred 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. LATHAM:

H.R. 5321. A bill to amend the Fair Debt Collection Practices Act to clarify that judgments in actions brought under the Act are enforceable in any court of competent jurisdiction; to the Committee on Banking and Financial Services.

By Mr. LEWIS of California (for himself, Mrs. BONO, and Mr. CALVERT):

H.R. 5322. A bill to provide to the Timbisha Shoshone Tribe a permanent land base within its aboriginal homeland, and for other purposes; to the Committee on Resources.

By Mr. LIPINSKI (for himself, Mr. DUNCAN, and Mr. COSTELLO):

H.R. 5323. A bill to direct the Administrator of the Federal Aviation Administration to require automatic external defibrillators in terminals at certain airports, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MARKEY (for himself, Mr. FRANK of Massachusetts, Mr. MOAKLEY, Mr. NEAL of Massachusetts, Mr. MEEHAN, Mr. OLVER, Mr. TIERNEY, Mr. DELAHUNT, Mr. MCGOVERN, Mr. CAPUANO, Ms. MILLENDER-MCDONALD, Mr. DOYLE, Mr. BLUMENAUER, Mr. HILLIARD, Mr. ABERCROMBIE, Mr. MASCARA, Mr. PAYNE, Mr. ROMERO-BARCELO, Ms. LEE, Mr. CONYERS, Mr. SANDERS, Mr. CLEMENT, Ms. MCKINNEY, Mr. BLAGOJEVICH, Mr. BARCIA, Mr. DAVIS of Illinois, Mr. HINOJOSA, Mrs. MEEK of Florida, Mr. SANDLIN, Ms. BROWN of Florida, Ms. KILPATRICK, Mr. PICKETT, Ms. WATERS, Mr. REYES, Mrs. JONES of Ohio, Mr. GREEN of Texas, Mr. BERMAN, Mr. SERRANO, and Mr. MCNULTY):

H.R. 5324. A bill to amend the Social Security Act to make corrections and refinements in the Medicare, Medicaid, and SCHIP health insurance programs, as revised by the Balanced Budget Act of 1997, and the Medicare, Medicaid, and SCHIP Balanced Budget Refinement Act of 1999, and for other purposes; referred to the Committee on Commerce, and in addition to the Committees on Ways and Means, Rules, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 5325. A bill to amend title 18, United States Code, to ensure that acts of torture, as proscribed by the Torture Convention, as also recognized as criminal if committed in the United States; to the Committee on the Judiciary.

By Ms. WATERS:

H.R. 5326. A bill to introduce common sense to America's policy regarding controlled substances; referred to the Committee on the Judiciary, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELDON of Florida:

H.R. 5327. A bill to amend the Public Health Service Act with respect to the Vaccine Injury Compensation Program; to the Committee on Commerce.

By Mr. WU (for himself and Mr. SOUDER):

H.R. 5328. A bill to authorize the acquisition of additional lands for inclusion in the Fort Clatsop National Memorial in the State of Oregon, and for other purposes; to the Committee on Resources.

By Mr. WU:

H.R. 5329. A bill to amend title II of the Social Security Act to restore child's insurance benefits in the case of students attending postsecondary schools; to the Committee on Ways and Means.

By Mr. CAMPBELL (for himself, Mr. PITTS, Mr. LANTOS, Mr. ROHRABACHER, Mr. ROYCE, and Mr. BEREUTER):

H. Con. Res. 411. Concurrent resolution relating to the reestablishment of representative government in Afghanistan; to the Committee on International Relations.

By Mr. POMEROY (for himself, Mrs. JOHNSON of Connecticut, Mr. FOLEY, Mr. PETERSON of Pennsylvania, Mr. WHITFIELD, Mr. LATOURETTE, Mr. MANZULLO, Mr. SAXTON, Mr. KUYKENDALL, Mr. ENGLISH, Ms. MILLENDER-MCDONALD, Mr. DAVIS of Florida, Mr. ABERCROMBIE, Mr. SKELTON, Ms. KAPTUR, Mr. SANDLIN, Mr. FROST, Mr. RAMSTAD, and Mr. BASS):

H. Con. Res. 412. Concurrent resolution promoting a national dialog on long-term care financing reform; referred to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RADANOVICH:

H. Res. 596. Resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes; to the Committee on International Relations.

By Mrs. CHENOWETH-HAGE:

H. Res. 597. Resolution reaffirming the proclamation signed by President Abraham Lincoln on March 30, 1863, in which President Lincoln called for national humility, fasting, and prayer, and for other purposes; to the Committee on Government Reform.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Mr. NADLER.
H.R. 44: Mr. GREEN of Wisconsin.
H.R. 65: Mr. GREEN of Wisconsin.
H.R. 207: Mr. LATOURETTE.
H.R. 254: Mr. WU.
H.R. 284: Mr. SCARBOROUGH, Mr. MORAN of Kansas, Mr. OBERSTAR, Mr. PICKERING, and Mr. BROWN of Ohio.
H.R. 303: Mr. NUSSLE.
H.R. 488: Mrs. ROUKEMA.
H.R. 525: Mr. ROTHMAN.
H.R. 632: Mr. ORTIZ.
H.R. 828: Mr. BEREUTER.
H.R. 1177: Mr. RYAN of Wisconsin.
H.R. 1285: Ms. DEGETTE.
H.R. 1303: Ms. ESHOO, and Mr. NADLER.
H.R. 1413: Mr. GREEN of Wisconsin.
H.R. 1525: Mr. TIERNEY.
H.R. 1595: Mr. BAIRD.
H.R. 1657: Ms. BALDWIN.
H.R. 1793: Mr. BOYD.
H.R. 1885: Mr. CROWLEY.
H.R. 2087: Ms. PRYCE of Ohio, Mrs. NORTHUP, Mr. SOUDER, and Mr. CHABOT.
H.R. 2308: Mr. LEWIS of Georgia.
H.R. 2631: Mr. LATOURETTE.
H.R. 2710: Mr. ROGERS.
H.R. 2722: Mr. SCOTT.
H.R. 2774: Mr. FROST.
H.R. 2780: Mr. PASTOR, and Mr. MORAN of Virginia.
H.R. 2790: Mr. TOOMEY.
H.R. 2802: Mr. GONZALEZ.
H.R. 2814: Mr. MCGOVERN.
H.R. 2900: Mr. LOBIONDO.
H.R. 3492: Mr. KANJORSKI, Mr. SHERMAN, and Mrs. JONES of Ohio.
H.R. 3514: Ms. BROWN of Florida, and Mr. METCALF.
H.R. 4025: Mr. ORTIZ.
H.R. 4106: Mr. LEWIS of California, and Mr. GEJDENSON.
H.R. 4215: Mr. BARR of Georgia.
H.R. 4277: Mr. LARSON, and Mr. POMEROY.
H.R. 4281: Mr. SHERMAN, and Mr. ABERCROMBIE.
H.R. 4388: Mr. BACA.
H.R. 4393: Mr. STARK, Mr. CANADY of Florida, Mr. SAM JOHNSON of Texas, and Mrs. MEEK of Florida.
H.R. 4483: Mr. FATTAH and Mr. BLUMENAUER.
H.R. 4493: Mr. MCHUGH.
H.R. 4536: Mr. CLEMENT, and Mr. MCHUGH.
H.R. 4543: Mr. EDWARDS.
H.R. 4594: Ms. BROWN of Florida.
H.R. 4624: Mr. WEINER and Ms. VELAZQUEZ.
H.R. 4649: Mr. PETERSON of Minnesota, Mr. SWEENEY, and Ms. ROS-LEHTINEN.
H.R. 4740: Mr. WYNN, Mr. MCINTYRE, and Mr. RANGEL.
H.R. 4841: Mr. COOKSEY.
H.R. 4879: Mr. WEINER, Mr. BECERRA, and Mr. UDALL of Colorado.
H.R. 4915: Ms. CARSON and Mr. HOEFFEL.
H.R. 4926: Mr. FOLEY, Mr. TOWNS, Ms. SANCHEZ, Mr. MEEKS of New York, Mr. THOMPSON of Mississippi, and Mr. PAYNE.
H.R. 4949: Mr. EDWARDS and Mr. MOORE.
H.R. 4953: Mr. SANDERS and Mr. LEACH.
H.R. 4968: Mr. INSLEE.
H.R. 5005: Ms. PELOSI and Ms. DUNN.
H.R. 5018: Mr. WAMP.
H.R. 5035: Mr. WAXMAN.
H.R. 5065: Mr. FROST, Ms. PELOSI, and Mr. BERMAN.
H.R. 5114: Mr. PASTOR.
H.R. 5116: Mr. EVANS, Mrs. JOHNSON of Connecticut, and Ms. KILPATRICK.
H.R. 5126: Ms. MILLENDER-MCDONALD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BROWN of Florida, Mr. PAYNE, Mr. MEEKS of New York, Mr. WYNN, Mr. DAVIS of Illinois, Mr. FORD, Mr. SCOTT, Mr. WATT of North Carolina, Ms. KILPATRICK, Mrs. CLAYTON, Mrs. MEEK of Florida, Mr. JEFFERSON, Mr. TOWNS, Ms. LEE, Mr. OWENS, Mr. CUMMINGS, Mr. HILLIARD, Mr. THOMPSON of Mississippi, Mr. RUSH, Mr. CONYERS, Mr. LEWIS of Georgia, Mr. BISHOP, Ms. MCKINNEY, Mr. CLAY, Mr. CLYBURN, Ms. WATERS, and Mr. JACKSON of Illinois.
H.R. 5152: Mr. FILNER.
H.R. 5157: Mr. ABERCROMBIE, Mr. BLAGOJEVICH, Mrs. JONES of Ohio, Mr. HILLIARD, and Mr. DIXON.
H.R. 5158: Ms. CARSON, Mrs. JONES of Ohio, Mr. OWENS, and Mr. TOWNS.
H.R. 5164: Mr. BOEHLERT, Mr. GEORGE MILLER of California, Mr. LAFALCE, and Mr. WYNN.
H.R. 5178: Mr. MATSUI, Mr. BEREUTER, Ms. SCHAKOWSKY, Mr. SWEENEY, Mr. POMEROY, Mr. LARSON, and Mr. TIERNEY.
H.R. 5212: Mr. GOODLATTE and Mr. WOLF.
H.R. 5247: Mr. WAXMAN and Mr. BROWN of Ohio.
H.R. 5262: Mr. GUTIERREZ and Mr. STARK.
H.R. 5265: Mr. BAKER, Mr. POMBO, Mr. SCHAFFER, Mr. COOKSEY, and Mr. GREEN of Wisconsin.
H.R. 5277: Ms. WOOLSEY, Mr. BAIRD, Ms. STABENOW, Mr. EDWARDS, Mr. FROST, and Mr. RODRIGUEZ.
H.R. 5288: Mr. HOLDEN, Mr. RADANOVICH, Mr. HERGER, and Mr. GIBBONS.

H.R. 5309: Mr. MCCOLLUM, Mr. CANADY of Florida, Mr. SHAW, Mr. SCARBOROUGH, Mr. BILIRAKIS, and Ms. BROWN of Florida.

H. Con. Res. 337: Mr. ROHRABACHER.

H. Con. Res. 340: Mr. ROGAN, Mr. MARTINEZ, Mr. BACA, and Mr. MATSUI.

H. Con. Res. 370: Mr. BACA, Mr. MARTINEZ, and Mr. ROGAN.

H. Res. 51: Mr. BORSKI.

H. Res. 309: Mr. PORTER.

H. Res. 347: Mr. WAXMAN.

H. Res. 420: Mr. STUMP.

H. Res. 576: Mrs. MORELLA, Mr. FORBES, and Mr. COYNE.

H. Res. 577: Mr. FALEOMAVAEGA.

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Senate

(Legislative day of Friday, September 22, 2000)

The Senate met at 9:32 a.m., on the expiration of the recess, and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Samuel Adams was born on this day in 1722. It was on September 7, 1774, that he called for prayer at the Continental Congress in Carpenter Hall in Philadelphia. He said about his responsibilities: ''If you carefully fulfill the various duties of life, from a principle of obedience to your heavenly Father, you will enjoy that peace which the world cannot give nor take away.''

Let us pray:

Gracious Father, we seek to be obedient to You as we fulfill the sacred duties of this Senate today. May the Senators and all who assist them see the work of this day as an opportunity to glorify You by our country. We renew our commitment to excellence in all that we do. Our desire is to know and do Your will. Grant us the profound experience of Your peace, true serenity in our souls that comes from complete trust in You, and dependence on Your guidance. Free us of anything that would distract us or disturb us as we give ourselves totally to the tasks and challenges today. In the Lord's name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ROD GRAMS, a Senator from the State of Minnesota, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. GRAMS). The Senator from Alaska is recognized.

SCHEDULE

Mr. MURKOWSKI. Mr. President, today the Senate will be in a period for morning business until 10:30 a.m. Following morning business, the Senate is expected to resume postcloture debate on amendment No. 4178 to the H–1B visa bill. Under a previous agreement, at 9:30 a.m. on Thursday, the Senate will begin 7 hours of debate on the continuing resolution. At the use or yielding back of that time, the Senate will proceed to a vote on the resolution.

As a reminder, cloture motions were filed yesterday on the H–1B visa bill. Therefore, cloture votes will occur at a time to be determined later this week.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak therein for up to 5 minutes each.

Under the previous order, the Senator from Alaska, Mr. MURKOWSKI, is recognized to speak for up to 20 minutes.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that my time, which was the leader's time, not be taken out of my 20 minutes. I was asked by the leadership to announce the opening script for the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATURAL GAS

Mr. MURKOWSKI. Mr. President, it is my intention this morning to talk about natural gas and alert the American people to the crisis we have before us relative to this very important source of clean energy.

Over the last several days, I have talked about our energy policy, the fact that, to a large degree, our energy policy is determined by environmental groups, environmental pressures, and the Environmental Protection Agency, as opposed to a balance which suggests, indeed, we need to face the realization that we need all our energy sources coming together to meet the crisis we have today, as we find ourselves 58-percent dependent on imported oil.

I will also speak on the dangers of Iraq and the realization that we are now 750,000-barrels-a-day dependent on Iraqi oil. The interesting thing is that Iraq has a production of nearly 2.5 million barrels a day, a kind of leverage on the world's supply of oil. What I mean is that the capacity of the world to produce oil and the demand of the world to use that oil is very close. We are somewhere in the area of roughly 1 million barrels a day of excess capacity over demand. With Iraq producing better than 2 million barrels a day, one can clearly see the leverage Iraq has should they choose to reduce production.

I have also talked about the Strategic Petroleum Reserve and the merits of pulling down 30 million barrels, which sounds like a significant relief, if indeed we can turn that into heating oil, but the reality is that we are going to get 3 to 4 million barrels out of that 30 million barrels in heating oil which amounts to a 2- or 3-day supply.

I do not want to mislead anybody. It is simply my attempt to alert the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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American people; there is no panacea. We are going to need all our sources of oil. To blame big oil on profiteering is really shortsighted, and the American people are too smart to believe some of the rhetoric out there.

Just look at where we were a year ago with the price of oil at $10 a barrel. Were the oil companies so benevolent then or was it supply and demand? Of course.

Who sets the price of oil? We had a hearing yesterday. Secretary Richardson was there. I think we all agreed that the price of oil, without question, is being set by those who supply oil, who have an abundance of oil, and that is primarily OPEC, Saudi Arabia, Venezuela, and Mexico. They have it for sale, and the price currently is somewhere in the area of $33 to $34. Last week, we had an all-time high in over 10 years of about $37.86.

Tomorrow I am going to talk about ANWR. I know something about ANWR. That is the narrow area in the coastal plain of Alaska. It is that small area that has been set aside out of the whole area of ANWR. Few people really understand the merits and the magnitude of the land mass and what we have done with it by congressional action.

There are 19 million acres up there. That is about the size of the State of South Carolina. We have taken 8.5 million acres and put them in a permanent wilderness. We have taken another 9 million acres and put them in a refuge, leaving 1.5 million acres of the so-called 1002 area to the determination of Congress as to whether or not we can open it up safely. Industry says, if the oil is there in the abundance it would have to be, the footprint would be about 2,000 acres. So I think we ought to keep this discussion in perspective.

I am pleased to say, one of the Presidential candidates supports opening it, recognizing that we have the technology, we can do it correctly, we can make the footprint small. If the oil is there, we could very well produce another million barrels a day. We have the pipeline capacity. One can certainly imagine what kind of message that would send to OPEC. You would see the price of oil drop dramatically. Also, as we look at the Strategic Petroleum Reserve, it certainly makes sense to know whether we have one sitting up in the arctic area adjacent to Prudhoe Bay.

Today, I am going to talk about the natural gas crisis in America because that crisis is here today. To give you some idea, yesterday we were quoting gas prices for delivery in October at $5.34 per 1,000 cubic feet. How does that compare with 9 months ago? Nine months ago, it was $2.16 per thousand cubic feet. What is it for November of this year? The November figures are out. It is $5.45 for delivery in November.

The significance of that can probably be reflected on who uses gas. The American public out there knows who uses gas. Fifty percent of our homes in this country rely on natural gas for heating. Natural gas provides 15 percent of our Nation's electrical power, and it is growing.

The reality is, we are not going to have any new supply in place before this winter. The reality is, the administration isn't going to be able to go into a strategic natural gas reserve, because there isn't any.

So what are we going to do? The projections are very clear. We are using about 22 trillion cubic feet of gas now. It is estimated we will be somewhere between 32 and 34 trillion cubic feet by the year 2010.

This is going to be primarily the result of the utility industry in this country—an industry we take for granted because the lights usually work. We are an electronic society. We depend on computers, e-mail. This power has to come from somewhere. You have your air-conditioners, your heating. The demand is up.

It is going to cost the industry somewhere in the area of $1.5 billion to put in more infrastructure. We are concerned about pipeline safety. As more gas is utilized, we are putting more pressure on our pipelines. This is a multiplier of demand, of price increases. The reason so much pressure is on natural gas is we do not have a policy on oil. Our policy is to import more oil. Before the 1973 Arab Oil Embargo, after which we created SPR, we were 37-percent dependent on imported oil. To give you some idea of where we are going in that regard, today we are 58-percent dependent on imported oil.

The administration has always favored clean gas as the alternative. But now we are using our gas reserves faster than we are finding new reserves. When you are in business, and you are selling your inventory faster than you are replacing it, you have a problem. This is an alert to the American people and, hopefully, my colleagues because we are facing a train wreck. It is coming. The signs are here. The administration has yet to address what they are going to do about it.

Certainly releasing the crude oil in SPR isn't going to help the gas situation because the demand is there. The reason the demand is there is quite simple. I have indicated oil is not the answer, simply because we become more dependent on imports.

So let's move to hydro. What do they want to do? They want to take down hydroelectric dams. The tradeoff of that, of course, is putting the barge traffic on the highways.

Coal: We have an abundance of coal. We have clean coal technology. But you have not seen a new coal plant built in this country in the last several years. I think the last one was back in the mid-1990s. You can't get permits.

Nuclear: Twenty percent of our power comes from nuclear energy. Have we built a new plant in this last decade or the last two decades? No one in their right mind would build a nuclear plant because the Government will not fulfill its contractual commitments to take the waste that it agreed to do and the ratepayers have been paying for the last two decades.

So everywhere we look—everywhere we look—we are check-mated. We can't find an alternative source other than gas. That is why American consumers should care.

According to the Energy Information Administration, Midwestern families will spend as much as 40 percent more on heating this winter because of higher natural gas prices; that is, expecting a typical winter. A real cold spike could cause some real problems. I am not suggesting you go out and sharpen your saw or put gasoline in your chain saw, but it isn't a bad idea. I know that is being done in the Northeast Corridor.

So we have an increased demand, no new supply, and this adds up to higher gas prices for the American people this winter, make no mistake about it.

What has the administration done about it? As I have said, it used to be that natural gas was kind of a seasonal fuel, stored underground in the summer, drawn down for winter use. But we now have a large summer demand for natural gas because more and more electric powerplants rely on natural gas. Here is the figure: Over 96 percent of all the new plants will be gas fired. If they all come on line, we simply do not have the gas supply.

Again, permits are obtainable for gas, unlike coal and fossil fuel. We can't get enough natural gas from existing wells to fuel these new powerplants if they all go on line. I had one CEO of a major oil and gas company tell me: We are virtually out of natural gas. We can no longer store gas in the summer. Our winter stocks are low. With a cold winter, prices are going to go up. Reserves are not adequate to buffer surges in consumer demand.

As I have stated, even if this winter is normal, we will still face natural gas prices—we know it already—they are going to be over 50 percent higher than last year—$2.16—and I indicated earlier they are currently $5.45 for November delivery. The simple reason is, the demand is strong and supply is not keeping pace. The market responds with what? Higher prices. It is supply and demand.

The administration touts natural gas as its ''bridge to the energy future'': Our cleanest fossil fuel, fewer emissions; efficient end use; no need to depend on imports. Yet as they express this and encourage you to use gas, their actions simply do not match the rhetoric. Rather than encourage new supplies, they stifle supplies.

Proof: This administration has placed Federal lands off limits to new natural gas exploration and production. They have taken the Rocky Mountain overthrust belt—that is Wyoming, Colorado, Montana—these States have a tremendous capability for producing oil and gas. Well more

than 50 percent—about 56 percent—of the public land in those areas, the overthrust belt, have been taken off from any exploration or development for oil and gas.

Now the Forest Service comes along with a roadless policy to lock up 40 million acres of national forest, eliminating any exploration for oil and gas. We have a moratorium on OCS leasing and drilling until 2012.

The Vice President would even cancel existing leases. He made a statement in Rye, NH, on October 21, 1999:

> I will make sure that there is no new oil leasing off the coasts of California and Florida. And then I will go much further: I will do everything in my power to make sure that there is no new drilling off these sensitive areas—even in areas already leased by previous administrations.

I do not know what that means to you, Mr. President, but it means to me that he is not going to support OCS activities of any consequence, and he is even going to attempt to cancel and negate some of the existing leases.

Where is it going to come from? He conveniently ducks that issue. AL GORE claims to have invented the Internet, but he refuses to provide natural gas that is needed to provide electricity to power it.

We use more electricity today. We are an energy consuming country—e-mails, electronics, computers. Even if we had access to more natural gas, regulation after regulation inhibits construction of new pipelines to get gas to the consumer.

The Northeast Corridor: There have been nothing but delays—3 years of delay. The Federal Energy Regulatory Commission, FERC, that regulates and has to approve it, has been sitting on it. This would have given the Northeast Corridor a clean source of fuel. Most of this is Canadian gas. It has taken forever.

This administration wants you to use more natural gas, but at the same time they make sure you can't get it. That sounds like a recipe for higher prices, if you ask me, higher home electric costs, heating costs. Then what happens to the problem? It is going to get worse. The demand is expected to grow from 22 trillion cubic feet to over 35 trillion cubic feet by the year 2010. Without new exploration and new production, natural gas prices are going to go even higher. We are going to pay more to heat our homes, run our businesses.

When higher heating bills arrive this winter, we will want to thank the President and Vice President GORE for causing a natural gas crisis in America, one that was predictable, one that we knew was coming.

We have been asleep. The train wreck is coming. The solution is obvious: increase domestic supply of gas. Increased domestic supply will obviously lower prices, reduce volatility, and ensure a safe and secure energy supply.

I am all for alternative energy. I am all for conservation. But the reality is, transportation does not move on hot air. Members of this body don't go home on an airplane that flies on hot air. It flies on fuel. Our homes are not heated by hot air from Washington. They are heated by natural gas, 50 percent of all homes. That is 56 million homes in this country.

We found 36 trillion cubic feet of natural gas in the Prudhoe Bay oil field while searching for oil. We never looked for gas. Now there is a possibility the economics will favor bringing that gas down from Alaska for distribution in the lower 48 States, but don't think it is going to be cheap gas. You have to amortize the cost of a pipeline that is going to run some 1,600 miles down through Alaska, follow the Alcan Highway, going through Canada and into the Canadian prebuilt system for distribution into the U.S.

The fact is, we have proven gas, but the market has never been able to sustain the cost. At this range, the feasibility of that project is very costly. The most important thing we can do, however, is to increase access to proven natural gas that is likely to be found on Federal lands. We need to depend on all sources of energy—oil, gas, clean coal, hydro, and nuclear—and we need to conserve.

That is why Senator LOTT and others have introduced the National Energy Security Act of 2000, S. 2557. Briefly, it would increase the domestic gas supply by allowing frontier royalty relief; improving Federal gas lease management; providing tax incentives for production; and assuring price certainty for small producers. It would require the administration to develop a comprehensive strategy to ensure that natural gas remains affordable and available to American consumers. It would allow new exploration for natural gas in America's Arctic as well as the Rocky Mountain States and along the OCS areas.

As I have indicated, we have substantial potential for new reserves, but if you don't have access to the areas, you might as well leave it in the ground because it will never be developed. We want to remove the disincentives for utilities to use natural gas, protect consumers against seasonal price spikes, especially with regard to Northeast heating oil use, and increase funding for energy efficiency and weatherization assistance to reduce winter heating bills.

A noted economist, Daniel Yergin, stated that this current energy ''shock'' could turn into a world crisis—that is paraphrasing the exposure that we have today. You can ask Tony Blair from Great Britain about the price of energy that is threatening his Government. Unless we take the kinds of actions outlined in this policy plan of the Republicans that we have submitted before this body, as represented in the legislation, S. 2557, the National Energy Security Act, we very well will face a current energy shock that could turn into a world crisis. Just look at the stock market this morning; it is pretty shaky.

There is probably more to come because of the uncertainty over where we are with regard to energy and the spiraling costs. It is referenced in a taxi ride to Capitol Hill; there is a surcharge. It is referenced in your airplane ticket now. You can't figure out the airplane tickets anyway; they are so confusing whether you fly on Thursday, Friday, or Sunday, or before a.m. or p.m. It is in there, all your truckers, all your delivery systems. Everybody is now facing the reality that energy costs are higher. It is going to have an effect.

Finally, thanks to the failed energy policies of Clinton-Gore, we are going to pay more for gas this winter. We must increase domestic supply of natural gas to meet demand. This administration continues to make new exploration and production not just difficult but almost impossible. We pay the price.

This GOP energy plan encourages short-term efforts to minimize spike hikes this winter and increase supply in the long term.

Tomorrow, I hope to talk a little bit about where the oil and gas is likely to be found.

The PRESIDING OFFICER. The Senator from Iowa.

THE VIOLENCE AGAINST WOMEN ACT AND NOMINATION OF BONNIE CAMPBELL

Mr. HARKIN. Mr. President, I rise to discuss my disappointment that the Republican leadership in the Senate seems to have better things to do than to pass a bill reauthorizing one of our most effective laws to combat domestic violence. I am talking about the Violence Against Women Act.

Since it became law in 1994, it has provided money to State and local programs to help women obtain restraining orders and to arrest those who are abusing women. The numbers show that the Violence Against Women Act is working.

A recent Justice Department report found that domestic violence against women decreased by 21 percent between 1993 and 1998. That is good news, but we still have a long way to go.

In 1998, American women were the victims of 876,340 acts of domestic violence. Between 1993 and 1998, domestic violence accounted for 22 percent of the violent crimes against women. And during those same years, children under the age of 12 lived in 43 percent of the households where domestic violence occurred. This is generational. The kids see it, they grow up, they become abusive parents themselves.

In Iowa and all across America, law enforcement officers and prosecutors and victims service organizations are fighting back, but they need help. The help they need is to make sure we reauthorize the Violence Against Women Act, to make sure it is funded, to keep the great job going that it has been doing over the last 5 years.

There is other help that we need to cut down on domestic violence and violence against women; that is, to make sure that we have judges on our courts who understand this law, who know what is happening out there and can make sure the law is applied fairly and is upheld in the courts around the country.

To that end, it is again disappointing that the Republican Senate is holding up the nomination of one person uniquely qualified to ensure that the Violence Against Women Act is enforced in our courts around the country.

Since the beginning of the Violence Against Women Office that was created under the Justice Department in 1995, the person who has been at the head of that office is the former attorney general of the State of Iowa, Bonnie Campbell. Earlier this year, the President nominated her for a vacancy on the Eighth Circuit Court of Appeals. She has had her hearing on the Judiciary Committee. She is broadly supported on both sides of the aisle, strongly supported in her home State of Iowa where, as I said, she served with distinction as attorney general. Yet for some reason, the Judiciary Committee is holding up her nomination.

I have heard a couple of reasons: It is too late in the year; this is an election year; they want to hold on, maybe Bush will be elected and they can get their people in.

So, that makes me feel the need to take a look at the history of our judicial nominations. In 1992, when there was a Republican in the White House and the Democrats controlled the Senate. But in 1992, from July through October, the Democratically controlled Senate confirmed nine circuit court judges. This year, with a Democratic President but a Republican-controlled Senate, we have only gotten one confirmed since July. We have some pending who could be reported out, one of whom is Bonnie Campbell. But we see no action and time is running out.

And everything I have heard from the Judiciary Committee is that they will not report her name out. The other thing I heard was, she was nominated too late. I also heard from some people on the committee—that she was only nominated earlier this year. I shouldn't expect her to be reported out.

Well, again, let's take a look at the record books. In 1992, when there was a Republican President and a Democratic Senate, nine circuit nominees were nominated and confirmed that same year. Let me say that again. They were nominated in 1992 and acted on in 1992. Yet this year, we are told that the Republican-controlled Senate cannot move circuit court judges out because it is an election year. Yet when the Democrats were in charge in 1992, as I said, nine were nominated and nine were acted upon by the Democratic Senate.

Let's jump back to this year. Seven people this year were nominated to sit on the judicial circuit. Only 1 of those seven has been confirmed and that was in July.

I want to focus on Bonnie Campbell. A hearing was held in May. All the paperwork is done. She is widely supported. If there are people here who would like to vote against her, at least bring her nomination to the floor; and if they want to vote against her, for whatever reason, let them do so. But I have not had one person on the Republican side or the Democratic side come to this Senator and say that Bonnie Campbell is not qualified to be a circuit court judge—not one. She is eminently well qualified and everyone knows it.

Here is this person who has headed the Office of Violence Against Women in the Department of Justice since it started. She has run it for 5 years. The House of Representatives, yesterday, reauthorized the Violence Against Women Act, with 415 votes for it. I ask, do you think 415 Members of the House, Republicans and Democrats, would have voted that overwhelmingly to reauthorize the bill if the person who had been running that office had not done an exemplary job? I think by the very fact that 415 Members of the House, from every end of the ideological spectrum, voted to reauthorize that bill, what they are saying is that Bonnie Campbell gets an A-plus on running that office, implementing the VAWA provisions and enforcing the law. Yet this Republican Senate will not report her name out on the floor to be confirmed, or at least to vote on her to be a circuit court judge.

Well, I tell you, talk about a split personality. The Republicans in this Senate can talk all they want to about violence against women and that they are going to bring the bill up and we are going to pass it before the end of the year; but if this Republican-controlled Senate holds Bonnie Campbell's name and won't let her come out for a vote, they are saying: We will pass the Violence Against Women Act, but we don't want judges on our courts who are going to enforce it. I say that because nobody is more qualified to enforce it than Bonnie Campbell.

The Judiciary Committee, I am told, is going to meet tomorrow. I am hopeful that tomorrow they will report Bonnie Campbell's name out for action by the full Senate.

(Mr. L. CHAFEE assumed the chair.)

THE MEDICARE PRESCRIPTION DRUG PROPOSAL

Mr. HARKIN. Mr. President, it is time to shed some light on the Medicare prescription drug proposal advanced by some of my colleagues on the other side of the aisle and by their nominee for President, Gov. George Bush.

Unfortunately, there is a big TV ad campaign being waged across the country to deceive and frighten seniors about the Medicare prescription drug benefit proposed by Vice President AL GORE and the Democrats in the Senate. So I want to set the facts straight.

First, let's examine Bush's ''immediate helping hand.'' That is what Governor Bush calls his Medicare proposal. Quite simply, it is not immediate and it doesn't give much help. Will it be immediate? The answer is no. His plan for Medicare would require all 50 States to pass enabling or modifying legislation. Right now, only 16 States have any kind of drug benefit for seniors. Each State will have a different approach. Many State legislatures only meet once every 2 years. So for Bush's plan to go into effect, the State has to pass some kind of enabling legislation.

Well, our most recent experience with something like this was the CHIP program, the State Children's Health Insurance Program, which Congress passed in 1997. It took Governor Bush's home State of Texas over 2 years to implement the CHIP program.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HARKIN. I ask unanimous consent to continue for 10 additional minutes.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS. I object. We have a time agreement and I think we ought to stick with it.

The PRESIDING OFFICER. Objection is heard.

Mr. HARKIN. Parliamentary inquiry. What is the time allotment for the remainder of morning business?

The PRESIDING OFFICER. Senator ROBB is to be recognized for 5 minutes, Senator LEAHY has 15 minutes, and Senator THOMAS has 10 minutes.

Mr. HARKIN. Repeat that, please.

The PRESIDING OFFICER. Senator THOMAS has 10 minutes, Senator ROBB has 5, and Senator LEAHY has 15.

Mr. HARKIN. Mr. President, who is next in order to be recognized?

The PRESIDING OFFICER. There is nobody.

Mr. THOMAS. If the time has been divided on both sides and if the Senator wants to use some of his associate's time, I have no objection.

Mr. HARKIN. I will check on that.

I ask unanimous consent that I may take Senator ROBB's 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, as I said, most State legislatures meet every 2 years. Governor Bush's own State didn't even implement the CHIP program for over 2 years. In addition, the States don't even want this block grant. In February of this year, the Governors rejected Bush's proposal. They said:

> If Congress decides to expand prescription drug coverage for seniors, it should not shift that responsibility or its costs to the States.

That was the National Governors' Association. Republicans and Democrats said Bush's proposal won't work. So that won't be immediate. Bush's proposal takes years to get any effect for people.

Will it give a helping hand? Well, Bush's plan only covers low-income seniors. Middle-class seniors are told they don't need to apply. That is what Bush's plan is. It only helps low-income. For example, if you are a senior and your income is over $14,600 a year, you get zero, zip, no help at all, from Bush's Medicare proposal.

A recent analysis shows that the Bush plan would only cover 625,000 seniors, or less than 5 percent of those who need help. So his plan is not adequate and it is not Medicare. Seniors want Medicare, not welfare.

The other thing is that under the Bush proposal for Federal care, for his prescription drug program, seniors would probably have to go to the State welfare office to apply for it. Why is that? Because there is an income cutoff. The agencies in the States that are set up to determine whether or not you meet income guidelines for programs are welfare agencies. So that means that under the Bush program, every senior, to get prescription drugs, has to go down to the welfare agency and show that they don't make over $14,600 a year. That is the first 4 years. Bush's program is for 4 years. States have not acted. As I pointed out, some State legislatures don't even meet except once every 2 years.

They have to go down to the welfare office. It only helps those below $14,000 a year.

Then what happens after 4 years? After 4 years, Governor Bush's plan becomes even worse because his long-term plan, after 4 years, involves privatizing Medicare. It would raise premiums and force seniors to join HMOs.

The Bush plan is the fulfillment of what Newt Gingrich once said when he wanted Medicare to ''wither on the vine.'' Bush's plan after 4 years will begin withering Medicare on the vine because after 4 years, Governor Bush's program leaves seniors who need drug coverage at the mercy of HMOs.

Under his plan, they don't get a guaranteed benefit package. The premium would be chosen by the HMOs, and the copayment would be chosen by the HMO. The deductible would be chosen by the HMO. The drug you get, again, is chosen by the HMO—not by your doctor, and not by your pharmacist, but by the HMO.

Even worse, the Bush plan would leave rural Americans in the cold. About 30 percent of seniors live in areas with no HMOs. In Iowa, we have no Medicare HMOs. There are only eight seniors in the entire State of Iowa who happen to live near Sioux Falls, SD, who belong to a plan with a prescription drug benefit—eight out of the entire State of Iowa.

HMOs are dropping like flies out of rural areas. Almost 1 million Medicare beneficiaries lost their HMO coverage just this year.

Under the Bush plan, first of all, it is not immediate. States would have to enact these plans. The Governors say they don't even want to do it.

Under the Bush plan, Medicare would ''wither on the vine.'' Premiums for regular Medicare would increase 25 percent to 47 percent in the first year alone, and seniors would be forced to join HMOs to receive affordable benefits.

Mrs. BOXER. Mr. President, will my friend yield for a question?

Mr. HARKIN. Certainly, I will yield for a question.

Mrs. BOXER. It is just a very brief question. I thank my friend. I think that is the clearest explanation I have ever heard of the Bush plan. It is very clear.

Something that I read yesterday reminded me of the days when Newt Gingrich was in control, and as the Senator well remembers, in 1995 it led to a Government shutdown. They wanted to cut $207 billion out of Medicare over 10 years. And we said that is the end of Medicare. It turns out that Governor Bush in those years said that Gingrich and the Republicans were courageous to do this, and he lauded it. I think if you take that statement and mesh it with what the Senator from Iowa just taught us about his plan, it all adds up now. It is the end of Medicare.

Mr. HARKIN. Here is basically the thing.

Mrs. BOXER. Mr. President, I ask that my friend get an additional 2 minutes.

Mr. THOMAS. I object.

The PRESIDING OFFICER. Objection is heard. The Senator's time has expired.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, I want to again say that we have divided this time, and I expect to live within the divisions that we have agreed to and, therefore, we will try to do that.

Mr. HARKIN. It works both ways.

Mr. THOMAS. Certainly, it works both ways. We have divided the time, and that is the way it is.

ENERGY POLICY

Mr. THOMAS. Mr. President, I want to go back a little bit to one of the issues that is before us that has to do with energy and energy policy.

Certainly, we are faced at the moment with some real difficulties in terms of winter use of heating oil.

There are differences of view as to what we do with the strategic storage. I understand that.

But aside from that, I think in one way or another we certainly need to help those people who will need help this winter in terms of price and in terms of availability.

We had a hearing yesterday with the Secretary of Energy. Quite frankly, I didn't get any feel for where we are going in the long term. What we have done here, of course, over the last number of years with the fact that this administration has had an energy policy—some have accused them of having no policy; I suggest there has been a policy—is to basically not do anything to encourage, and, in fact, discourage, domestic production. The result of that, of course, has been that since 1992, U.S. oil production is down 17 percent and consumption is up 14 percent. We have had a reduction since 1990 in U.S. jobs producing and exploring for oil. At that point, we had over 400,000 workers. Now to do the same thing, the number is down 27 percent.

We have had a policy that despite the increased use of energy, which is not to be unexpected in this kind of a prosperous time, we have sought to reduce exploration, and we have become more dependent on foreign oil. We are now nearly 57-percent dependent on OPEC for providing our energy sources.

There are a number of things we could be doing that would certainly help alleviate that problem.

One is access to public lands in the West. Of course, in Wyoming 50 percent of the land belongs to the Federal Government. In some States, it is as much as 85 percent.

As we make it more difficult for our oil exploration and production to show up on Federal lands with multiple use, then we see that production go down.

As we put more and more regulations on refiners and have reformulated gasoline, it makes it more difficult. Older refineries have to go out of business. We then find it more difficult to be able to process the oil that we indeed have which is there to be used.

We also, of course, have an opportunity in many ways to produce energy. We could have a very healthy nuclear energy system if we could go ahead and move forward with storage out at Yucca Mountain in Nevada. We have not been able to do that.

We could certainly use more low-sulfur coal.

But we continue to put regulations on the production of those things.

One of the things that seemed fairly clear yesterday was that the Department of Energy has relatively little to do with energy policy, even if they choose to. The policy is being made by the Environmental Policy Council in the White House. It is being made by EPA. It is being made by these other kinds of regulatory agencies. Obviously, all of us want to continue to work to have clean air. Air is much cleaner than it was.

I think what we need to recognize is one of the things that came out again yesterday. Vice President GORE announced some time ago that there would be no more drilling. That is the kind of policy that has been developed.

What we ought to be doing is taking a longer look at where we are going with energy and have some idea of what we will do over the years. It is one thing to be able to work in the next 2 or 3 months and argue about how you do that. But the real issue is where we are in the next year and the year after in those areas where energy is such an important part of our economy.

I am hopeful that the outcome of what we have here with this current dilemma with respect to energy will result in a real, honest-to-goodness debate, discussion, and decision with respect to long-term energy policy and increased access to public lands for potential oil and gas in the Rocky Mountains, offshore, and in Alaska, and at the same time develop techniques where we can do it and also take care of the environment. It is not a choice between the two things.

We should develop tax incentives to try to encourage increases in oil and gas production, particularly in stripper wells. In old production wells, it really hasn't been economic to do that.

We can do some things with respect, of course, to research. We have been working now for a couple of years on a mineral management group to be able to clarify how those charges are made, and we have been unable to do that over a period of time.

There are a number of things: The Clean Air Act, the Clean Water Act, we now have in my State a real activity going on with methane gas production—gas production that we need now under the Clean Water Act. Some Senators are pushing against insertions of fracture used to help with that production. These things are all, of course, inconsistent with some kind of policy which will, indeed, move us forward in terms of energy development.

Refineries are already up to 95 percent of capacity or more. So to actually take oil out of the reserve, if there isn't a refinery capacity, makes it very difficult. Everyone recognizes the difficulty in the Northeast, the major user of oil for heating in the wintertime. That has traditionally been important. We do need to do some things there. We need to provide more fuel. We need also, I am sure, to do something about low-income users.

There are a number of things we need to do. I hope we don't totally get involved in making this a political issue. Rather than trying now to point out what everyone has done or hasn't done, we ought to say, all right, here is where we are; now what do we do? How much can we do to develop domestic production? What are the best ways to do that? How can we move in that direction? How soon can we move forward with that?

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in morning business and the Senator from Vermont has up to 15 minutes.

Mr. LEAHY. Mr. President, is the Senator from Vermont correct in understanding that morning business will not start until he has completed his 15 minutes?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. I thank the Chair and my fellow New Englander.

LACK OF JUVENILE JUSTICE CONFERENCE

Mr. LEAHY. Mr. President, yesterday I was amazed when I checked my computer, as I do during the day, to see what the latest news items were in our country and around the world. I learned of another tragic incident of school violence in a middle school in New Orleans. Just before noon yesterday, two teenaged boys, age 13 and 15, shot each other with the same gun during a fight just outside the cafeteria at the Carter G. Woodson Middle School. Hundreds of students were inside eating lunch. Both boys are in critical condition.

The growing list of schoolyard violence by children in Arkansas, Washington, Oregon, Tennessee, California, Pennsylvania, Kentucky, Mississippi, Colorado, Georgia, Michigan, Florida, and now Louisiana is simply unacceptable and intolerable.

Over a year ago, May 20, 1999, this Senate passed the Hatch-Leahy juvenile crime bill by a vote of 73–25. It had a number of things that would address school violence, a number of things that would help with the problems of teenage violence, that would create everything from mentoring programs to the prosecution of juvenile delinquents, and it passed overwhelmingly, with Republicans and Democrats alike voting for it.

But we never had a real conference on it. It was stalled. Why? Because the gun lobbies told the Republican leadership that there was one minor problem, one minor bit of gun control—closing the gun show loophole, something that allows people to sell firearms to felons out of the back of a pickup truck at a flea market. One would think everyone would want to close that gun loophole and say everyone will abide by the same rules that the regular gun shops in Vermont or anywhere else have to follow; but, instead, because the gun lobby doesn't want that simple loophole closed, we haven't gone forward with a vote on this juvenile justice bill that goes into so many other areas—helping troubled teens, helping prosecutors, courts, and others with teenage violence.

How many shootings do we have to have before the leadership, the Republican leadership, says we will stand up to the gun lobby and actually have a vote? If this Senate wants to vote against it, let it vote against it. I don't know why the Republicans are so concerned. They have a majority. They can vote against this bill if they want. But vote. Vote ''aye'' or vote ''nay.'' We are not paid to vote ''maybe.'' We are paid to vote up or down. We should do it. It has been more than 15 months since the Senate acted. It has been more than a year since the only meeting of the House-Senate conference committee on the Hatch-Leahy juvenile crime bill. It was on August 5, 1999 that Chairman HATCH convened the conference for the limited purpose of opening statements. I am disappointed that the Republican majority continues to refuse to reconvene the conference and that for a over a year this Congress has failed to respond to issues of youth violence, school violence and crime prevention.

It has been 17 months since the tragedy at Columbine High School in Littleton, Colorado, where 14 students and a teacher lost their lives. Senate and House Democrats have been ready for more than a year to reconvene the juvenile justice conference and work with Republicans to craft an effective juvenile justice conference report, but the Republican majority has adamantly refused to act.

On October 20, 1999, all the House and Senate Democratic conferees wrote to Senator HATCH who serves as the Chairman of the juvenile justice conference, and Congressman HYDE, the Chairman of the House Judiciary Committee, to reconvene the conference immediately.

In April of this year, Congressman HYDE joined our call for the juvenile justice conference to meet as soon as possible in a letter to Senator HATCH, which was also signed by Congressman CONYERS.

Last March, the President invited House and Senate leaders of the conference to the White House to implore us to proceed to the conference and to final enactment of legislation before the anniversary of the Columbine tragedy.

This effort to jump-start the stalled conference could not break through the majority's intransigent inaction. That anniversary, like so many others tragic anniversaries has come and gone. We have seen more incidents but no action by the Republican Congress.

The Republican majority has rejected the President's pleas for action as they have those of the American people. Every parent, teacher and student in this country is concerned about school violence over the last few years and worried about when the next shooting may occur. They only hope it does not happen at their school or involve their children.

We all recognize that there is no single cause and no single legislative solution that will cure the ill of youth violence in our schools or in our streets. But we have had an opportunity before us to do our part and the Republican majority has chosen to squander it. We should have seized this opportunity to act on balanced, effective juvenile justice legislation.

I regret that this Republican Congress has failed to do its work and provide the additional resources and reforms that would have been helpful and reassuring to our children, parents, grandparents, teachers and schools.

Mr. LEAHY. Mr. President, my main reason for coming to the floor today is to introduce the Windfall Oil Profits for Heating Assistance Act of 2000.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 3118 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent to speak as in morning business for about 12 minutes.

Mr. REID. Mr. President, has the morning business hour closed?

The PRESIDING OFFICER. It has not been announced by the Chair. It is closed.

Mr. REID. It is closed.

The PRESIDING OFFICER. Time has expired.

Mr. REID. I am sorry?

The PRESIDING OFFICER. The Chair has not yet announced that morning business is closed, but the designated time has expired.

Mrs. BOXER. Mr. President, I withdraw my unanimous consent request. Let us move on. Then I will take time under the cloture motion.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

AMERICAN COMPETITIVENESS IN THE TWENTY-FIRST CENTURY ACT OF 2000—RESUMED

The PRESIDING OFFICER. The clerk will report the pending business.

The senior assistant bill clerk read as follows:

A bill (S. 2045) to amend the Immigration and Nationality Act with respect to H–1B nonimmigrant aliens.

Pending:

Lott (for Abraham) amendment No. 4177 (to the committee substitute), in the nature of a substitute.

Lott amendment No. 4178 (to amendment No. 4177), of a perfecting nature.

Lott (for Conrad) amendment No. 4183 (to the text of the bill proposed to be stricken), to exclude certain ''J'' non-immigrants from numerical limitations applicable to ''H–1B'' non-immigrants.

Lott amendment No. 4201 (to amendment No. 4183), in the nature of a substitute.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Parliamentary inquiry. I understand we are now under cloture and each Senator is recognized for up to 1 hour to speak.

The PRESIDING OFFICER. Each Senator has a maximum of 1 hour.

Mr. HARKIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I appreciate very much the willingness on the part of the Senator from Iowa to give me an opportunity to make some remarks with regard to where we are on the legislation.

Yesterday's vote demonstrates clearly that there is strong bipartisan support in the Senate for increasing the number of visas for high-skilled workers. On that point, Democrats and Republicans agree, but there is a stark disagreement between our parties on the issue of fairness to immigrants.

Republicans do not want to acknowledge this; they do not want to admit that they oppose the Latino and Immigrant Fairness Act. That is why they have gone to such extraordinary lengths to try to avoid having to take a public position on it. There is an election coming up, and they do not want to have to explain to Latino and immigrant groups why they told thousands of hard-working immigrants who are in this country doing essential jobs: Go home. Republicans would rather risk not delaying the passage of the H–1B visa bill than vote for the Latino and Immigrant Fairness Act or risk the political consequences of voting against it.

There is really no reason we cannot pass both a strong H–1B bill and the Latino and Immigrant Fairness Act.

We are in the longest period of economic expansion in our Nation's history. We all know that now. The census numbers which were released yesterday confirm once again the remarkable progress we have made in recent years.

In the last 7 years, we have seen 20 million new jobs. Unemployment is lower now than it has been in 30 years. In my State of South Dakota, the jobless rate is between 2 and 3 percent.

Ten years ago, many companies could not expand because they could not get the capital. Today they can get the capital, but they cannot get the workers.

Clearly, one of the industries hardest hit by today's skilled-worker shortage is the information technology industry. According to a recent survey of almost 900 IT executives, nearly 10 percent of IT service and support positions in this country—268,740 jobs—are unfilled today because there are not enough skilled workers in this country to fill them.

The H–1B visa program was supposed to prevent such shortages, but it cannot because it has not kept pace with the growth in our economy. This year, in fact, the H–1B program reached its ceiling of 115,000 visas in less than 6 months. That is why my colleagues and I support substantially increasing the number of visas available under the H–1B program.

The high-tech industry, however, is not the only industry struggling with worker shortages. The Federal Reserve Board has said repeatedly that there are widespread shortages of essential workers all through the United States. All across America, restaurants, hotels, and nursing homes are in desperate need of help. Widespread labor shortages in these industries also pose a very significant threat to our economy. That is one reason my colleagues and I introduced the Latino and Immigrant Fairness Act earlier this year and why we wanted to offer that legislation as an amendment to this measure.

The changes in our proposal are pro-business and certainly pro-family. They are modest, and they are long overdue. We have talked about them before, but let me just, again for the RECORD, make sure people are clear as to what it is we want to do.

First, we want to establish legal parity for all Central American and Caribbean refugees. That is not too much to ask. Why is it we treat refugees from some countries differently from refugees from other countries? All we are asking for is parity.

Second, we want to update the registry so that immigrants who have been in this country since before 1986, who have worked hard and played by the rules, will remain here permanently and will have the ability to remain here legally.

We want to restore section 245(i) of the Immigration Act so that a person who is in this country and on the verge of becoming a legal resident can remain here while he or she completes the process. Why would we want to send somebody back to the country they fled—someone who is eligible to be a legal resident—just so they can come back here again? If we do not change the law, that is exactly what will happen, forcing these immigrants to pay thousands of dollars, disrupt their lives, and maybe imperil their opportunity to come back at all.

Finally, we want to adjust the status of the Liberians who fled to America when Liberia was plunged into a horrific civil war. Thousands of them live in the State of the current Presiding Officer. Our Nation gave these families protected immigrant status which allowed them to stay in the United States but preempted their asylum claims. Instead of forcing them to return to Liberia, a nation our Government warns Americans to avoid because it is so dangerous even today, our bill will give them the opportunity to become legal residents. That is all it would do.

Earlier this month, a coalition of 31 associations—the U.S. Chamber of Commerce, the American Health Care Association, the National Restaurant Association, the National Retail Federation, and about 28 more—all came together and said: If there is something you do before the end of this year, now that we have PNTR finished, we hope you can pass the restoration of Section 245(i) and these other reasonable immigration provisions.

It is the only fair thing to do, and it is good business. We need this done. That is the message from the Chamber of Commerce and the American Retail Federation sent. The American economy is growing not in spite of immigrant workers, but with their help. That is one reason we should pass the Latino and Immigrant Fairness Act now.

There is another reason. President Roosevelt once said: ''We are a nation of immigrants.'' We are also a nation that values families. This principle is not relegated to one ethnic group. Whether you are African American, European American, Latino American, or Asian American, we value family. That is important to us. If we do not pass the provisions in our proposal, thousands of immigrant parents of American-born children will face an excruciating choice. If they are told to leave this country, should they defy the law so that they can remain with their American-citizen children or should they leave their children here in the hope that others will care for them? Forcing choices like this is simply antithetical to our commitment to family values.

I have heard all the speeches in the Senate Chamber about protecting family, doing what is best for family, trying to ensure that families stay together. We are concerned about what children watch on television. But for Heaven's sake, if we care what they watch on television, we ought to decide right now where we want them to watch television. Children ought to be watching television here with their families.

That is the choice: Should they leave their children here and hope that others care for them, or should they take their children back to nations that are mired in poverty and torn by violence or both?

Surely, those are not the kinds of choices we should force on people who have lived in this country and played by the rules for years. That is not the way we should treat people who have done the essential jobs that others did not want, particularly today when we need their labor so desperately.

My colleagues and I strongly support the H–1B visa bill. On that there can be no doubt, especially after yesterday's vote. But we are deeply disturbed and disappointed that the majority has refused to allow us to offer the Latino and Immigrant Fairness Act or any other amendment on this bill. Once again we have been refused the right to offer even one amendment to the bill.

I have offered the majority leader many opportunities. I suggested five and five. I suggested that they have five amendments, that we have five amendments, that we limit them in terms of time and second degree amendments because we wanted to get this bill done. I heard the allegation that: No, Democrats just want to slow down the process, the deliberation, the consideration of the H–1B bill; they don't want it to pass.

Our answer to that, you saw yesterday. We want it to pass. That is why I offered a limit on amendments, why I offered a limit on time, why I offered almost any formula you could come up with so that we could accommodate both.

Let's pass H–1B, but for Heaven's sake, with 2 weeks left, let's pass the Latino and Immigrant Fairness Act as well. Once again we have been refused the right to offer even one amendment to the bill. Once again we are told: Do it our way, or we are not going to do it at all. This is not how this body should operate. Offering amendments and voting on them does not kill bills, it strengthens them, and it strengthens this Senate.

Why are our Republican colleagues so determined not even to let us discuss our amendment? They are the majority. If they believe our proposal is misguided, they can vote it down, they can table it. They can do anything they want to. They have the votes. Why won't they allow that vote? What are they so afraid of?

We are pleased we are finally on the verge of passing this legislation and increasing the number of H–1B visas. But we are disappointed by the disdain the majority has shown for this Senate and its tradition of fair and open debate. We are even more disturbed by the indifference they are showing to thousands—tens of thousands—of decent, hard-working families who are looking forward to the time when they can live here in freedom and peace, and with confidence that their families can stay together.

I am disappointed. I am frustrated, once again, that we have not had an opportunity to have the voice, to have the input, to have the opportunity that any Senator should count as his right or her right to participate fully in debate. But we have been precluded by the rules of the Senate imposed upon us in this case by the majority.

The rules in the Senate, of course, allow for free and open debate, allow for amendment, allow for unlimited debate and discussion. The majority continues to insist on bending the rules so that they can constrain the way we pass legislation and which issues will be heard, without regard to the rights of all Senators to have their voices heard.

MOTION TO SUSPEND RULE XXII

So, Mr. President, as my statement in yesterday's RECORD indicated, I now move to suspend rule XXII to permit the consideration of amendment No. 4184.

The PRESIDING OFFICER. The motion is debatable.

Mr. GREGG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I appreciate the Democratic leader's comments and the sincerity of those comments. But I think a few points should be made in response to them. Then I will make a unanimous consent request relative to the motion which has been put forward by the Democratic leader.

The first point is that the rules of the Senate are being followed. The Democratic leader knows the rules a great deal better than I do. But the vote on cloture yesterday, to which the Democratic leader on a number of occasions has alluded to represent the Democratic leader's commitment to the H–1B proposal, is the vote which puts the Democratic leader in the position that he is in now, which is that the amendment he is offering is not relevant and not germane to the underlying bill. So, as a practical matter, for him to first claim that, with great enthusiasm, they voted for cloture but now they are being foreclosed under the rules of the Senate from doing what they want to do is, I think, crocodile tears.

Secondly, it appears at about this time every election cycle we see a movement that occurs from this administration which involves bypassing the usual and legal procedures for obtaining citizenship.

Citizenship is the most sacred item of trust that we can impart as a nation to someone who wishes to come to our shores and live. The granting of citizenship is an extraordinary action because it gives a person the right to live in our Nation—the greatest nation on Earth—and the capacity to vote and participate as a full citizen and to raise a family here as a citizen. So it is something where we have set up a fairly significant and intricate set of laws in order to develop a process so there is fairness in how we apply citizenship.

Yet every election year, during this administration, or at least for the last two major election years—especially Presidential election years—we have seen an attempt, basically, to set aside the law as it is structured for purposes of obtaining citizenship, and to create a new class of citizens independent of what is present law.

To say that people shall be given the imprimatur of citizenship just before the election, ironically—and the last time this occurred under Citizenship USA, which was the title given to it, a title which was truly inappropriate because it ended up being ''Felony USA,'' thousands of people were given citizenship outside of the usual course. They did not have to go through the usual process, in a rush to complete citizenship prior to the election, which led to literally thousands of people who ended up being felons and criminals receiving citizenship. We are still trying to track down many of the felons who received citizenship under Citizenship USA, which was the last aggressive attempt to bypass the citizenship laws of this country during an election year.

I think we should have learned our lesson from that little exercise, that attempt at political initiative for the purposes of political gain, which ended up costing us literally millions of dollars to try to correct and leave us with, fortunately, a number of good citizens but, unfortunately, a number of people who should never have gotten citizenship who are literally felons and who have committed serious crimes.

So this attempt to bypass the citizenship process must be looked at with a certain jaundiced eye in light of the fact it is an election year because there is a history which asserts that it

should be viewed with a jaundiced eye, because the Citizen USA was such a debacle and so grossly political and ended up costing our Nation so dearly, by giving the sacred right of citizenship to people who are criminals and who committed lawless acts against other citizens.

So that is why we are in this position today.

The Democratic leadership claims that they strongly support H–1B and so they voted for cloture. Then they come forward and claim: But the rules are limiting us.

They were the ones who voted for the rule that happens to be limiting them. They can't have it both ways, but they appear to want to. It is, as I said, crocodile tears on their part, in my opinion. However, the Democratic leader has the right to make this request. He has positioned himself procedurally in that order.

Therefore, I ask unanimous consent that a vote occur on the pending motion to suspend the rules, that the vote occur today at 4 o'clock, and that the time between the two sides until 4 o'clock be equally divided in the usual form.

Mr. REID. Reserving the right to object, Mr. President, I was diverted by talking to someone else. Will the Senator restate the unanimous consent request?

Mr. GREGG. I ask unanimous consent that a vote occur today on the pending motion to suspend the rule at 4 o'clock and that the time between now and 4 o'clock be equally divided in the usual form.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from New Hampshire has the floor.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GREGG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I yield whatever time I have remaining under cloture on the bill to the minority leader, Senator DASCHLE.

The PRESIDING OFFICER. The Senator has that right.

Mr. HARKIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I regret how little progress we were able to make yesterday on legislation to increase the number of H–1B visas. This legislation was reported from the Judiciary Committee more than a half a year ago. I have advocated that it receive a fair hearing and that the Senate vote to increase the number of H–1B visas.

I have also said we should take up other important immigration matters that have been neglected for too long in this body. But those requests have fallen on deaf ears, as yesterday once again demonstrated. Senators DASCHLE and REID have offered to spend only 10 minutes debating immigration amendments. Under those terms, we could complete action on this bill in well under a day. But the majority apparently would rather see this process continue to drag on than take a simple up-or-down vote on matters of critical importance to the Latino community and other immigrant groups. Indeed, this bill has been more strictly controlled than any bill during this Congress. At a certain point one cannot help but ask: What is the majority afraid of?

We ought to vote up or down on the Latino and Immigrant Fairness Act. I don't say this from any parochial interest. We do not have any significant minority ethnic group in Vermont. We are sort of unique in that regard. But all Vermonters, Republican and Democrat alike, believe in fairness. It is a matter of fairness to have the Latino and Immigrant Fairness Act voted on. Let us vote it up or vote it down. I will vote for it. I am a cosponsor of it. I strongly support it.

The chairman of the Judiciary Committee complained yesterday that the Latino and Immigrant Fairness Act was not introduced until July, and that the Democrats were pressing for action on the bill even though it had no hearings. As the chairman must know, the Latino and Immigrant Fairness Act brings together a number of proposals that have been talked about since the very beginning of this Congress, and in some cases for years before that. Indeed, the current proposal is drawn from S. 1552, S. 1592, and S. 2668. And as the chairman also must recognize, these proposals have been denied hearings in the Judiciary Committee he chairs and the Immigration subcommittee that Senator ABRAHAM chairs. For the chairman to point to the lack of hearings on these proposals as an excuse to derail them reminds me of the person on trial for killing his parents who throws himself on the mercy of the court as an orphan.

Meanwhile, I am encouraged by the majority leader's conciliatory words on the substance of the LIFA proposals. According to today's Congress Daily, the majority leader has said that he thought the proposals ''could be wrapped in such a way that I could be for it.'' I hope this signals that he will work with us to find a way to have a vote on these issues.

Let me be clear: I support increasing the number of H–1B visas and voted for S. 2045 in the Judiciary Committee. I have hoped that our consideration of this bill would allow us to achieve other crucially important immigration goals that have been neglected by the majority throughout this Congress. I have hoped that the majority could agree to at least vote on—if not vote for—limited proposals designed to protect Latino families and other immigrant families. I have hoped that the majority would consider proposals to restore the due process that was taken away from immigrants by the immigration legislation Congress passed in 1996. In short, I thought we could work together to restore some of America's lost luster on immigration issues. Since the majority has thus far been unwilling to do that, pro-immigration Senators have been faced with a choice between achieving one of our many goals or achieving nothing at all.

Like most of my Democratic colleagues, I agree that we need to increase the number of H–1B visas. The stunning economic growth we have experienced in the past eight years has led to worker shortages in certain key areas of our economy. Allowing workers with specialized skills to come to the United States and work for a 6-year period—as an H–1B visa does—helps to alleviate those shortages. In the current fiscal year, 115,000 H–1B visas were available. These visas ran out well before the fiscal year ended. If we do not change the law, there will actually be fewer visas available next year, as the cap drops to 107,500. This will simply be insufficient to allow America's employers—particularly in the information technology industry—to maintain their current rates of growth. As such, I think that we need to increase the number of available visas dramatically. I think that S. 2045 is a valuable starting point, although it can and should be improved through the amendment process.

I have been involved in helping to ease America's labor shortage for some time. Last year, I cosponsored the HITEC Act, S. 1645, legislation that Senator ROBB has introduced that would create a new visa that would be available to companies looking to hire recent foreign graduates of U.S. master's and doctoral programs in math, science, engineering, or computer science. I believe that keeping such bright, young graduates in the United States should be the primary purpose of any H–1B legislation we pass. By concentrating on such workers, we can address employers' needs for highly-skilled workers, while also limiting the number of visas that go to foreign workers with less specialized skills.

Of course, H–1B visas are not a long-term answer to the current mismatch between the demands of the high-tech industry and the supply of workers with technical skills. Although I believe that there is a labor shortage in certain areas of our economy, I do not

believe that we should accept that circumstance as an unchangeable fact of life. We need to make a greater effort to give our children the education they need to compete in an increasingly technology-oriented economy, and offer our adults the training they need to refashion their careers to suit the changes in our economy. This bill goes part of the way toward improving our education and training programs, but could do better.

Although I have said that this is not a perfect bill, there are a few provisions within it that should be retained in any final version. I strongly support the increased portability this legislation offers for visa holders, making it easier for them to change jobs within the United States. And the legislation extends the labor attestation requirements in the bill—which force employers to certify that they were unable to find qualified Americans to do a job that they have hired a visa recipient to fill—as well as the Labor Department's authority to investigate possible H–1B violations.

It is regrettable that it has taken so long for us to turn our attention to the H–1B issue. The Judiciary Committee reported S. 2045 more than six months ago. It has taken us a very long time to get from point A to point B, and it has often appeared that the majority has been more interested in gaining partisan advantage from a delay than in actually making this bill law.

The Democratic leader has said month after month that we would be willing to accept very strict time limits on debating amendments, and would be willing to conduct the entire debate on S. 2045 in less than a day. Our leader has also consistently said that it is critical that the Senate should take up proposals to provide parity for refugees from right-wing regimes in Central America and to address an issue that has been ignored for far too long—how we should treat undocumented aliens who have lived here for decades, paying taxes and contributing to our economy. These provisions are both contained in the Latino and Immigrant Fairness Act. I joined in the call for action on H–1B and other critical immigration issues, but our efforts were rebuffed by the majority.

Indeed, months went by in which the majority made no attempt to negotiate these differences, time which many members of the majority instead spent trying to blame Democrats for the delay in their bringing this legislation to the floor. At many times, it seemed that the majority was more interested in casting blame upon Democrats than in actually passing legislation. Instead of working in good faith with the minority to bring this bill to the floor, the majority spent its time trying to convince leaders in the information technology industry that the Democratic Party is hostile to this bill and that only Republicans are interested in solving the legitimate employment shortages faced by many sectors of American industry. Considering that three-quarters of the Democrats on the Judiciary Committee voted for this bill, and that the bill has numerous Democratic cosponsors, including Senator LIEBERMAN, this partisan appeal was not only inappropriate but absurd on its face.

Finally, a few weeks ago, the majority made a counteroffer that did not provide as many amendments as we would like, but which did allow amendments related to immigration generally. We responded enthusiastically to this proposal, but individual members of the majority objected, and there is still no agreement to allow general immigration amendments. At least some members of the majority are apparently unwilling even to vote on issues that are critical to members of the Latino community. This is deeply unfortunate, and leaves those of us who are concerned about humanitarian immigration issues with an uncomfortable choice. We can either address the legitimate needs of the high-tech industry in the vacuum that the majority has imposed, or we can refuse to proceed on this bill until the majority affords us the opportunity to address other important immigration needs. I still hope that an agreement can be reached with the majority that will allow votes on other important immigration matters as part of our consideration of this bill, but I have little confidence that this will happen.

I regret that we will likely be unable to offer other important amendments to this bill. For much of the summer, the majority implied that we were simply using the concerns of Latino voters as a smokescreen to avoid considering S. 2045. Speaking for myself, although I have had reservations about certain aspects of S. 2045, I voted to report it from the Judiciary Committee so that we could move forward in our discussions of the bill. I did not seek to offer immigration amendments on the Senate floor because I wanted to derail S. 2045. Nor did the White House urge Congress to consider other immigration issues as part of the H–1B debate because the President wanted to play politics with this issue, as the distinguished chairman of the Judiciary Committee suggested on the floor a few weeks ago. Rather, the majority's inaction on a range of immigration measures in this Congress forced those of us who were concerned about immigration issues to attempt to raise those issues. Under our current leadership, the opportunity to enact needed change in our immigration laws does not come around very often, to put it mildly.

It is a disturbing but increasingly undeniable fact that the interest of the business community has become a prerequisite for immigration bills to receive attention on the Senate floor. In fact, we are now in the week before we are scheduled to adjourn, and this is the first immigration bill to be debated on the floor in this Congress. Even humanitarian bills with bipartisan backing have been ignored in this Congress, both in the Judiciary Committee and on the floor of the Senate.

It is particularly upsetting that the majority refuses to vote on the Latino and Immigrant Fairness Act. This is a bill that I have cosponsored and that offers help to hardworking families who pay taxes and help keep our economy going strong. On two occasions, including last Friday, the minority has moved to proceed to this bill, and the majority has twice objected. In our negotiations with the majority about how S. 2045 would be brought to the floor, we have consistently pressed for the opportunity to vote on the proposals contained within it. But the majority has turned its back on the concerns of Latinos and other immigrants who are treated unfairly by our current immigration laws.

The majority has shown a similar lack of concern for proposals by numerous Democratic Senators to restore the due process protections that were removed by the passage of the Antiterrorism and Effective Death Penalty Act and the Illegal Immigration Reform and Immigrant Responsibility Act 4 years ago. There are still many aspects of those laws that merit our careful review and rethinking, including the inhumane use of expedited removal, which would be sharply limited by the Refugee Protection Act (S. 1940) that I have introduced with Senator BROWNBACK.

As important as H–1B visas are for our economy and our Nation's employers, it is not the only immigration issue that faces our Nation. And the legislation we are concerned with today does not test our commitment to the ideals of opportunity and freedom that America has represented at its best. Those tests will apparently be left for another day, or another Congress.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I want to answer some of the comments made by our colleagues from the other side yesterday and today.

We have been on the floor this week supposedly debating the H–1B bill. That is S. 2045. This bill is an extremely important measure. It is aimed at alleviating both short- and long-term problems in the inadequate supply of a highly skilled worker force in our dynamic and expanding high-tech economy.

The debate has turned into quite a different matter. My colleagues on the other side stood on the floor yesterday talking about the so-called Latino fairness legislation and insisting, time and time again, for a vote on this unrelated measure.

Let's review where we are. The high-tech community wants this H–1B bill without amendment. My colleagues on both sides voted overwhelmingly for cloture; meaning, ending the debate. Cloture would knock out nongermane amendments which, of course, would knock out the so-called Latino fairness amendment as well.

The last time I looked, a vote in support of cloture meant that we support consideration of legislation without—I emphasize that word ''without''—unrelated, nongermane amendments, such as the so-called Latino fairness bill. This bill, by the way, was only filed on July 25 of this year. If it was so important, why was it filed so late in the session, without the opportunity for hearings or committee consideration?

Talk about trying to have it both ways. I guess this is a brilliant political move if you don't think about it too closely, the ultimate effort to try to have it both ways: Give the high-tech community a cloture vote and at the same time continue to maneuver to get around what that cloture vote means.

So there we have it. I don't recall seeing a spectacle of this sort in all of my years in the Senate.

Having said that, let me now join my colleagues in this discussion on the so-called Latino fairness legislation. There was a great deal of talk yesterday. Some of it was shameless. The talk was about due process, about the need for more unskilled workers in this country, and about the hardship of the parents of American-citizen children. Much of the rhetoric does not meet reality.

My colleagues on the other side argue that they want to vote on S. 2912, the so-called Latino fairness act. I really wonder if most in the Senate understand and appreciate what is involved in this costly, far-reaching bill that has never had a day of hearings.

This is no limited measure, to undo a previous wrong to a limited class of immigrants who otherwise might have been eligible for amnesty under the 1986 act. Rather, this is a major new amnesty program, without 1 day of hearings, with a price tag of almost $1.4 billion, with major implications for our national policy on immigration.

For years, as Chairman of the Judiciary Committee, I have watched the Immigration Subcommittee, and I have helped to steer through and monitor and help make immigration policy in this country. That policy works well, to a large degree, but there are certainly areas that we can improve. I can tell you that some are trying to turn this bipartisan policy upside down.

I will begin by saying that I have been a long-time supporter of legal immigration. That is what has built this country. It has made this country the greatest country in the world.

I believe in legal immigration. In connection with the 1996 immigration reform legislation, I fought long and hard against those who wanted to cut legal family immigration and other categories. At that and other times, it has been my view that our emphasis ought to be on combating illegal, not legal, immigration.

The bill before us, however, while termed ''Latino fairness,'' does nothing to increase or preserve the categories of legal immigrants allowed in this country on an annual basis. It does nothing to shorten the long waiting period or the hurdles that persons waiting years to come to this country—people who play by the rules and wait their turn—have to go through.

In contrast, what we hear now is an urgent call to grant broad amnesty to what could be up to 2 million illegal aliens. Let's be clear about what is at issue here. Some refer to the fact that a certain class of persons who may have been entitled to amnesty in 1986 have been unfairly treated and should therefore be granted amnesty now. That is one issue—and I am certainly prepared to discuss that issue in our committee, with full hearings, and resolve any inequities that exist. I am certainly prepared to discuss that, but only outside the context of S. 2045, a bill that virtually everybody in this body wants because it will allow us to stay in the forefront of our global, high-tech economy.

Again, I am prepared to discuss, outside of this bill, what we might be able to do to help that so-called 1982 class of immigrants. But that is not really what S. 2912 is about. This bill that some now want to attach to the H–1B bill, would ensure its death in the House of Representatives; it would never see the light of day. The fact is—this bill also covers that 1982 class, but also hundreds of thousands, if not millions, of illegal aliens who were never eligible for amnesty under the 1986 act.

This is a difficult issue and one with major policy implications for the future. When we supported amnesty in 1986—and I believe there were several million people granted amnesty at that time—it was not with the assumption that this was going to be a continuous process.

What kind of signal does this type of ''urgency'' send? On one hand, the Government spends millions each year to combat illegal immigration and deports thousands of persons each year who are here illegally. But if an illegal alien can manage to escape law enforcement for long enough, we reward that person with citizenship, or at least permanent resident status, followed by the right to apply for citizenship after 5 years of living here.

That is a slap in the face to all of those who have abided by the rules and who have been here legally. If there are inequities, I am willing to work them out, but let's do it through hearings, through a thorough examination. Let's not do it through a political sham that has been thrust upon us on the floor for no other reason than because they are worried on the other side that George Bush appeals to the Hispanic community. We know he gets about 50 percent of the Hispanic vote in Texas, and there is good reason for it.

Hispanic children are now reading at better levels. The Hispanic people have been helped greatly in Texas by the Bush administration. Our colleagues on the other side are deathly afraid that if he continues to do that, the Hispanic vote—which they just take for granted—is going to suddenly go to George Bush and the Republicans. Well, I don't blame them for that, because I think that is what is going to happen.

As chairman of the Republican Senatorial Hispanic Task Force, which I helped to start years ago, I know that the Hispanics are out there watching both parties and seeing who really has their interests at heart. We have done more with that task force—not just by throwing money at problems—than the other side ever dreamed of.

Further, I hope my colleagues are aware of the cost of this bill to American taxpayers. I don't mind the costs if we are doing something that is absolutely right. As I said, I am willing to go through the appropriate hearing process. I do that every day in my work as a Senator in solving immigration problems—as a lot of Senators do. But we ought to take into consideration the costs of this to the American taxpayers—giving amnesty to up to 2 million illegal aliens.

Specifically, a draft and preliminary CBO estimate indicates this bill comes with a price tag just short of $1.4 billion over 10 years. But that is a conservative estimate because the amendment actually filed yesterday goes way beyond S. 2912 on amnesty. Not only was S. 2912, the so-called the Latino Fairness Act, filed on July 25, but the amendment filed yesterday goes even beyond what their original bill. The amendment's proponents argue that it just consists of a simple due process restoration. But, in fact, it not only gives hundreds of thousands, if not millions, additional illegal immigrants amnesty who have been here since 1986, it appears to be a rolling amnesty measure!

In this highly charged political area, we ought to try and get together in a bipartisan manner. But some of my friends on the other side seem to want to play politics with this issue. They try to act as if they are for Hispanics. But what they are in fact doing is ignoring those who play by the rules, who are here legally, in favor of those who are here illegally and who have broken the rules. It is a slap in the face to all of those who have played by the rules.

What do I mean by a rolling amnesty measure? It means the amnesty provision continues and expands for the next 6 years. That is right, Mr. President. If illegal aliens can manage to avoid authorities until 2006—if they can avoid authorities for that long—they automatically get amnesty, and that is a stepping stone to citizenship for people who have violated our laws and are

here illegally. Again, if there are people who are being injured who should not be, people who really have due process rights, or who ought to have consideration, I am willing to work on that with my colleagues on the other side in a bipartisan way to do something that really works. We do that regularly anyway. But to just throw this open on a rolling amnesty basis for 6 solid years is not the way to go; we are talking about millions of people who are here illegally being automatically given the right to apply for citizenship in a few years.

Mr. President, what are we doing here? We devote hundreds of millions of dollars each year to try and control illegal immigration. What does this so-called fairness bill do? It rewards persons for their illegal activity. It says let's keep fighting illegal immigration, but if certain persons succeed in evading the law for long enough, they get rewarded by being allowed to stay, get permanent resident status, and 5 years later can apply for citizenship, in contrast to all of those millions who have legally come into this country under legal immigration rules and regulations, who have abided by the law, and who basically have paid the appropriate price to get here.

We have also heard about the need for more workers. I agree with that. Why don't we address and examine this need, however, in the right way? Why don't we examine increasing the number of legal immigrants allowed to come here? Why don't we consider lifting certain of those caps? I don't see anyone on the other side of the aisle arguing for that. It would seem to me if they want to argue for having more immigrants in this country—and I might go along with this—that we ought to lift the caps. I have to admit that there are those in this body who do not want to lift those caps—but at least in the other body for sure. That is the appropriate way to do that.

During our debate in the 1996 act, the Democrats offered, and the committee unanimously agreed, to curb the number of legal, unskilled workers coming to this country. Why did they do that? Because their No. 1 supporters in the country—the trade union movement in this country—believe that they would take jobs; that if we lifted the caps there would be more legal immigrants coming into this country that would take jobs away from American workers.

It is amazing to me that they wouldn't allow the caps lifted then for that reason, and now they want the broad amnesty. They want to allow up to 2 million illegal immigrants in here because everybody realizes there is a shortage of workers right now.

I am willing to consider lifting those caps, and do it legally and do it the right way. I would be willing to do that. But without hearings, and without a really thorough examination of this, I am not willing to just wholesale have a rolling amnesty provision that would allow millions of illegal aliens who haven't played by the rules to have a wide open street to citizenship while many people who are applying legally can't get in and who really need to get in.

I agree with the need to reexamine our position on lifting the caps on legal immigration. Let's do that. I am willing to hold hearings, or make sure the subcommittee holds the hearings on that. By the way, they have held some hearings.

I have to say that generally the two leaders on the Subcommittee on Immigration, Senator ABRAHAM from Michigan and Senator KENNEDY from Massachusetts, have worked well together. But all of a sudden, there's a chance to score political points, they think. I don't think they are getting political points. If I was a legal Hispanic, or a legal Chinese, or a legal person from any other country, I would resent knowing how difficult it was for me to become a legal immigrant while people who are trying to make it possible for those who are illegally here to be able to become citizens without obeying the same rules. I suspect there is going to be a lot of resentment, if people really understand this.

While we are at it, why don't we do something to get the INS to move more swiftly—the Immigration and Naturalization Service—to move more swiftly on applications for legal immigrants? That would be real Latino fairness. That is what we ought to be doing on the floor.

There isn't a person in this body who cares more for family unification than I do. There are some who are certainly my equal here. But nobody exceeds my desire to bring families together, a point brought out yesterday. I fought for years on this issue. Every day we are working on immigration problems to try to solve the problem of bringing families together in my offices in Utah and here.

If we really care about family reunification, why don't we do something about the Immigration and Naturalization Service? Why should parents, children, and spouses have to stay on a waiting list for years? I would like to hear more comments from the other side on that. But every time you try to lift the caps, their friends in the union movement come in and say: You can't do that. You might take jobs away from union workers.

Under the H–1B bill, we are not taking jobs away from union workers or from anyone else. We are trying to maintain our dominant status throughout the world in the high-tech world. We are trying to make sure we keep the people here who can really help us do that. That bill provides that those who are highly educated in our universities have a right to stay here and work. This is the bill we are talking about. It is a step in the right direction to get us there.

What does this so-called Latino fairness amendment, or bill, that they filed so late in this Presidential year say to families who played by the rules? It doesn't say obey the laws and wait your turn. It says we are going to make special favors for those of you who are here illegally, and we are going to do it on a rolling amnesty basis over the next 6 years. They are just going to have the right to become citizens, while others have had to abide by the rules—rules that have been set over decades and decades.

I challenge anybody on the other side to work with me in helping to resolve these problems. I am willing to do that. I don't need a lecture from people on the other side about families who have been split up. I think it is abysmal to have families split up. I am willing to work to try and solve that problem, but it takes both sides to do it.

Last but not least, it is no secret that our committee handles intellectual property in many of the high-tech issues in this country. Last year we passed one of the most important bills in patent changes in the history of the country—certainly in the last 50 years. We passed a number of other high-tech bills to make a real difference.

We have done an awful lot to make sure our high-tech world in this country stays at the top of the ladder.

I just came from the Finance Committee upon which I sit where I made a principal argument that we need to get this new bill through that Chairman ROTH is working on with the ranking member, Senator MOYNIHAN, to have a broadband tax credit which we need now.

S. 2045 is one of the most important high-tech bills in this Congress. Everybody here, except for about three people, believes it should pass. Almost everybody on both sides of the floor has said it should pass. Everybody says it is a very important bill.

The fact is, there are people in this body who are scared to death that Republicans might make inroads with the Hispanic community. I know that because I am chairman of the Republican Senatorial Standing Task Force. We have been working for better than 10 years on Hispanic affairs.

We don't care whether Democrats, Independents, or Republicans are on our task force. In fact, we have all three there. We don't care if they are Conservatives, Liberals, or Independents. They are all there. I have to tell you that we have been working hard on every Hispanic issue that this country has. There is basically no end to what we will all try to do, to help assimilate the Hispanic people who are immigrants in this country into every aspect of opportunity that this country has to offer.

To be honest with you, our country is the No. 1 high-tech country in the world. The reason we are is because we have worked together in many respects to get some of these high-tech bills through that make a difference.

I prefer to see my colleagues on the other side work with us rather than

against us, as they are doing right now. I don't want to pull this bill down, but it is coming down if we can't get this bill passed in a relatively short period of time. By tomorrow, there will be three cloture votes overwhelmingly for this bill. If Democrats don't want this bill, why are they voting for cloture? If they want to vote against cloture tomorrow, I can live with that. We will pull the doggone bill down and say to the high-tech community, we are not going to support you this year because we can't get enough support from our friends on the other side. That is exactly what I will tell them, and it won't be one inch far from the truth.

The fact is, everyone on the other side knows that this is a critical bill. It has taken bipartisan support to get it this far. It has great hope for the high-tech industry in this country. It will provide more high-tech workers and more high-tech jobs. Now, we may have some difficulty getting the House to go along with everything we are doing here.

If we keep playing around with this and delaying it beyond this week, it will make impossible to pass it in the end.

I know how important this legislation is. I have worked on high-tech issues for all of my Senate career, and have worked patent, copyright, and trademark laws throughout the country. I don't think anyone can say I haven't made a strong bipartisan effort to make sure we stay at the top of the high-tech world. The best way we can do it right now is to pass broadband tax credit and to pass this H–1B legislation and get the House to go along with it. It is the best thing we can do.

We are in an inane battle on the floor because some people want to score some political points. I was almost embarrassed by some of the comments yesterday—not almost, I was embarrassed for some of these people. Is there no length to which they will go at the end of this session to score political points? I don't like it on my side, and I certainly don't like it on the other side. This is a time for cooperation, to help our country get through this year, and to hopefully spur us into the next year, whoever is President. I intend to do that. I want to have some bipartisan support in getting it done.

I suppose we will have to go through another cloture vote tomorrow—three cloture votes on one bill that almost everybody is for.

I think it is time to quit scoring political points and get the job done. This H–1B bill is a critical bill for America. It is a critical bill for American children and American workers. It contains critical bipartisan training and education provisions to equip our workforce for the 21st century. Those are provisions we worked out with the other side in order to get this bill, something I agree with 100 percent, that I will fight for in Congress.

One would think they would want to do this and quit playing around with the bill. The longer we go on this bill, if we go beyond this week, it seems to me it makes it more problematic whether we can ever pass an H–1B piece of legislation with these wonderful, critical provisions to help train our children for the future workforce, for the high-tech world they are going to enter.

I have met with people today who are prescient with regard to the future. We have been talking broadband all morning. We have been talking about wireless. We have been talking about cable. We have been talking about the critical infrastructure industries. We have been talking about software. Almost all of it is dependent upon whether we pass an H–1B bill.

The rest of the world isn't standing still while we are sitting here treading water week after week, debating whether we will allow an H–1B final vote. If this were the final vote to pass this bill, I could wait another few days. But we still have to deal with the House. We are going to have to work that out. That will take some time. We don't have a lot of time.

It seems to me we ought to get rid of politics. I hope people watching this will listen to the other side and realize how political they have been. Yesterday it was almost shameful—no, it wasn't; it was shameful—the arguments made on the floor. It is all done just for political advantage. Frankly, I don't think they get any advantage.

I believe the millions of legal immigrants with green cards might resent rolling amnesty for 6 years to millions of illegal immigrants who don't abide by the rules.

This is an important bill. We can no longer afford to play the political games that were played yesterday and apparently will be played through a cloture vote tomorrow. I think the other side ought to allow the vote or just admit they really aren't for this bill in spite of the overwhelming cloture votes we have had so far. I would like to see that in this body, especially at the end of this year.

There are those on our side who really would like to work with our colleagues on the other side in a bipartisan manner. I know the Presiding Officer is one, and I believe there are a lot of others who want to see that done.

There is a strong suspicion among many in the media and many on our side that there is a deliberate slowdown, with filibusters, even motions to proceed, for no other reason than a political advantage. It really gets old.

I think once in a while we really ought to put the best interests of our country ahead of everything else. This is a bill where we ought to do that. We have so much support for this bill, if it is allowed to be voted upon. Supporters ought to be allowed to express themselves in a vote for or against this bill. This is one bill where we can be together. We had 94 votes on this bill, in essence, yesterday; only 3 against. I suspect if we got the other 3, they would be for it, too, so it would be 97 with, 3 against; if they were against, it would be 94–6.

But, no. Steady delay. Day in, day out, steady filibusters. Now they will say they are not filibustering. Then why are they forcing a cloture vote every day?—to have cloture votes on a bill that virtually everybody admits is a good bi-partisan bill.

By the way, I want to thank Senators FEINSTEIN, KENNEDY, LIEBERMAN, and of course Senator ABRAHAM. We have all worked together on this bill. We have accommodated Democrats. We have shown good faith. I thank them for helping. I think it is time to end this charade, end the political posturing we have had. Let's pass this bill.

Start doing what is right. Live up to what everybody in this body, except for the three, I suppose, has told the high-tech world—we are going to get H–1B passed. But I tell you we are not going to get it passed if this kind of charade continues because I myself will bring this bill down and then we will start over again next year and hopefully we will have a more bipartisan approach towards it. I would hate to do that; I sure would, after all the work we put in trying to get this bill passed when I know that could delay it 6 to 9 months before we really are helping our people in the high-tech world who drastically need help.

I have been there. I have been out there. I know the people, the top people, the top CEOs in almost all of these companies. I have been meeting with a bunch of them this morning, everybody from ATT, Microsoft, Sun Microsystems, Oracle, Novell—you name it. I know them all. I don't think they are partisan. I think they like both parties, and I think they help both parties, and I think they deserve our help.

Frankly, to put us through another cloture vote—it seems to me to be inane. I do not want to accuse anybody of lacking good faith, but I will tell you after what I heard yesterday, I say, my gosh, how can they stand there and make those kinds of comments, when you know if you want to really help get jobs and get people in here to take jobs, let's lift the caps on legal immigration but not change the laws with one stroke of the pen, without 1 day of hearings, and allow up to 2 million people on a rolling amnesty over a 6-year period to really become citizens, flashing in the face of everybody who paid the price to abide by the rules, it is just not right.

Frankly, I am getting tired of it. That is why I have gone on and on today, because I am tired of it. I think it is time for us to do something good for a change, to work together and get it done. I am going to be here to try to get it done in the next day or so. If we do not, then we will pull the bill down. Then we will just throw our hands in the air and say it is too political a Congress to do something worthwhile for our country.

Everybody on my side is going to vote for this bill—they have been there from day 1—at least I believe everybody, certainly the vast majority, are going to vote for this bill in the end because they believe our future depends on being able to solve some of these problems that this bill will solve.

I believe we will have a tremendous number of votes on the Democratic side because we have some of the top leaders in this area on this bill. I mentioned some of them a few minutes ago. We have accommodated them in language in this bill that makes sense. I am saying on the floor of the Senate that I would fight for that language because of our Democrat friends who have worked with us to put that good language together. I will do it in a bipartisan way.

But the high-tech companies are not the primary beneficiaries. They are beneficiaries, no question about it. The primary beneficiaries are the children who will benefit from the education proposals here and the American workers who will benefit from the critical training provisions that we have in this bill. Let's pass this bill for them. I have to admit the high-tech industry will benefit tremendously, too.

What the Daschle motion says is let's ignore the rules of the Senate. Let's take the easy route. Their Latino fairness bill says let's ignore all these immigration laws we have all fought over in a bipartisan way for years—and many us on this side have helped those on the other side. Let's ignore those immigration laws. Let's take the easy route.

There is a similar theme here. Some want to have it both ways. This sort of double-speak is why so many Americans have grown tired of Washington politics as usual. I hope I have at least made the case we on this side stand ready to pass this bill a minute from now if the other side will allow a vote up and down on this bill. If they do not, we will go to cloture again, and then we will see what we can do postcloture to get this thing brought to a close where people can vote for it.

Then, assuming we will pass this bill, we will go to work with the House and see if they will take this bill. If they will not take this bill, we will go to conference and fight very hard with everything I have to make sure there are these provisions in this bill; that we have 195,000 high-tech workers allowed into this country and that we have the right for those who are highly educated, in American institutions, to stay here to work in our high-tech world, and that we have these provisions to help train our children.

Those are pretty important provisions. This is a very important bill. To stand here and say everybody in business and all these companies want all these illegal immigrants to be naturalized—so what? We ought to abide by the law. That is why we have immigration laws. Where there are inequities, we ought to work to resolve them. I promise you, I will work to resolve them. I have been doing it for my whole 24 years in the Senate, and I am not going to stop now. We can resolve them if we work together. If we do not work together, we cannot.

I hope both sides will get serious about this bill. I hope we can pass this bill. I hope we can get this matter resolved. I would like to do it today, if we can, but certainly by tomorrow. We will look at it and see if we have to pull it down if we can't get this resolved.

Mr. REID. Madam President, I ask unanimous consent that the time of the Senator from California, Mrs. BOXER, under the postcloture proceedings, be in the control of the Senator from Nevada.

The PRESIDING OFFICER (Ms. COLLINS). Is there objection? Without objection, it is so ordered.

Mr. REID. Madam President, my good friend from Utah, for whom I have the greatest respect got a little carried away this morning. I don't think he would purposely call me or my colleagues incompetent—but he did. I don't think he would call us silly or stupid, but he did. The word ''inane,'' in a dictionary, means silly or stupid.

We have a philosophical difference in what we are doing here. The fact that we disagree with the chairman of the Judiciary Committee does not mean we are incompetent. It doesn't mean we are stupid. It just demonstrates that we have a basic disagreement.

Mr. President, I want to go back and start where the majority started this morning, with the chairman of the Appropriations Committee on Commerce-State-Justice. Among other things, he said we were crying crocodile tears over here, and that this piece of legislation only dealt with criminals. I am paraphrasing what the other side said, but not too much. In actuality they said was that ''criminals were coming in, and attempting to do an end run to get citizenship.''

The fact is, I take great exception to that. The Democratic proposal would not allow criminals to become citizens. First, this legislation is not offering citizenship. We are offering longtime residents, people who are already in this country, the ability to apply for permanent residency and then perhaps apply for citizenship. Second, anyone applying for residency must have good moral character. They also must show they have good moral character, which means that anyone with a criminal record—not criminals, of course wouldn't qualify, anyone with a criminal record would not qualify for permanent residency.

These people are people who are already in the country. They are working, they are paying taxes, they work hard. In many instances, in fact most instances, others won't take their jobs.

I think my friend from New Hampshire, for whom I have the greatest respect—he has a record which is outstanding; he served in the House of Representatives, was the Governor of the State of New Hampshire, is now a Member of the Senate—I do not think he is suggesting that the U.S. Chamber of Commerce, who supports the Latino Fairness Act wholeheartedly, is suggesting the U.S. Chamber of Commerce wants citizenship for criminals. I don't think the American Health Care Association is suggesting we want citizenship for criminals. I know that the American Hotel and Motel Association is not saying we should come here and give a blanket citizenship to criminals. I don't think the Resort, Recreation and Tourism organization is suggesting that criminals be given citizenship.

We have a list. We talked about it yesterday: The National Retail Association—dozens and dozens of organizations and companies believe we must do something, not only to protect the people who we are going to give the right to come to this country, under H–1B. In fact, we have given almost a half a million people the right to come to this country under H–1B.

We are going to increase it this year up to almost 200,000. I have a couple of different lists, and I could go to another chart. These companies and organizations believe that people who are already in the country also deserve the right to apply for permanent residency and someday apply for citizenship.

This is nothing but a typical red herring. In fact, the Republicans, the majority, are saying: How could you have this bill without even having a hearing? That will bring a smile to your face. The legislation pending before the Senate, the energy bill, S. 2557, was brought to the floor by the majority leader and it has had no hearings.

To say we did not introduce this legislation until July 25, we may not have introduced specifically the legislation, but I wrote a letter to the majority leader in May outlining the legislation. There have been long-time discussions.

In fact, we were denied a hearing in the House. We tried to have a hearing in the House last year on this legislation, but we could not. The chairman of the Immigration Subcommittee refused to give us a hearing, so SHEILA JACKSON-LEE and I had an informal hearing in the House. We could not do it because the chairman of the subcommittee would not let us have a hearing.

The parity legislation was introduced 3 years ago. That is no surprise to anyone. The registry has been in our law since 1929. I introduced the same legislation last year. We reintroduced it, of course, but it was introduced last year. We had, as I indicated, an informal hearing because we were denied a formal hearing.

The chairman of the Judiciary Committee said: What about the July 25 introduction? In his words, ''Is this incompetence?'' The Latino and Immigrant Fairness Act contains multiple provisions, all of which were introduced well before July 2000. We combined a number of pieces of legislation

that have been around for a long time. Central American parity was introduced on September 15 of last year; date of registry was introduced on August 5, 1999. These have bill numbers. Section 245(i) was introduced May 25, 2000. Also, the one my friend from Rhode Island, Mr. REED, cares so much about, was introduced in March of 1999. These proposals have been denied hearings in the Judiciary Committee that my friend from Utah chairs and the Immigration Subcommittee which Senator ABRAHAM chairs. There have been no hearings because the majority has refused to allow us to have hearings.

Let's boil this down to where we really understand what is going on around here. There are threats to pull down the H–1B legislation. I dare them to pull the bill down. I dare them because it would be on their conscience. We have said we will vote on H–1B—what time is it now? Five to 12. We will vote at 12 o'clock. We can have a unanimous consent agreement that the vote can start in 5 minutes on H–1B. As soon as that 15-minute vote, which around here takes 40 minutes, is finished, we will have another 15-minute vote on our Latino and Immigrant Fairness Act. We can complete it all in just a few minutes.

If people do not like our legislation, vote against it. There is a unanimous consent request kicking around here someplace which we hope to have approved soon that we vote at 4:30 on Senator DASCHLE's motion to suspend the rules so we can vote on this. Keep in mind, so everyone understands, you can disguise it any way you want, but this is a vote on our amendment, the Latino and Immigrant Fairness Act.

There has been a lot of talk about the registry provision that this is something new and unique, changing 1982 and 1986. This same thing has been going on since 1929.

The registry provision originated in 1929. The registry provision has been amended many times since 1929. In 1940, the registry date was changed to July 1, 1924, and in 1958, the date was changed to June 28, 1940. Subsequently, the date was changed to June 30, 1948, then January 1, 1972, then, of course, we changed it to 1982, giving people 1 year to apply. That is what we are talking about, 1 year to apply. Some people did not file within that 1 year, even though they qualified. People who are here who deserve to qualify under the same law that has been changed since 1929 deserve a fair hearing.

What happened? What happened is there was sneaked into a bill a provision that said these people would not be entitled to a due process hearing, a fair hearing. So hundreds of thousands of people who could have qualified under the 1982 cutoff date were denied that privilege, and we are saying that is wrong. That is one of the most important parts of our legislation.

We are not ignoring the law with this legislation. We are correcting flaws in current immigration policy that have denied people the opportunity to have legal immigrant status.

My friend from Utah has disparaged a number of people, in addition to calling us incompetent, silly, and stupid. He also said that because trade unions oppose some legislation, that it is necessarily bad. Let's talk about trade unions.

Let's see here. We have carpenters. Carpenters: What is wrong with carpenters? We have nurses. I wonder what is wrong with nurses opposing legislation, or I wonder what is wrong with having people who work as electricians opposing legislation? What is wrong with trade unions opposing legislation? Is that any worse than the Chamber of Commerce supporting or opposing legislation? There has been a lot of name-calling that has been unnecessary.

We are playing around with this bill: If allowing people who have been here for many years to apply for permanent residency is playing around with legislation, then we are playing around with legislation. The playing around is going to stop because we are going to have this legislation passed. The President of the United States has said this will be in a bill, and if it is not, he will veto the bill. He has also gone so far as to say: I would like some support from the Congress before I do that. He has it. He has more than enough to sustain a veto in a letter to him from the House and from the Senate.

Our legislation is going to come to be, and people might just as well realize that. What Senators from the majority should also understand is that we are going to vote on our measure. We are going to vote for H–1B. We support it, but in addition to H–1B, we also believe, without any question, that we need to vote on our legislation. We need individuals who fill a critical shortage of high-tech workers in this country. We support that. We also need essential workers, skilled, and semi-skilled workers to fill jobs, as indicated by the scores of organizations and companies that support our amendment, our legislation.

I hope the majority understands they are the ones holding up this legislation, not us. They can file 15 more motions to invoke cloture, and we are still going to have a vote on our amendment. One of the votes is going to occur this afternoon if the unanimous consent request is brought forward. If not, it will occur some other time.

We believe that the vote which is going to occur at 4:30 this afternoon is the first test to finding out how people really feel about supporting this legislation—not holding hearings in the future, not saying we want to increase the caps on legal immigration. I do not want to do that. We need to deal with it now.

I think what we need to do is not talk about the future; let's talk about today, what we are going to do to make sure these people in Las Vegas—20,000 people in Nevada; most of them in Las Vegas—who have had their work cards pulled, who have lost their jobs, who have had their mortgages foreclosed on their homes, who have had their cars repossessed, who have had their credit cards pulled from them, who deserve the basic protections that we have in this country in something called due process that has been denied—we want to have a due process hearing for these people who have children who are American citizens, wives and husbands who are American citizens.

Today is the day we are going to determine if my constituents in Nevada are going to be given what every American, every person within the boundaries of our country, has a right to, and that is due process.

What we have is a piece of legislation that seeks to provide permanent and legally defined groups of immigrants who are already here, already working, already contributing to the tax base and social fabric of our country, with a way to gain U.S. permanent residency and hopefully someday citizenship.

I repeat, 5 minutes from now we would agree to vote on H–1B. Five minutes after that vote is completed, we will agree to vote on the Latino and Immigrant Fairness Act.

I also say, if that process is not allowed, then we are going to continue here in the Senate to keep working until people are called upon to account for how they feel about this legislation. There comes a time when you have to fess up, you have to vote for or against a piece of legislation. That is what we are asking for here—a vote for or against this legislation.

Mr. GRAMM addressed the Chair.

Mr. REID. If my friend would withhold, there is a unanimous consent request that I understand——

The PRESIDING OFFICER (Mr. BURNS). The Senator from Texas.

Mr. GRAMM. Mr. President, to hasten the moment of this all-important vote, I ask unanimous consent that a vote occur on the pending Daschle motion to suspend the rules at 4:30 p.m. today, and the time between now and 4:30 p.m. be equally divided in the usual form.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRAMM. Mr. President, I further ask unanimous consent, notwithstanding rule XXII, that following that vote, the pending amendments Nos. 4201 and 4183 be considered adopted, and the vote then occur immediately on the second-degree amendment No. 4178, without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, in light of this agreement, Members can expect two back-to-back votes at 4:30 p.m. today.

The PRESIDING OFFICER. The Senator from Texas.

Mr. GRAMM. Mr. President, let me begin by talking about immigration. I

am a strong supporter of immigration. I am proud that my grandfather came to this country right before the turn of the 20th century. I am proud that my wife's grandfather came to America as an indentured laborer to work in the sugar cane fields in Hawaii. In fact, this summer, I had the very happy experience of our family donating to the Institute of Texan Cultures in San Antonio a photograph of my wife's grandmother that was a picture in a picture book that men went through to pick out what was called a ''picture- book bride'' to send for her to come to America.

This pioneer came to America to marry a man she had never met in a strange country whose language she did not speak; she came seeking opportunity and freedom, and found both.

That is a story of America in action. Her granddaughter, under Presidents Reagan and Bush, became Chairman of the Commodity Futures Trading Commission, where she oversaw the trading of all futures, including futures on the same cane sugar that her grandfather came to America to cut by hand.

I am as strongly committed to immigration as you can be committed to immigration.

I also remind my colleagues that the bill before the Senate was co-authored by Senator ABRAHAM, by the distinguished chairman of the Judiciary Committee, Senator HATCH, and by myself.

This bill seeks to allow highly skilled people—many of them in graduate school in America—to stay in our country, to help us be competitive in the world market, to help us dominate the information age, and to help us create more jobs for our own people.

I challenge anyone to point to a more committed position in favor of immigration than I have taken as a Member of the Senate.

In fact, our Presiding Officer may remember a speech I gave once about a young man who worked for me on my staff named Rohit Kumar. I was debating, I believe, Senator KENNEDY at the time. I took this young man's family—his father is a research physician; his mother is a doctor; his uncle is an engineer—and I simply went through a list of Kumars in America—his parents had come here as immigrants. And I talked about the contributions they made and the taxes they paid. The conclusion of my speech was this: America needs more Kumars. By the way, lest anyone be confused by what has now become an American name, the Kumars came from India.

Why do I say all this? To make it clear that America is not full. I believe there is still room in America for people who come and bring new genius and new energy and new creativity. But I draw a bright line—it is as bright as the morning Sun—and it is on one issue: People should come to America legally. People should come to America to be part of the American dream. In coming to America, people should not violate the laws of our country.

Apparently, our Democrat colleagues feel so comfortable that it is a salable political position to take that they want to change the law to say that people who violated the laws of our country are welcome to America. I reject that. I reject it because it is patently unfair.

Our Democrat colleagues even have the arrogance to call this the ''Latino and Immigrant Fairness Act,'' as if the label would make it so. I wonder how many people who are waiting in line to come to America—the several million people who have applied to come legally; people whose spouses have applied to come—I wonder how fair they think it is that they are going to bed every night dreaming of coming to America, and we are going to put somebody who violated the laws of the country in front of them.

I do not call that fair. Quite frankly, I am happy to label the idea outrageous and condescending, that if someone is a Latino that they must therefore favor changing the laws to allow people who violated the immigration laws to come and to stay and to invite others to do the same.

I remind my colleagues that in 1986 we passed a landmark immigration bill. The fundamental tenets of that bill were, one, we were going to enforce employer sanctions—we have not done that, as everybody who lives in America knows—and two, that if you came before 1982 and you were in good standing, you could apply and become a permanent resident alien and eventually you could become a citizen. But if you came afterward, the commitment of that bill was that was the last general amnesty we were ever going to provide.

Now our Democrat colleagues obviously think it is good politics that we should go back on the commitments we made in that bill. Hence, we have the bill that is before us.

Let me explain the issue of how we came to be here, then the procedure that is being used. Finally, I will talk about this threat by President Clinton that if we don't adopt a bill legalizing illegal acts, he is going to shut down the FBI and the Justice Department by not funding their appropriations.

Let me begin by explaining that we have before us a bill called the H–1B program. Most Americans, I am sure, don't know what H–1B is, but basically this is a procedure in immigration law that allows us to employ uniquely skilled, high-income workers, principally, as it has turned out, in this new area of high technology and computer science—many of these people are actually graduate students in our country; half of the students in the high-tech areas at American universities are foreign born, as I am sure many people know. Because we have such critical shortages in this area, this provision allows these people to stay in America and work and help us create jobs for people who are already here.

Our Democrat colleagues claim they are for this bill. The problem is, they won't let us vote on it. But when it gets right down to it, they want to be paid tribute. The tribute they are seeking is passage of another bill that would let people who violated the law to stay in our country.

Now we have made it very clear that we are not going to pay tribute. Their problem is, they have gone to Silicon Valley, they have gone to Austin, TX, they have gone to the high-tech centers of America, and they have told people in the high-tech industry: We are with you; the Democrat Party is with you; we are for the H–1B program. The problem they have is, their actions do not comport with their words. And that is why we are here simply saying, if you are for the H–1B program, pass it.

I have believed for a couple of days that we are coming to the end of this charade. I don't believe our Democrat colleagues can sustain the American public—that is, the relatively small number of people who are interested in this bill—watching Democrats every day delay a bill which they are out trumpeting their support. You can confuse some of the people some of the time, but people cannot be confused under these circumstances.

Meanwhile, our Democrat colleagues are on the verge of throwing in the towel on H–1B by saying, well, we want another bill on another issue. To that end, they have adopted a very unusual procedure of trying to change the rules of the Senate in order to accomplish what they want, and we are going to vote on that at 4:30. That is going to be defeated, soundly defeated.

Let me turn to President Clinton. I wonder if, in these waning hours of the Clinton administration, our President has not become so deluded by his power and the semblance of power he has exercised in the last 8 years in beating Congress into submission. I wonder if the President has not started to believe he is King, that somehow he can say to us, if you don't pass a law legalizing illegal activities in America, I will shut down the FBI and the Justice Department.

That is what the threat is. The threat is, if we don't pass a bill that says people who violated the law in coming to America can stay here, he will veto an appropriations bill that funds the FBI, the DEA, the Justice Department, and the Federal prison system. It seems to me those aren't the words of a President, those are the words of a King.

Does he believe we are so weak in our commitment to the constitutional principle? The Congress is given the power under article I of the Constitution to appropriate money, not the President.

I will say to the President, if he wants to veto the Commerce-State-Justice appropriations bill—I know the bill well because I once had the privilege of chairing that subcommittee —if he wants to veto that bill and risk shutting down the FBI and the Justice

Department and the DEA because we are not going to pass a bill that has nothing to do with those appropriations but simply a bill that legalizes illegal activity, then I would have to say to the President he had better get his pen out and he had better be sure it has ink in it.

You never know what is going to happen around here, but let me tell you, from one Senator's point of view, a private in the Army, as long as there is any possibility of resisting this I am never, ever going to sit by without using every right I have as a Senator to stop that from happening.

What an outrageous, deeply offensive threat. Are none of our Democrat colleagues offended? I will be interested to see how the sage of the Senate, our colleague from West Virginia, ranking member of the Appropriations Committee, former majority leader, former chairman of the Appropriations Committee, how he feels about a President who has become so deluded about his powers that he believes he is King and that he can say to us, you either legalize illegal acts in America or I will shut down the FBI and the DEA and the Justice Department.

I understand we are simple people here in the Senate. We have demonstrated over and over that we don't have President Clinton's ability to communicate with the public. We don't have the ability to stand for one thing one day and the next day do a 180-degree reversal and everybody thinks it is great.

But if we don't have the ability to stand up to a President in telling us that unless we pass legislation legalizing illegal activity, he is going to shut down the FBI and the DEA and the Justice Department and the prison system by vetoing an appropriations bill forum—if we can't stand up and debate that, we might as well eliminate Congress and just let Bill Clinton rule.

I don't intend to see that happen. It may be we will get run over here, but we are not going to get run over without one great fight. I am going to be surprised in the end if there is not at least one Democrat who is going to join us in this fight.

Now, let me turn to the heart and soul of this issue, the belief by our Democrat colleagues that it is good politics to make it legal for people to engage in illegal activity in coming to America. Our Democrat colleagues believe they are going to gain votes in this election by saying that if you violated the law in coming to America, if you jumped in line in front of the several million people who have applied to come legally, don't worry because we intend to legalize what you did. And don't worry about the spouses of people who are already here, who are waiting and praying for the day they can come to America legally, just jump ahead of them, violate the law, come to America, because once you get here, we will embrace you and legalize your actions.

I know our Democrat colleagues believe this is good politics. I know our Democrat colleagues believe, because of the way they named this bill, that every immigrant and especially Latinos support illegal immigration. What an outrageous, offensive name for this bill, the ''Latino and Immigrant Fairness Act.'' What is fair about a bill that sanctions illegal activities? What is fair about saying to several million people—more of them Latinos than any other ethnic extraction or origin—that it is fair for somebody to violate the law and come to America ahead of you, but it is fair to make you wait month after month, year after year, to join the people you love? That is the Democrats idea of fairness? What is fair about that?

I think immigrants—and, quite frankly, I still consider myself one—I don't think most people who are immigrants to America believe this is about fairness. They believe this is a raw political act, and they are right. This is putting politics ahead of people. This is about trying to single out a group of people, as if every Hispanic in my State believes that it is OK to let someone violate the law.

I reject that. That is not the way Texans feel, no matter what their ethic origin. I think when people really look at this, they are going to see that this for what it is, an outrageous political act.

Since I am going to stand for reelection in a State where many Hispanics are going to vote—and I am proud of the fact that when I ran in 1990, I got about half of the Hispanic vote in my State—I, obviously, do not believe that this is the great political ploy that our Democrat colleagues believe it to be.

Mr. CRAIG. Will the Senator yield for a question?

Mr. GRAMM. I am happy to yield.

Mr. CRAIG. The Senator makes a point that I hope echoes across this country, which is that you cannot honor, recognize, or enhance the concept of breaking the law or acting illegally and therefore be rewarded for it. We are struggling mightily on the floor to address a need in this country; it is called an employment need—H–1B workers primarily for the high-tech industry.

The Senator knows I have worked on H–2A, the issue of primarily Hispanic workforces but migrant labor coming to this country to work in agriculture. We have a very real need there, but we are trying to adjust a law so that it accommodates a citizenry, treats them in a humane way, but stays within the law because we have to control our borders.

It is critically necessary that as a nation we control our borders. What you are suggesting—and this is my question—if you can make it across the border illegally, and if you can stay here long enough and raise your issue through an interest group long enough, or with a political party, you may be rewarded for having broken the law by getting someone to do something for you.

Mr. GRAMM. Basically, what their bill is, is that you will be rewarded by being put in front of the 7 million people who have applied to come to America legally because they weren't willing to violate America's laws to become Americans and you were. If I may say this, and I then will yield the floor———

Mr. CRAIG. May I ask one more question?

Mr. GRAMM. Yes.

Mr. CRAIG. Under current law as to the Immigration and Naturalization Service, people who seek either status in this country as a legal resident but not a citizen, apply and basically line up on a list and wait for the process to move them through; is that how it works? You are saying we would jump millions ahead of that?

Mr. GRAMM. We would jump millions ahead of those who are currently in other countries, some of them spouses of people who live in America who applied to come here legally. Basically, what the Democrats' bill says is, look, the people who violate the law will be rewarded. I don't believe you promote a respect for law by rewarding people who violate the law, and I don't know a single Texan who believes that, either.

Let me make this clear. I am not saying that there are not some special cases where people, because of bureaucracies—and we all know bureaucracies and how they work or don't work—I am not saying there are not thousands, maybe tens of thousands, maybe hundreds of thousands of people who have a good case against the bureaucracy and they should have an opportunity to make their case. Whatever we can do to speed the bureaucratic process and give people justice, I am for. I am sure our colleagues, at some point in the debate, will hold up some case of a person who has not gotten due process from the Clinton administration's Immigration and Naturalization Service. But the solution to that is not to throw out the law book; the solution is to install new leadership, to fix the INS bureaucracy and to deal with people's problems effectively and on an individual basis.

So let me conclude with the following highlights: No. 1, I am for legal immigration because I think it enriches America. As some of my colleagues know, I was once chairman of the National Republican Senatorial Committee. We were having an event and a very sweet little old lady from Florida stood up and said, ''Senator GRAMM, why does everybody at this meeting talk funny?'' Well, we had a lot of people who I guess you would call ''ethnics'' there, and everybody sort of gasped and wondered what I might say and not hurt anybody's feelings, including this lady's feelings. So I said the first thing that occurred to me: ''Ma'am, I guess people talk funny because this is America.''

I want immigrants to come to America. I want them to join in the American dream, as my family and my

wife's family have been blessed to join in. I want them to come legally, and I draw the line on that. I am willing to face every voter in Texas on that.

Our Democrat colleagues are really hoping today that the voters are not paying attention. They are hoping some of these radical groups wanting to change America's law to forgive the fact that their members have violated the law are watching this debate on television. But they hope that the working men and women of America are not paying attention to this issue. They want credit for saying they will reward you for violating the law, but I don't think they are going to want the American people to know the political game they are engaged in with putting politics before people.

Let me say that I am happy to debate this issue. I don't have any fear about this issue whatsoever—none. Anybody who wants to come to Texas and debate this issue will have a grand opportunity to do that when I am running, and I look forward to them coming. Texans, including Hispanics, do not believe that those who violate the law should be treated better than people who abide by the law.

I think our Democrat colleagues have misjudged this issue if they think hard-working Hispanics in this country believe we ought to allow people to break the law and be rewarded for it. I reject that, I will be happy to debate it, and I am going to be eager to vote on it at 4:30.

Finally, to repeat, in case anybody missed it, President Clinton threatened to veto the funding measure for the FBI, the DEA, the Justice Department, and the prison system unless we legalize illegal activity—something that is not only bad policy and that the American people are against, but that has nothing to do with funding Commerce-State-Justice. If the President really believes that is going to work, he believes he has become a King. I think the time has come to show him that he can veto a good bill, but he cannot make us pass this bad law that would legalize and reward lawlessness in America.

You can put a pretty face on this. You can sugarcoat it all you want. But what we are seeing is a blatant political act that is before the Senate in an effort to appeal to voters who believe that somehow it is good policy in America to legalize illegal actions and to reward people who have violated the law. Maybe I misjudge America. Maybe I don't understand this issue. But I don't think so.

I want everybody to know about this issue. I want to be sure everybody hears about this issue. I would be willing to let this election and every election from now until the end of time be determined by the issue of refusing to legalize illegal activity for political gain.

Our Democrat colleagues have chosen poorly, in my opinion. We are not going to be stampeded by President Clinton into passing this bill.

I can't prevent it from being put into some bill. I can resist and will resist, and maybe I can be run over as part of some backroom deal. But as a freestanding measure, this bill will never pass as a freestanding measure as long as I am in the Senate.

I thank the Chair for allowing me to speak this long. This is an important issue and I feel strongly about it. I want people to know about it.

If our colleagues are ready to debate this issue, to quote a famous Shakespeare play:

Lay on, Macduff,
And damn'd be he that first cries, ''Hold, enough!''

I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. Mr. President, we have colleagues on the floor who are waiting to speak. I apologize to them for breaking in ahead of them. I appreciate their kindness in allowing me to respond briefly to the comments of the Senator from Texas.

I can't believe what I have just heard, frankly. I am really amazed, and I may take a longer time at a later date to respond. I do not even know where to begin. But let me make four points very quickly.

First, to the point made by the Senator from Texas that somehow we are holding up the H–1B bill, that could not be further off the mark. That is not true.

I have suggested to Senator LOTT and to others that we would be willing to take a very short time agreement, period; it is over; let's have the vote.

I think what he said was we are trying to hijack the bill. What is it about offering an amendment that hijacks a piece of legislation? We are not hijacking anything. We are simply asking that we use the regular order here. Let's have the vote. Let's have the vote. We can do it this afternoon.

Second, with regard to this notion that somehow we are making illegal activity legal, I wonder if the Senator from Texas has looked at the Statute of Liberty recently—the Statue of Liberty welcoming those oppressed from around the world.

What is wrong with granting fairness to all immigrants regardless of circumstance? Why do we draw a distinction?

That is all we are suggesting—that we not draw any distinctions here; that if you come from El Salvador or Haiti that you ought to have the same rights as if you came from Cuba. We are simply saying we want some basic fairness. We are not condoning any illegal activity. He knows that.

Third, I must say that it seems that it is the Senator from Texas who is shedding crocodile tears—in his case, for people who have been waiting in a long line to become American citizens. I am sympathetic to these people too. But, with the passage of the H–1B bill that I know the Senator from Texas will vote for, we are going to allow 600,000 people—over three years—to go to the front of the line. We are going to put them at the front of the line. Never mind those 7 million people he just said were waiting. We are going to put them at the front of the line because they are filling high-paying, high-skilled jobs. Never mind the individuals who fill the thousands of available low-paying, low-skilled jobs. It is only the high-skilled workers we are interested in? To them, we say go to the front of the line. But if you work in a nursing home, if you work in a restaurant, if you work for the minimum wage, we say get back to the end of the line.

Fourth, let me correct this notion that somehow Democratic Senators are out of sync. This isn't our legislation. This is the legislation that virtually the entire Hispanic community has said they need. I didn't draft it. We worked with the Hispanic community to draft it. A large number of those people who the distinguished Senator from Texas said voted for him in the last election were the ones who came to this Senate, and said: Fix this problem. Fix it.

We are not out of sync. We are trying to respond, as we all must do, to legitimate problems in the Latino community, and the Liberian community. Fairness is what we are asking for.

We are not alone. It is the other side that is out there all by themselves. I know the distinguished Senator from Nevada, the Assistant Democratic Leader, has a list that Senator KENNEDY initially constructed, of 31 national organizations, including the National Restaurant Association, the Chamber of Commerce, and the National Retail Federation, that all believe we should pass these immigration reforms.

These organizations are not supporting sanctifying or somehow justifying illegal activity. How does the Senator from Texas possibly explain to the Chamber of Commerce that they are condoning illegal activity? For Heaven's sake.

That is why I say I don't believe what I just heard. I can't believe anybody would come to the floor and say those things. But they were said. They deserve a response, and I hope our colleagues will keep them in perspective.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I yield such time as I may consume from the Democratic time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Thank you, Mr. President.

Mr. President, there has been much discussion about the Latino and Immigrant Fairness Act. I think it is useful and appropriate to focus on precisely what this act does.

First, in 1997 Congress passed the Nicaraguan Adjustment and Central American Relief Act. Essentially, this bill granted permanent residency to

Nicaraguans and Cubans who had fled oppressive governments. But we also recognize that there were thousands of other individuals from Central America who were fleeing the same type of repression, the same type of uncertainty in their lives, and violence in their lives. Yet these individuals were not covered by this legislation.

One of the major provisions of the bill we are discussing is to recognize these individuals who also have been residing in the United States, who have been working in the United States, and who have been contributing to our communities. This is not at all some act of condoning illegality.

Frankly, in 1997, we recognized that simple justice demanded that we allow individuals who are living in this country to adjust to permanent residency. We now want to expand that principle of fairness and decency to the others from that region.

In addition, there are other areas of the world which have the same types of violence, chaos, and turmoil. Principally I have been active on behalf of the Liberians who are here—many since the early 1990s civil war in their country.

This is not about condoning or recognizing lawlessness. It is about fairness.

In fact, our immigration policy is such that we certainly recognize and extend extraordinary opportunities to Cubans who flee their country without documentation, simply by arriving on the shore, have argument or the opportunity to make the case to stay here. If we can do that for one particular group, I think in the context of the turmoil and chaos we have seen in Central America, we can do it for other groups. That is at the core of this legislation.

Second, we have, since 1929, established a principle that if one enters this country and stays long enough and contributes to the communities in which he or she lives, they will be allowed to adjust to permanent status—this notion, called the registry date, is the idea that if you can document your presence in the United States for a long enough period of time, we will allow you to become a permanent resident and part of the citizenry.

Another part of the legislation moves the day of registry from 1972 to 1986. I think that recognizes that periodically throughout our history we face the reality that people have come here and established themselves, and it would be unfair to send them to their native lands. We are simply updating that particular date to allow people who have been residing in this country since 1986 to become permanent residents.

Finally, we would extend provision 245(i) which allows a person who qualified for a green card or work authorization to obtain a visa without first leaving the country. One of the changes we made recently in the immigration law was to require people physically to leave the United States to apply for a visa to come back in. That is not only an undue burden, but it complicates infinitely the lives of people who are working here, living here, and want to become permanent residents.

This is not legislation that condones lawlessness, it is legislation that is consistent with many legislative acts we have adopted beginning in the 1920s. It is legislation that recognizes if we are extending special opportunities to some people in a region, we should also, in fairness, extend it to others in that same region. This is legislation that is not particularly novel, but it is eminently and inherently just and fair and should be before the Senate.

But because of the parliamentary maneuvering and devices used, this legislation has not been offered in a way we can vote directly on it. Our plea has been, for months and months and months, to allow an up-or-down vote. There are serious policy issues regarding this legislation. People of good conscience can disagree. What is most disagreeable is that we have not had the opportunity to offer amendments on this legislation so that we can vote up or down.

There is one part of the bill in which I am particularly interested because it applies to a group of people who have been residing in our country for almost a decade, the Liberian population; 10,000 Liberians. The cause of their stay in the United States was a vicious civil war in their homeland. Many have been here for years. They have established themselves. They have been working and paying taxes and not, because they are subject to temporary protected status, enjoying any particular public benefits. Many have children who are American citizens.

One such individual, reported today in the Baltimore Sun is Gonlakpor Gonkpala, 48 years old. He has been living in the United States since he arrived as a student from Liberia in 1982. He got a degree in finance at Central State University in Wilberforce, OH, and did graduate work at Morgan State University. The civil war has prevented him from returning home. Today he lives in Brockton, MA, where he owns a three-bedroom house, belongs to a Masonic lodge, and is a member of the Methodist Church. He manages a CVS pharmacy. But Friday, without extension of DED, deferred enforced departure, his work authority will cease and he will be deported back to Liberia.

This is typical of so many people. It seems to me supremely ironic that as we are taking people from around the world under H–1B visas to man our industrial and commercial enterprises throughout this country, we are literally sending people who are already here, working hard, contributing and making our economy grow, we are sending them back to Liberia.

At the same time we are proposing to send people back to Liberia, our State Department is issuing warnings telling American citizens: Don't go there; it is too dangerous; you are likely to be threatened, if not worse.

We have been working with colleagues in this body for months to bring a bill to the floor on a bipartisan basis, Republicans and Democrats. Yet we have been denied systematically that opportunity. The denial to us means the status and the lives of 10,000 Liberians in the United States continue to hang by a very slender thread.

I hope all who embrace the notion of fairness and justice in immigration will give us the opportunity to vote on this issue. To date, that has not happened. It is critical because the prospect of sending these people home is very daunting and dangerous for these individuals. Liberia today is a democracy in form but not a democracy in substance. It is plagued with violence, economic turmoil, uncertainty, and fear. As so many Liberians report to me, it is a place where they will not be accepted readily. Also, they very well could be threatened physically. Certainly, they would have difficult problems adapting. Many face a very difficult choice: Do I leave my American-born children, American citizens here, and go back, or do I bring them back to a country that is unprepared to care for them in terms of health care, education, and other social endeavors?

That is what is at stake. It is the same for so many families who are Latinos in this country. That is what we are about: The same kind of simple justice since the same kind of difficult situations faced by the Liberians are faced by Hispanics. We want to give them a chance to adjust their status. It is not a recognition of lawlessness, it is in a sense a recognition of these people's contributions to America and their commitment to our country.

The situation is one which is especially compelling for me. Our ties to Liberia are older than any in Africa. The country was established by freed American slaves. Its capital is Monrovia, named after President Monroe. It has for years been a place for which Americans and Liberians have felt a special kinship. Today it is ruled by a President, Charles Taylor, who has been implicated in crimes of violence in neighboring country Sierra Leone, who has been nonsupportive of human rights and political freedoms, who has conducted a regime that is repressive and rightly criticized by so many.

I don't believe we can or should send thousands of Liberians residing here back to Liberia. What we have is an opportunity to do something that is both fair and, I believe, entirely appropriate. But that opportunity has been frustrated left and right by the unwillingness to give us the opportunity to bring this measure forward. Later today, we have an opportunity to vote on a resolution that will allow us at least to get a vote. We will continue to press on. We will continue to try to inject justice into our system of immigration, to recognize that there are thousands and thousands of people who are living here who desperately want to stay here, who want to continue to

contribute to America. I hope we recognize their contribution and give them a chance to stay.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask unanimous consent I be allowed to proceed for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY

Mr. BINGAMAN. Mr. President, first let me say a word about the procedural morass that we find ourselves in, as I understand it. I do not claim to understand it all. The Democratic leader was trying to get the Senate to actually consider and vote on this Latino Fairness Act, which I strongly support. But in order to keep that from happening, I understand the majority leader came forward with a motion to proceed to S. 2557. Now, S. 2557 is a bill to protect the energy security of the United States and to decrease America's dependence on foreign oil sources. This is a bill, parts of which I support but many parts of which I cannot support because they have, in my view, wrong-headed policy judgments in them. But that is the National Energy Security Act of 2000 to which the majority leader made a motion to proceed.

I am informed by those who follow this activity on the floor more closely than do I that there is no serious effort by the Republican majority to actually consider or vote on or pass any legislation regarding energy security; that that is not a subject which they believe has enough of a priority attached to it that it justifies any real action by this Senate.

So we are somewhat on this issue because of a procedural effort to keep us from considering something else. That is just by way of background, to identify for people why I am here today speaking about an amendment which I would offer. If we ever did seriously consider this National Energy Security Act of 2000, then I would offer an amendment to that on behalf of myself, Senator DASCHLE, Senator BYRD, Senator BAUCUS, Senator BAYH, Senator JOHNSON, Senator LEVIN, Senator ROCKEFELLER, and Senator AKAKA.

The amendment I would offer would replace the text of S. 2557 in its entirety, and in its place it would offer a comprehensive approach to energy policy, much of which we originally introduced as S. 1833 nearly a year ago.

In order to explain why I believe it would be good for this Congress and good for this Senate to go ahead and pass this legislation that I would offer as an amendment, let me just say a few things about the energy situation. There have been several speeches. I do not know about today; I haven't watched the floor proceedings all day, but I did see yesterday where several people were speaking about the problems we have with our energy supply. Those problems are real.

With the supplies of crude oil and refined products and natural gas extremely tight, which they are, energy prices and the availability of some of these products are in the forefront of the minds of a lot of people. In my State, people are receiving in their mail notices from the utility companies saying the price of natural gas will be going up, their utility bills will be going up substantially this winter. So I believe it is essential we assess the current circumstance and that we develop a strategy for remedying the identified deficiencies.

Current prices are extreme when we compare them with the relatively low prices that we have enjoyed for the past 10 years. Aside from the oil price spike at the time of the Gulf war, the average annual price of crude oil during the 1990s was about $15 a barrel. The price of natural gas is somewhat less volatile than oil, historically, but it was also quite low. It was $1.84 per thousand cubic feet. That was because of what was called by all who focused on it ''the gas bubble.'' This was excess supply following the restructuring of the natural gas markets.

The reality is that oil and natural gas are commodities. They are commodities whose prices rise and fall just as those of any other commodity. Since oil and natural gas are often developed together out of common reserves, as they are in parts of my State, the dramatic drop-off in oil drilling in 1998 and 1999 had a direct impact on natural gas supply at the same time that it was impacting future oil supply.

So true to what we all learned in Economics 101, once supply was reduced enough—with some direct market intervention by OPEC, I would add—the price of oil began to rise and drilling began again. Drilling is now going on at a robust pace around this country. While U.S. oil production overall has been in decline since 1970, the deep waters in the Gulf of Mexico have recently proven to be a very active oil and gas production area for our country. The deep water royalty incentives that were proposed by Senator Johnston when he was representing Louisiana in this body, which were also supported by this administration, have been a major contributor to the 65-percent increase in offshore oil production that has occurred under this administration. That is something that is often not focused on, but there has been a 65-percent increase in offshore oil production since this administration came into office.

Natural gas production on Federal lands—and that is the bulk of the natural gas production in my State—has also increased 60 percent under this administration due, in part, to the development of coalbed methane. My State of New Mexico has been a major contributor to that growth in natural gas production. We look forward to a continuation of that trend.

A recent survey by Salomon-Smith Barney projected the highest increase this year in worldwide spending on oil and gas exploration since 1981. The lion's share of that increased spending is directed toward North America, with companies planning to spend 76 percent more on natural gas projects alone this year than they did in 1999. So that is good news. However, those new supplies will not begin having a significant impact on natural gas prices until at least next spring or next summer.

There has been considerable consternation about the President's decision just this last week to go forward with a swap of 30 million barrels of oil from the strategic petroleum reserve to address concerns about heating oil stocks. I want to offer to this debate, which has occurred sporadically here on the Senate floor, the following information from the International Energy Agency's September monthly oil market report. That report says that world oil demand is always highest in the fourth quarter of the year, and the IEA, the International Energy Agency, is predicting a drop in world oil demand in the first quarter of next year on the order of 1 million barrels per day. In the near term, however—and this is a quote from their report:

> The market is too fragile. It needs higher inventories to protect against circumstances such as an abnormally cold winter. Without adequate stock coverage, the market lumbers from one problem to another, creating instability in its wake and dragging prices ever higher.

The reduction in world oil demand in the spring, coupled with the new production from non-OPEC sources, should bring prices down appreciably in the spring and summer of next year.

I ask unanimous consent a page from the September IEA Oil Market Report be printed in the RECORD following my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. BINGAMAN. Mr. President, I also ask that an article that appears in this morning's New York Times, the September 27 New York Times, also be printed in the RECORD after my statement. This is an article by Paul Krugman entitled ''A Drop in the Barrel.''

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 2.)

Mr. BINGAMAN. Mr. President, the thrust of that article is that the decision to go ahead with release of oil from the SPR, the Strategic Petroleum Reserve, was the right decision. He says we should be tapping our oil reserves. In fact, our mistake was that we waited too long; we should have been doing it months ago. But he applauds the decision of the President last week to go ahead now. I commend that article to my colleagues.

Beyond crude oil availability, the other key and a more complicated element is U.S. refining capacity, which currently is at near maximum utilization.

While it is true that the number of refineries has decreased during the past 10 years, the capacity has actually increased. In 1990, there were 205 refineries. By 1998, that number had decreased to 163. However, the total capacity increased from 15.57 million barrels per day to 15.71 million barrels per day over that same period. Certain small, inefficient refineries which were originally built to take advantage of the old oil allocation rules were shut down rather than upgraded to produce cleaner fuels, but the refineries that did upgrade to comply with the Clean Air Act actually expanded capacity—more specifically, the capacity to produce light products.

According to the Economist magazine, there was considerable excess capacity in the U.S. refining sector as recently as late 1996. I quote from an article in the Economist:

> Demand for oil in North America and Western Europe is sluggish. According to the International Energy Agency, it was only 1 percent higher in 1995 than 1993. Yet both regions are plagued with over-capacity. In 1990–1995, the capacity of American refiners to produce light-oil products, such as gasoline, increased by an average of 1 million barrels per day—almost double the rate of growth in demand.

I ask unanimous consent that a copy of that article entitled ''A case of Unrefined Behaviour'' from the October 12, 1996, Economist be printed in the RECORD following my statement.

The PRESIDING OFFICER (Mr. SMITH of New Hampshire). Without objection, it is so ordered.

(See Exhibit 3.)

Mr. BINGAMAN. Mr. President, robust demand growth has finally caught up to eliminate that excess capacity, both in the United States and in Europe. Clearly, domestic refining capacity is a significant concern that needs to be addressed, but if near-term crude prices come down enough—as they have started to since the announcement to swap oil from the reserve—the underutilized refining capacity in Asia and the Caribbean could be utilized to increase the distillate stocks in the world market.

There are many political and economic factors beyond the control of the Congress and the administration that drive OPEC decisions. To a substantial extent, the price of oil will be driven by world market factors beyond our control. Natural gas, on the other hand, is largely sold in the North American market. While there is no quick or easy fix, we need to assess the impacts of our current policies on natural gas and on oil development during very low world oil price periods to avoid these boom-and-bust cycles in the future.

No one wants to go back to the days of regulation with gasoline lines and natural gas shortages, but we do need to determine where there are market inefficiencies and market failures that cause this extreme volatility in product stocks and prices.

One of the major problems in the crude oil market is uncertainty about actual global consumption and production until months after the fact. Our Energy Secretary, Bill Richardson, has already begun the process of improving market data with the successful meeting this summer involving both the consuming countries and OPEC representatives.

We also need a better assessment of whether and how increased demand for oil products and natural gas will be met, and this includes better coordination of environmental and fuel policies.

Over the long run, the least costly, most environmentally benign, and sustainable thing we can do is to use energy more efficiently.

I refer to this chart to make that point. When one looks at the petroleum consumption in this country by sector, it is very easy to conclude what our problem is. Our problem is consumption in the transportation sector. That is this top line, which is going off the chart.

What does that mean? It means the cars especially the sport utility vehicles, we are driving now are much less fuel efficient than they could and should be. That makes no sense. We now have much better technology than we used to have. We know how to produce a car with good power without it consuming such enormous quantities of gasoline, and in fact there are some of those on the market.

Because of lack of attention, because of lack of commitment, because of lack of purpose, we in the Congress in particular, but also the administration, have given too little attention to this transportation issue.

We are going to have to get serious about energy efficiency in this country if we are going to ever reduce the demand and see to it that we do not become further dependent upon foreign sources of petroleum products.

That is not popular, I understand. We had a vote last year on whether or not to even allow the study of whether sports utility vehicles could be considered to be cars and come under corporate fuel efficiency standards. The truth is, that effort last year failed. Most Senators chose to look the other way and to say this was not something that was a priority. Now we see the result.

I found it a little more than ironic that once gasoline prices began to rise this summer, our major auto manufacturers realized they could increase fuel economy of sport utility vehicles and light trucks by as much as 25 percent without costing jobs or eliminating the features that consumers want in those vehicles.

In fact, one of the companies' CEO made an announcement that they were going to go ahead and do that on their own, even though nobody required it of them. We need to make sure those efficiency improvements show up in the marketplace as quickly as possible, and we need to educate Americans on the importance of taking advantage of those efficiency improvements.

There was reference yesterday to a New York Times article suggesting that Japan appears unaffected by the current high price of crude oil. I point out that according to the Energy Information Administration, Japan has among the highest gasoline prices in the OECD, second only to Norway. Approximately half the price of gasoline in Japan is made up of taxes, about 48 percent. American consumers are not as inured to such high prices as the Japanese. The Japanese, however, have done a much better job of increasing overall fuel economy than we have in our country.

Many of the provisions in this amendment which I would offer if we were going to seriously consider passing legislation on energy security—and as I said at the beginning of my statement, there is no serious intention on the part of the majority leader to have us consider energy security before this Congress adjourns—but if we were to consider energy security and I were permitted to offer my amendment to S. 2557, it would address a broad range of technologies and industries that are necessary to meet our energy needs.

The amendment would include a serious commitment to more efficient use of energy in its many forms, as well as incentives to ensure we can maintain production of our domestic resources.

It would address several issues. I will list six of them.

First, it would address the purchase of more efficient appliances, homes, and commercial buildings;

Second, address greater use of distributed generation; that is, fuel cells, microturbines, combined heat and power systems and renewables;

Third, the purchase of hybrid and alternative fuel vehicles and development of the infrastructure to service those vehicles;

Fourth, the investment in clean coal technologies and generation of electricity from biomass, including co-firing with coal.

Fifth, countercyclical tax incentives for production from domestic oil and gas marginal wells. Those are extremely important in my State.

Finally, sixth, provisions to ensure diverse sources of electric power supply are developed in the United States and to continue our investment in demand-side management.

I notice the assistant Democratic leader is on the floor and anxious to proceed with other business. I conclude by saying I believe this is an important issue. I hope very much that the majority leader and the Republican majority in the Congress will work with us to pass a bipartisan energy package before we conclude this session.

Mr. President, I ask unanimous consent the full text of the amendment that I would offer be printed in the RECORD immediately following my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is printed in today's RECORD under ''Amendments Submitted.''

Mr. BINGAMAN. Mr. President, I yield the floor.

EXHIBIT 1

A QUESTION OF BALANCE

With OPEC's third ministerial meeting of the year scheduled to begin on 10 September, followed by a Heads of State gathering later in the month, the usual questions are being asked: whether, when and by how much should or will producers increase production? In a complicated market, most analysts expect OPEC to boost production. If OPEC goes with a modest increase, it would simply endorse what has already happened: August crude supply from OPEC (excluding Iraq) exceeded the 1 July target by 435 kb/d. Whatever the outcome, producers will likely take it upon themselves to increase production in excess of formal targets.

Continuing high prices and extreme market volatility indicate that the market is fundamentally unbalanced. Stocks are stubbornly low even as economic activity has been strengthening globally. Low stocks are in large measure the result of 18 months of production restraint by producers in an effort to achieve price recovery on the heels of extremely low prices in 1998 and early 1999. At the margin, production restraint works, but it is an imprecise instrument. It can have profound and unforeseen side effects, including market instability and the distortion of economic behaviour.

The Labour Day weekend signals the end of the peak summer driving season in the US and Canada. Given earlier historic low gasoline inventories, North American refiners had been running flat out just to meet demand. Even when some additional OPEC crude did become available to the market it was for the most part sour and of a heavy grade, something the market could not fully digest in large quantities. Consequently, sweet-sour differentials widened and there was a build of sour crude stocks at the same time refiners were clamouring for more oil.

OPEC Crude Production

[Million barrels per day]

	1 July 2000 targets	August 2000 production	Production v targets	Sustainable production capacity	Spare capacity
Algeria	0.81	0.83	0.02	0.90	0.07
Indonesia	1.32	1.31	−0.01	1.35	0.05
Iran	3.73	3.67	−0.06	3.73	0.06
Kuwait	2.04	2.14	0.10	2.40	0.26
Libya	1.36	1.43	0.07	1.45	0.02
Nigeria	2.09	2.01	−0.09	2.20	0.20
Qatar	0.66	0.70	0.04	0.75	0.05
Saudi Arabia	8.25	8.55	0.30	10.50	1.95
UAE	2.22	2.28	0.07	2.40	0.12
Venezuela	2.93	2.92	−0.01	2.95	0.03
Subtotal	25.40	25.84	0.44	28.63	2.79
Iraq	.....	2.95	.....	3.00	0.05
Total	.....	28.79	.....	31.63	2.84
Memo Item: Mexico crude	.....	[1] 3.10	.....	3.40	0.30

[1] Estimated.

Even as aggregate stocks rise, albeit from low levels, severe imbalances remain in product markets. By maximising gasoline yields, refiners unavoidably have contributed to a secondary problem. Distillate stocks in the Atlantic Basin are extremely low heading into the peak winter heating season. The market is too fragile. It needs higher inventories to protect against circumstances such as an abnormally cold winter. Without adequate stock coverage, the market lumbers from one problem to another, creating instability in its wake, dragging prices ever higher.

Fortunately, surplus crude oil production and refining capacity is available around the world which, if mobilised quickly, can begin to address these market imbalances. Incremental feedstock is rich in distillates, something that is in high demand for heating-mode operations. But stocks need to build well in advance of peak seasonal demand. Producers need to look beyond the present to see their way through to market stability.

EXHIBIT 2

A DROP IN THE BARREL?

The decision to release part of our Strategic Petroleum Reserve has been widely criticized. Even many commentators with no ax to grind seem convinced that there is something irresponsible about the move.

But they're wrong. We should be tapping our oil reserves; in fact, the big mistake was not using them months ago.

Put it this way: Why has the Organization of Petroleum Exporting Countries, derided as irrelevant only two years ago, suddenly become so effective again? The answer is that now, as in the oil crises of 1973–4 and 1979–80, circumstances have given OPEC what amounts to a temporary corner on the world oil market. Our long-run policy should be to encourage production and discourage consumption, so this doesn't happen again. But in the meantime we should try to prevent OPEC from taking full advantage of that corner. Releasing oil reserves to set a cap on prices—and making it clear that we are prepared to release more—will do exactly that.

Successful attempts to corner markets are rare, but they happen. A Jappense company managed to corner the entire world copper market in the mid-1990's (through it lost it all by overplaying its hand). The standard procedure is to surreptitiously buy up a large part of the supply of your chosen commodity, then pull some of that supply off the market, causing prices to soar for the rest. In effect, the market manipulator creates a temporary monopoly position for himself—the market corner—and exploits that temporary monopoly by selling some but not all of his stockpile at very high prices.

OPEC did not follow the classic procedure, but events have produced much the same result. Very low oil prices a few years ago discouraged independent producers; oil exploration fell off sharply. Then demand for oil surged as Asia recovered from its financial crisis and Americans bought ever more S.U.V.'s The result is that for the time being, even with non-OPEC production at maximum, a few major exporting nations know that they have enormous market power. By producing a few hundred thousand barrels a day less than they could, they can drive prices on the oil they do produce to levels not seen in many years.

This situation won't last indefinitely. As long as we don't do something foolish like encourage consumption by cutting taxes on gasoline, new supplies of oil, together with falling demand in response to high prices, will eventually eliminate that market power. Until then the oil exporters have us, yes, over a barrel, and are exploiting their temporary advantage with gusto.

But if withholding a few hundred thousands barrels a day from the market can drive prices sky-high, putting a similar amount back in can bring them back down to earth—as demonstrated by the sharp drop in oil prices that followed the announcement of plans to tap U.S. strategic reserves. And Western governments have more than a billion barrels in reserve. Why not use those reserves to break the market corner, or at least to limit its effectiveness?

Some warn that if we supply more oil, OPEC will supply less. Indeed, yesterday Libya's oil minister made that threat explicit. But the logic of the situation suggests that this threat isn't credible. Oil producers know that they are getting higher prices for their oil now than they will in a year or two; the only reason they are not putting as much as they can is that they believe that holding back will keep prices high. But if they know that attempts to drive up prices by restricting production will be offset by increased release from Western reserves, they will have less, not more, reason to keep oil off the market. A credible promise (threat?) to use our petroleum reserves to prevent prices from going too high might well actually persuade OPEC to produce more than it otherwise would.

Remember that we're not talking about fundamental market forces here. This market is already being manipulated by a handful of exporting-nation governments—so why shouldn't the importing-nation governments also enter the game? We have a lot of influence over this market, if we choose to use it. And it would be not just a shame, but positively shameful, if we allow ourselves to be deterred from acting in our own interest because we're afraid to annoy the oil cartel.

EXHIBIT 3

(From the Economist October 12, 1996, U.S. Edition)

A case of unrefined behaviour From Texas to Thailand, oil refining is a consistently miserable business. It will stay that way as long as pride is more important than profits.

This week three oil companies—Shell Oil, the American arm of Royal Dutch/Shell; Texaco, an American firm; and Star Enterprise, a joint venture between Texaco and Saudi Aramco, the state-run Saudi Arabian giant—announced they were discussing a possible merger of their American refining and marketing operations. That would mean pooling $10 billion-worth of assets and creating America's biggest oil retailer, with a market share of 15 percent. Earlier this year, British Petroleum, BP, and America's Mobil, two other oil giants, announced a $5 billion deal to merge their downstream businesses in Europe.

Both mergers are the sign of an industry in trouble. Until a decade or so ago, the oil business barely treated refining as an industry in its own right; it was simply the necessary process by which crude oil was adapted for an ever-growing market once the hard, glamorous job of wrenching the stuff out of the ground had been completed. Now that oil firms treat their downstream businesses as profit centres, they have discovered that they are often nothing of the sort.

The world's biggest oil firms have recently been making a much higher return from their upstream investments than from their downstream (one chart on next page). In most parts of the world there are simply too many refineries. In Europe and the United States, too few firms are willing to shut them down; and in Asia, they seem to be building many more than they need.

Demand for oil in North America and Western Europe is sluggish. According to the International Energy Agency, it was only 1 percent higher in 1995 than in 1993. Yet both regions are plagued with over-capacity. In 1990–95 the capacity of American refiners to produce light-oil products, such as gasoline, increased by an average of 1m barrels per day—almost double the rate of growth

in demand. Over the same period, the refining margin, ie, the value of a basket of typical refined products less the cost of crude, fell by 51 percent in real terms, to $2.53 per barrel, according to Cambridge Energy Research Associates, CERA, a consultancy based in Massachusetts.

Two other factors complicate the picture. The first is the cost of having to refit plants to comply with environmental rules. American refiners reckon that they will need to spend $150 billion over the next 15 years to meet green regulations. (Closing a refinery does not let a firm off the hook: there are extremely onerous environmental regulations about cleaning up old industrial sites.)

The other problem is that oil marketing—the other main activity of the downstream business—has become ferociously competitive in some countries. In Britain supermarkets have snatched a quarter of the retail petrol market, much of that from the big oil firms; in France hypermarkets now sell around half of the country's petrol. European oil firms are beginning to follow the example of their American counterparts by adding convenience stores to their pumps: the typical American petrol station now makes some 40 percent of its profits from the sale of non-oil products, such as cigarettes and beer.

Certainly the new downstream mergers should help firms cut some costs. BP and Mobil reckon that they will save around $450m a year; savings from the proposed new American merger will be four times that, according to one estimate. Much of these savings will come from merging and slimming head-office and other administrative functions. The worry is that this is too little, too late. The proposed American merger, as it is currently being discussed, apparently will not involve closing any refineries. And the BP-Mobil joint venture has so far led to no new closure previously announced by the two companies. After you. No, after you.

One problem is that it is in nobody's interest to move first to shut down capacity. While the costs of closing a refinery are paid by its owner, the benefits—in terms of higher refining margins—accrue to the industry as a whole. Hence every firm wants refineries to be closed, as long as they are not its own. Meanwhile, according to a new report by Enerfinance, a consultancy in Paris, there are still 600,000 barrels per day of excess refining capacity in Western Europe (although some oil companies reckon the surplus is double that).

Frustrated in Europe and America, many western refiners have been looking to Asia, where car ownership and electricity consumption are growing fast. Demand for oil products in the region is expected to rise by over 4 percent a year between 1995 and 2010, according to Chem Systems, a London consultancy. On some estimates, $140 billion of new investment in refining will be required to meet this demand.

Yet, strangely, the refining business is proving dismal in Asia too. Refining margins have drifted lower since the start of the 1990s. In September, for example, the average Singapore refining margin—a benchmark—had sunk to $2.98 per barrel, compared with a 1992–93 average of over $5 per barrel, according to CERA. One big oil company reckons many refineries in the region are now barely covering their running costs, let alone their huge capital investment (a typical new refinery costs around $1.5 billion).

The problem is that over the past year refinery capacity in Asia has grown even faster than demand for oil products. Consumption in the region has been hit both by a recession in Japan, and by an attempt by the Chinese government to restrict imports of oil products into the country. But the excess capacity is also due to a swathe of new refineries that are being built.

In Thailand two new refineries have recently come on stream. Both are joint ventures with PTT, the state-run oil company—one involving Royal Dutch/-Shell, the other involving Caltex, which is jointly owned by Texaco and Chevron, two giant American oil firms. Many South Koreans meanwhile are expanding the capacity of their existing plants. According to Petroleum Argus, an industry newsletter, new investment in South Korea, Thailand and India alone is expected to boost Asia's capacity this year by around 6 percent, to 17.5m barrels per day (last year, demand across the Asia-Pacific region as a whole rose by 4.5 percent).

Many refiners say that this is a short-term problem. They argue that low margins will now deter new investment, that demand will eventually outpace capacity, and that margins will thus widen again. Many other capital-intensive industries suffer from a similar boom-bust cycle.

Maybe. But many of those companies building refineries are doing so for reasons other than a calculation that they will make money. Politics often interferes. Middle East countries, for instance, are keen to ensure a secure outlet for their crude oil for decades to come. For this reason, their firms sometimes seem willing to tolerate lower returns than western oil Saudi Aramco has bought a stake both in Petron, a Philippine oil-refining and marketing firm, and in Ssang-yong Oil, a South Korean refiner. The state oil companies of Kuwait, Oman and Abu Dhabi are now talking about building new refineries in a number of Asian countries, including Pakistan, Thailand and India.

Asian governments and oil firms also have their own reasons for increasing domestic refining capacity. The governments see it as a way to reduce their dependence on imported oil products. Pakistan has recently tried to tempt investors to build new refineries by offering them a guaranteed 25 percent annual rate of return. The companies see building refineries as a way to turn themselves into more international businesses. The big South Korean refiners have expanded their capacity partly in the hope of exporting greater volumes to China.

With so many people eager to build more refineries in Asia, there may be no significant improvement in refining margins over the next few years, predicts Dennis Eklof of CERA. In Asia everyone is rushing to build at once; in Europe and America nobody wants to shut a refinery. Either way, the collective ambition of individual refiners thwarts the interests of the industry as a whole; and either way, oil refiners behave remarkably like lemmings.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. On behalf of the minority, we have approximately 90 minutes left; is that right?

The PRESIDING OFFICER. That is correct.

Mr. REID. Mr. President, I yield 15 minutes to the Senator from Rhode Island, and yield Senator KENNEDY 40 minutes.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized for 15 minutes.

Mr. REED. Mr. President, I had the opportunity to speak prior to Senator BINGAMAN about the issues pending before us with respect to immigration, and, in particular, with regard to the Liberian community in the United States—10,000 individuals who are facing immediate deportation unless the President extends DED, which is the acronym for deferred enforced departure. I certainly would urge the President to do that.

As a result of our inability to bring this measure to the floor over the last several months, there is very little option for these people except for the Presidential issuance of a DED proclamation. I would urge him to do that.

But that does not solve the problem. That would essentially give the Liberians in the United States another year. But still their life would be tenuous. They would be unsure of whether or not they could stay through the next year.

As a result, I believe what we must do is come to grips with the underlying issue, and allow these individuals to adjust to permanent status in the United States and, hopefully, become citizens of this country. We have to do that, I think, because each year the equity and the logic of allowing them to become permanent citizens becomes more compelling.

It has been 10 years now since many of them came to this country. In another year it will be 11. At some point, simple justice requires that they be allowed to make an adjustment to permanent status and become citizens of this country.

It is important to recognize how the Liberian community got to this particular juncture. In 1991, in that era of

violent civil war in Liberia, the Attorney General granted temporary protected status, recognizing that the chaos in Liberia was so great that, in good conscience, we could not force these people to return to Liberia. That TPS status was extended year after year after year, until very recently when it was determined that the conditions in Liberia momentarily had stabilized.

But the President, recognizing that what appeared to be a formal democratic government process in Liberia was, in effect, covering up great confusion, great chaos, great turmoil in the country, and did not require the deportation of these individuals but invoked DED.

I have heard on the floor suggestions that our proposal with respect to Liberia and, indeed with respect to other immigrant groups, is some novel, unique, first-time attempt to upset the ''majesty'' of our immigration laws; when, in fact, periodically in the United States we have recognized that people have come here with temporary documentation but now have stayed long enough, have contributed to our communities, and, in doing so, deserve the opportunity to become permanent residents and citizens.

In 1988, Congress passed a law allowing four national groups that had been allowed to stay in the U.S. at the Attorney General's discretion to adjust to permanent resident status: 4,996 Poles who had been here for 3 years; 378 Ugandans who had been here for 10 years; 565 Afghanis who had been here for 8 years; and about 1,200 Ethiopians who had been here for 11 years. So this process of recognizing the reality of the contribution of people who come here intending initially to stay temporarily is nothing new.

The 102d Congress passed a law allowing Chinese nationals who had been granted DED—they were in the same position as Liberians are now—to adjust to permanent residency after the Tiananmen Square atrocity. After the Chinese authorities brutally repressed the demonstration of young students, it was feared that to return these people to China would place them in great peril—I think a well-founded fear. But over the next 4 years, 52,000 Chinese changed their status.

So, again, we recognized turmoil in a country, we recognized individuals are here who established themselves, and we have given them a chance to adjust. That is simply what we are asking for with respect to Liberians, with respect to many Central Americans who are here.

In the last Congress, we passed NACARA, which recognized some of the need and some of the demand to give people from Central America a chance to establish themselves here permanently. So what we have seen over the course of many years is a pattern of recognizing the need of particular groups who come here without documentation or with temporary protection, who establish themselves, who contribute to their communities, and who, under our law—both its letter and its spirit—deserve a chance to adjust their status.

That is at the heart of what we are attempting to do with these several amendments that we wanted to originally propose to the H–1B visa bill. I think it is an appropriate vehicle. After all, we are all supportive of the need of high-tech industry for workers. I think we can equally be supportive of those people who are working today, not only in high tech but in a host of enterprises throughout this country, who face deportation, who face being returned to their homeland. They are already contributing to our country, yet we have not been able to bring such measures to the floor for the kind of up-and-down vote that their situation demands. I hope we can at some point.

It is very critical to the Liberians. It is critical to many other people. The criticality for Liberians turns, I think, on the conditions in their own homeland. We have a situation where there was an election. It was monitored by international authorities. In form it looked democratic, but in substance it has not resulted in a democratic regime that is protective of the rights of individuals.

There are numerous examples of human rights abuses that persist today in Liberia. Last year, for example, human rights organizations estimated that approximately 100 individuals were victims of extrajudicial killings, but yet there have been no convictions of anyone involved in these killings.

I had an individual visit me in my office in Rhode Island who had just returned from Liberia. He went back there. He is trying to promote commerce and industry between the two countries of the United States and Liberia. And he is associated with a political party that is out of favor at the moment over there.

He was traveling with one of their principal politicians. He was in a car, leaving a particular village, and they were warned to go the other way because an ambush had been set up to either kidnap them or kill them. They avoided that situation by a few moments and the intercession of someone who gave them advice to go the other way. I am told this is very common in Liberia.

We have also seen eyewitness accounts of incidents in villages. Last year a village was surrounded by Government security forces. All the men were taken away. Their fate is yet to be determined.

In 1999, the State Department issued a report, their country report, which stated that Government security forces, sometimes torture, beat, and otherwise abuse and humiliate citizens. Victims reported being held in water-filled holes in the ground, being injured when fires were kindled on grates over their heads, suffering beatings, and sexual abuse. All of this is attributed to Government security forces.

President Taylor has stated that these reports of human rights abuses are simply the results of these human rights organizations trying to interfere with his country. I think that could not be further from the truth.

There is a pattern. There is evidence. There is persistent evidence of these types of abuses.

In 1999, Government security personnel were involved in the looting of 1,450 tons of food intended for Sierra Leone refugees. And they stole vehicles belonging to nongovernmental organizations that were sent to Liberia to help refugees in Sierra Leone.

Prison conditions are harsh in the country. There are reports of torture, of detainees being held without charges. Government security forces continue to harass and threaten political opposition figures.

Freedom of the press is not a reality. The press is repressed rather than encouraged.

We find a situation that is consistent throughout the country with these types of human rights abuses, so much so that our State Department has suggested and advised Americans not to travel to Liberia.

So we are on the verge of a decision, I hope, by the White House to extend deferred enforced departure, a decision that is entirely appropriate but insufficient to deal with the underlying issues. The underlying issues involve 10,000 Liberians who have come to this country, who have been offered sanctuary—we must applaud the generosity of spirit that motivated the offer of temporary protected status—have established themselves, and now wait with uncertainty and doubt about their future.

Simply to extend this uncertainty and this doubt year by year by year is cruel but also fails to recognize that they have become so much a part of our communities in such a constructive way. I mentioned before an individual who has a master's degree, who is now managing a CVS store in Massachusetts, who owns his home. He is somebody who is contributing to our economy today. He is someone who is here making our economy work for us. Yet he faces the prospect of being denied the ability to work, come Friday, and being potentially deported back to a country which is unwilling in many respects to accept him back.

For many reasons, we have to be supportive of this effort to bring this legislation to the floor. What is so frustrating is that for many months now, working in the way I believe the Senate works, making the case to my colleagues, getting the support across the aisle of several colleagues for bipartisan legislation, of working for the kind of support that would be necessary to pass this legislation, but ultimately being frustrated because it became quite clear there was no real intent to give this community, to give this legislation a vote, up or down, on the floor. That is the wrong way to use the process.

I don't think anyone here should be afraid of taking a vote on this particular measure. One could disagree with the policy. One could disagree with the principle, articulate those differences and then vote. What we find, time after time after time, is that type of principled, rational, careful legislative debate and decision is frustrated by the decision that we can only recognize one immigration issue, and that is ensuring that high-technology companies have sufficient workers. We can't recognize the many other immigration issues, the many other individuals who cry out for simple justice and cry out for the chance to be good Americans, to be recognized as such, to have the chance to change their status to permanent residents and, we hope, ultimately to become citizens of this great country.

We can do better. I don't think we have to limit our vision and our efforts and our activities simply to keep our economy moving forward. I think we can recognize something else, to ensure that we are fair and just in our dealings with thousands of people who come to this country and, by the way, who contribute significantly to our economy.

I hope we can do both. I hope in the next few days we can resolve this impasse and we can get a vote, and we can pass this measure with respect to the Liberians but also with respect to Latinos and other groups who have been here and continue to be part of our great country and want their contribution recognized with the opportunity to become citizens of this country.

With that, I yield the floor.

The PRESIDING OFFICER. By previous order of the Senate, the Senator from Massachusetts is recognized for up to 40 minutes.

Mr. KENNEDY. Mr. President, I thank my friend and colleague, Senator REED, for his presentation and strong support. I've had the good opportunity, since I first came to the Judiciary Committee, to be on the Subcommittee on Immigration. We have provided temporary protected status for probably 14 different nations over the past years. And we've also provided the green cards for six of those countries, more than half of those countries. What the good Senator has been pressing the Senate on is to take action—that would be consistent with past action—particularly with the guns of war that continue to wreak such havoc in Liberia. I think it is a very compelling case. I am in strong support.

Mr. President, for months, Democrats and Republicans have given their strong support for the H–1B high-tech visa legislation. In addition, Democrats have tried—but without Republican support—to offer the Latino and Immigrant Fairness Act.

We have worked hard to reach an agreement to vote on both of these important bills. We could easily have voted on the Latino legislation as part of the high-tech visa bill, but our Republican colleagues have repeatedly blocked every effort we have made to do so. The Republican leadership is determined to prevent this basic issue from coming to a vote in the Senate.

Our Republican friends tell us that the Latino and Immigrant Fairness Act is a poison pill, that it will undermine the H–1B high-tech visa legislation before the Senate. But if Republicans are truly supportive of the Latino legislative agenda, that cannot possibly be true.

Yesterday, Senator GRAMM accused Democrats of ''putting politics in front of people.'' Is Senator GRAMM prepared to say that to those who would benefit from the Latino and Immigrant Fairness Act, people such as Francisco?

Francisco and his wife completed applications for legalization and attempted to submit them to the INS. The INS refused to accept the applications, because Francisco and his wife briefly left the United States during the application period without INS permission. The courts have ruled against this INS practice, but Francisco and his wife were never granted legalization. They have worked legally with temporary permission while awaiting the court decision on their case.

If they are not permitted to work legally in the United States, they will not be able to support their three U.S. citizen children. With permission to work, they have been able to find jobs that accommodate a hearing disability that affects one of their children. If they lose their work permit, they may not be able to find work. They constantly fear detention and deportation.

It is shameful that the Senate refuses even to allow a vote on these issues of fundamental fairness for immigrant families. It is Republicans—not Democrats—who are playing politics with the lives of those who have come to our country as refugees from persecution in other countries. The hypocrisy is flagrant. Our Republican colleagues pretend to court the Latino vote across the country in this election year. But when the chips are down, they refuse to act.

The Senate Republican leadership can't have it both ways. Either they are part of the solution, or they are part of the problem. They can't call themselves friends of the Latino community, while working to prevent the Latino Fairness Act from becoming law.

Republican opposition to this legislation is so intense that they continue to delay passage of the H–1B legislation with their procedural tactics. For reasons that no one understands, the Republican leadership filed a meaningless cloture petition last week, and now they have filed three additional cloture petitions. I ask my Republican colleagues, wouldn't it be easier to allow a vote on the Latino and Immigrant Fairness Act? If you support the Latino community, if the priorities of the Latino community are your priorities too, we can pass both bills and move forward.

The choice is clear. Instead of adopting long overdue family immigration reforms that have broad support from the business, religious, and labor communities, Republicans would prefer to stall action on the high tech visa bill and block a vote on the Latino Fairness Act. I urge my Republican colleagues to end this shameful hypocrisy and allow the vote that simple justice and fundamental fairness demand.

But these procedural road blocks won't stop those who support this legislation. After all, the immigrant community—particularly the Latino community—has waited far too long for the fundamental justice that the Latino and Immigrant Fairness Act will provide. These issues are not new to Congress. The immigrants who will benefit from this legislation should have received permanent status from the INS long ago.

Contrary to remarks made on the Senate floor earlier today, these issues have been around for a long, long time. If my friend, the chairman of the Senate Judiciary Committee, wanted to have a hearing, he could have scheduled a hearing at any time over the past 3 years. And if we had had such a hearing, it would have demonstrated that this legislation is not what he described as a ''broad amnesty for illegal immigrants.'' It is a measured bill necessary to reunite families and ensure that American businesses have the workers they need. He would have learned that contrary to Republican concerns that this bill would ''let everybody in,'' the legislation only seeks to create fairness where there is injustice and restore longstanding immigration policy objectives, and is similar to actions Congress has taken often in the past.

The Latino and Immigrant Fairness Act includes parity for Central Americans, Haitians, nationals of the former Soviet bloc, and Liberians. In 1997, Congress enacted the Nicaraguan Adjustment and Central American Relief Act, which granted permanent residence to Nicaraguans and Cubans who had fled their repressive governments.

Other similarly situated Central Americans, Soviet bloc nationals, and Haitians were only provided an opportunity to apply for green cards under a much more difficult and narrower standard and much more cumbersome procedures. Hondurans and Liberians received nothing.

The Latino and Immigrant Fairness Act will eliminate the disparities for all of these asylum seekers, and give them all the same opportunity that Nicaraguans and Cubans now have to become permanent residents. It will create a fair, uniform set of procedures for all immigrants from this region who have been in this country since 1995.

The Latino and Immigrant Fairness Act will also provide long overdue relief to all immigrants who, because of

bureaucratic mistakes, were prevented from receiving green cards many years ago. In 1986, Congress passed the Immigration Reform and Control Act, which included legalization for persons who could demonstrate that they had been present in the United States since before 1982. There was a one-year period to file.

However, the INS misinterpreted the provisions in the 1986 Act, and thousands of otherwise qualified immigrants were denied the opportunity to make timely applications.

Several successful class action lawsuits were filed on behalf of individuals who were harmed by these INS misinterpretations of the law, and the courts required the INS to accept filings for these individuals. As one court decision stated: ''The evidence is clear that the INS' . . . regulations deterred many aliens who would otherwise qualify for legalization from applying.''

To add insult to injury, however, the 1996 immigration law stripped the courts of jurisdiction to review INS decisions, and the Attorney General ruled that the law superceded the court cases. As a result of these actions, this group of immigrants has been in legal limbo, fighting government bureaucracy for over 14 years.

Our bill will alleviate this problem by allowing all individuals who have resided in the U.S. prior to 1986 to obtain permanent residency, including those who were denied legalization because of the INS misinterpretation, or who were turned away by the INS before applying. Our bill would also amend some of the procedural blocks in terms of normalizing one's green card situation.

The nation's history has long been tainted with periods of anti-immigrant sentiment. The Naturalization Act of 1790 prevented Asian immigrants from attaining citizenship. The Chinese Exclusion Act of 1882 was passed to reduce the number of Chinese laborers. The Asian Exclusion Act and the National Origins Act which made up the Immigration Act of 1924, were passed to block immigration from the ''Asian Pacific Triangle''—Japan, China, the Philippines, Laos, Thailand, Cambodia, Singapore, Korea, Vietnam, Indonesia, Burma, India, Sri Lanka, and Malaysia—and prevent them from entering the United States for permanent residence. Those discriminatory provisions weren't repealed until 1965. The Mexican Farm Labor Supply Program—the Bracero Program—provided Mexican labor to the United States under harsh and unacceptable conditions and wasn't repealed until 1964.

The Latino and Immigrant Fairness Act provides us with an opportunity to end a series of unjust provisions in our current immigration laws, and build on the most noble aspects of our American immigrant tradition.

It restores fairness to the immigrant community and fairness in the nation's immigration laws. It is good for families, it is good for American business, and it is good for our economy.

Last summer, Federal Reserve Board Chairman Alan Greenspan said,

> Under the conditions that we now confront, we should be very carefully focused on the contribution which skilled people from abroad, [as well as] unskilled people from abroad, can contribute to the country, as they have for generation after generation. The pool of people seeking jobs continues to decline. At some point, it must have an impact. If we can open up our immigration rolls significantly, that clearly will make [the unemployment rate's effect on inflation] less and less of a problem.

The Essential Worker Immigration Coalition, a consortium of businesses and trade associations and other organizations shares this view and strongly supports the Latino and Immigrant Fairness Act. This coalition includes the health care and home care associations, hotel, motel, restaurant and tourism associations, manufacturing and retail concerns, and the construction and transportation industries.

These key industries have added their voices to the broad coalition of business, labor, religious, Latino and other immigrant organizations in support of the Latino and Immigrant Fairness Act.

The coalition of supporters includes Americans for Tax Reform, Empower America, the AFL-CIO, the Mexican American Legal Defense and Educational Fund, the National Council of La Raza, the League of United Latin American Citizens, the National Association of Latino Elected and Appointed Officials, the Anti-Defamation League, the National Conference of Catholic Bishops, the Union of Needletrades and Industrial Textile Employees, and the Service Employees International Union.

Few days remain in this Congress, but my Democratic colleagues and I are committed to doing all we can to see that both the Latino and Immigrant Fairness Act and the H–1B high tech visa legislation become law this year.

As others have pointed out, we have been discussing this issue now for several days. There is, as the indication of the votes suggest, overwhelming support for H–1B. There is virtual unanimity in the Senate to pass the H–1B program. I was very hopeful that we would be able to offer an amendment with a training component that would be available to Americans, so that the American worker would be able to obtain the level of skills which these new immigrants are bringing here to the jobs in the United States.

The average income for the H–1B worker is $47,000; it is not $150,000. Really, all that is necessary for Americans to fill the overwhelming majority of these jobs is training and skills. There is a small percentage of very highly skilled and talented individuals in the H–1B program who add an additional dimension in terms of our economy. But the great majority—the average, as I mentioned—is $47,000.

We only require a $500 application fee now. An immigrant family has to pay $1,000 to get a green card to cover the processing. If we were to require a $2,000 fee for the Microsofts, the multi-billion-dollar companies, for every H–1B application they have, we would have a fund of about $280 million a year. That fund would be allocated between the National Science Foundation and the existing workforce boards, under the bipartisan workforce legislation that we passed 2 years ago. It would be allocated on the basis of competition to these communities that develop training programs for high skills. That would include the employers, the workers, and the educational institutions. It would give them some continued resources to be able to provide the skills to Americans to meet this particular challenge.

We don't have a crisis in terms of workers; we only have a crisis in terms of skills. So we ought to be able to develop the kind of support so that out into the future these jobs will be fulfilled by Americans. But we are not able to offer that amendment under the cloture motion, even though it is directly relevant and even though we offered and debated those in the conference and even though it seems to me to be directly on target with regard to the underlying amendment. We ought to be able to do that.

I don't know what the problem is among those on the other side in refusing to permit us to develop a program so these jobs can be fulfilled by Americans. That seems to me to make sense. Good jobs, good benefits—why shouldn't they be for Americans? The only thing that is lacking is the skilled training. Is it asking too much to ask the Microsofts and the great successful IT businesses for a $2,000 application fee for the H–1Bs? I don't think so.

We can develop that fund and develop the training program—not create a new bureaucracy—and use the existing training programs with additional funding that would be targeted for that purpose, and also support additional funding for the National Science Foundation, for outreach programs, for women and minorities in these high-tech areas to support those kinds of efforts because there is an enormous absence of women and minorities in the area of these H–1B jobs.

There is no reason in the world that we should not have an outreach program. There are excellent programs in terms of developing interest, and programming in terms of women and minorities in the high-tech area. They need additional support. We can use some resources to expedite the processing of the H–1B visas.

Massachusetts yields to no one in terms of the high-tech aspects of our industry. We are second to California in the small business innovative research programs. Half of all health patents created in this country are in my own State of Massachusetts. We get high awards in terms of peer review for research. But when I talk to either the private sector or talk to others, they

say: Right on. They don't question the importance of getting additional skilled workers.

It is difficult to understand the reluctance and the resistance for this. It is true that 30 years ago if someone worked, for example, in my State in the Four Rivers Shipyard, their grandfather worked there, their father worked there, they generally had a high school education. Every employee who enters the job force now is going to have eight different jobs. What it means in terms of the continued growth of that employee is that there is going to be continuing education and training programs that are going to be available to them. That is just obvious. If we don't understand that, we don't understand what is happening in terms of the needs of American highly competitive, high-tech industries in this Nation, and for the most part other industries as well.

We are denied the opportunity to offer that amendment. We would be glad to enter into a time limitation. We are denied that opportunity. We are denied the opportunity in terms of the Latino fairness, even though, as I have mentioned, we have a court decision that found for these particular individuals. But for the actions of the Immigration and Naturalization Service, they would have had their position adjusted and would have had a green card. It was certainly the intention of Congress at that time that they should. We are trying to remedy that situation. We are denied that opportunity.

We are denied the opportunity to give fairness to the other Central Americans and others who were given the assurance that it was just a matter that we were being rushed at the end of the last Congress and we were unable to get the clearance for these other Central Americans. We were denied that opportunity. We had the judgment for the Cubans and Nicaraguans but not for the Guatemalans, Haitians, Hondurans, and Eastern Europeans. They were given assurance that they would. Republicans and Democrats alike indicated that we are prepared to vote on that with a short time limit. But we are denied that opportunity as well.

We find ourselves in this extraordinary situation with all of the machinations on the other side to prohibit us from having a vote. Maybe they have the votes. They probably do, although I somehow feel that if we were to get to this fairness in the light of day, it would be difficult to argue against it. It would be difficult to argue against why on the one hand we are increasing the immigration for high skills and for the high-skilled industries, and on the other hand we are refusing to provide additional manpower and womanpower for many of the other industries with the kind of support that they have in terms of the Chamber of Commerce, labor, and church groups that say they should be able to get it.

If we are going to have sauce for the goose, let's have sauce for the gander. Beyond that, they ought to treat these individuals fairly. They have been treated unfairly because of the actions that have been taken in denying them the kinds of protections and rights that they otherwise would have received.

They have the compelling argument that they ought to be treated similarly as the H–1Bs; and, second, because they been denied fairness because of other actions that have been taken by the Government.

It is difficult as we go through this to understand why we are being denied the opportunity to bring this up. It is very difficult to explain to our colleagues in the Hispanic caucus, let alone to church leaders and other groups, why fair is not fair. That is where we are. The extent to which the Republican leadership is going to deny us this opportunity is absolutely mind-boggling. Why not just let the chips fall where they may? No. We are being denied that opportunity. We are not even permitted a vote on it.

That is becoming sort of the custom. It never used to be that way in the Senate. The Senate used to be a place where you could have the clash of ideas, and also the opportunity to express them and get some degree of accountability. But we are being denied, on Latino fairness, to ever get a vote.

We are denied the opportunity to have another vote on minimum wage.

We are denied the opportunity to get a vote on the prescription drug program.

We are denied the opportunity on Patients' Bill of Rights.

We are denied the opportunity on the education programs.

We can't get those. We can understand people voting different ways, and maybe voting for positions I favor and against positions that I support. That was the way it was generally done in the Senate. But we cannot have that opportunity.

PRESCRIPTION DRUGS

Mr. KENNEDY. Mr. President, earlier this week, the Republican leadership in the House and Senate emphasized again their attempt to block needed action this year to provide prescription drug coverage under Medicare.

Their letter to President Clinton declared any legislation to provide fair prescription drug benefits dead for this year. President Clinton disagreed, and he was right to do it. There is still time for this Congress to pass a long overdue Medicare prescription drug benefit. House Democrats are for it. Senate Democrats are for it. So are many Republicans. President Clinton has been fighting for it for years.

All that is needed to make Medicare prescription drug coverage a reality for this year is for the Republican leadership to finally say yes to senior citizens and no to the drug companies.

In addition to opposing Medicare prescription drug coverage —in a shameful example of disinformation—the Republican leaders also tried to blame the President for their failure to act.

Their letter charges the President with rejecting the recommendations of the commission. But the commission proposed to raise premiums for senior citizens as much as 47 percent.

It proposed charging a copayment for home health services that could add more than $3,000 a year to the out-of-pocket costs of the sickest and most vulnerable senior citizens.

It proposed restricting the eligibility for Medicare, forcing hundreds of thousands of senior citizens into the ranks of the uninsured.

And it proposed a new cap on Medicare spending that could push Medicare into bankruptcy as early as 2005.

In fact, the commission proposed the same anti-Medicare agenda that Governor Bush has adopted. The President was right to reject it, and Senator LOTT and Speaker HASTERT are wrong to endorse it.

Their letter criticizes the House Democrats for walking off the House floor when the House leadership refused to allow a vote on a fair Medicare drug benefit, and then rammed through a measure that was not Medicare and was not adequate. All the Speaker had to do was to allow a vote. Democrats wouldn't have walked out. He knew that a fair prescription drug benefit would have passed.

The GOP leadership letter also attacks the President for failing to endorse the Republican alternative of means-tested block grants to the States to help low-income senior citizens. But it would take years for States to put that alternative in effect and would leave out at least 70 percent of senior citizens.

It would provide yet another excuse for inaction.

Mr. President, do you understand that? It would limit the benefit. The block grant would be limited to persons under 175 percent of the poverty level, and only those persons under 135 percent of the poverty level would receive total coverage. But that leaves out 29 million seniors who, for the next 4 years, would not participate in the prescription drug program. That makes absolutely no sense.

Senior citizens want Medicare, not welfare. In 1965, the Nation rejected the idea that the only way for seniors to obtain health benefits should be to go to the welfare office. Medicare was passed, and today it has become one of the most successful social programs ever enacted. That decision was right then, and it continues to be right today. We should not turn back the clock. It is not too late for Congress to enact prescription drug coverage under Medicare for senior citizens. We know where the President stands. We know where Democrats in Congress stand. Most of all, we know where senior citizens and their families stand. The Republican leadership should listen to their voices and end its obstruction.

EDUCATION

Mr. KENNEDY. I bring to the attention of the Senate the excellent recommendations announced today of the Glenn Commission, a very prestigious group of academic educators from around the country, Governors, and Members of Congress, who had been interested in education. The presentations and discussions over the past year have reinforced our sense of urgency about the need for better-qualified math and science teachers in the nation's classrooms.

The report emphasizes the need for greater investments in math and science at every level—federal, state, and local. We've made significant progress in recent years, but we can't afford to be complacent. In out increasingly high-tech economy, high school graduate need strong math and analytical skills in order to be competitive in the workplace. Schools also face record-high enrollments that will continue to rise, and looming teacher shortages.

Recruiting, training, and retaining high-quality math and science teachers deserve a higher priority on our education agenda in Congress. I intend to do all I can to see that schools have the federal support they deserve. The need is especially urgent in schools that serve disadvantaged students.

Mr. President, this brings me back to where we are on the issues of education. I can't turn my television on without finding Governor Bush in another school talking about education. I wish he would pick up the telephone and call our majority leader and say, why don't you bring up the Elementary and Secondary Education Act and have a debate on that legislation.

If we don't get action on it, it will be the first time in 35 years that we have not had debate or discussion on the Elementary and Secondary Education Act and have not been willing to take a position on this extremely important area of public policy.

We had 22 days of hearings in our committee on this measure. We had hours during markup, and we came to the floor of the Senate, and it was like running into a brick wall. We had 6 days of what could be called debate, although 2 days was debate only. And in this time we had 8 votes. But 1 vote was a voice vote, so we only had 7 votes. And 3 of those votes were virtually unanimous. So we only had 4 votes in a couple of days. Compare that to 55 amendments in 16 days on the bankruptcy bill.

For those on this side, we think we should have had a much longer opportunity to debate this issue. I think this was the position of the majority leader because he indicated in January of 1999:

> Education is going to be the central issue this year . . . we must reauthorize the Elementary and Secondary Education Act.

In June of 1999:

> Education is number one on the agenda for Republicans in Congress this year. . . .

In May of 2000:

> This is very important legislation. I hope we can debate it seriously and have amendments in the education area. Let's talk education.

May 2, 2000:

> No, I haven't scheduled a cloture vote: But education is number one in the minds of the American people all across this country and every State, including my own State. For us to have a good, healthy, and even a protracted debate and amendments on education I think is the way to go.

July 25:

> We will keep trying to find a way to go back to this legislation this year and get it completed.

We heard we would have two-track action during the course of the days on appropriations and we would deal with other issues at night. We completed the trade bill, and now we have protracted sessions without any kind of action.

We invited the majority leader to call up the Elementary and Secondary Education Act and deal with it in the evenings because it is something the American people want. We are told, no, we will not do that, because there was going to be a possible effort to include an amendment to try to reduce the number of guns that might be going into the schools of this country and we were told that safe schools were not relevant to education.

That might be an interesting philosophical position, but yesterday in New Orleans there was another school shooting. We have been following the terrible tragedy and the circumstances of the two children, ages 13 and 15, who are in critical condition.

I think parents across the country want to make sure we are doing everything we possibly can to make our schools safe and secure. There are other elements in the debate, but safety is enormously important. It is enormously important because we are reaching record high enrollments in the public school system.

Fifty-three million students enrolled in school this Fall. Over the next 100 years, we will double that number of students, and in order to deal with these increases, the Federal, State, and local governments should work together and share the responsibility. This is not an issue we can escape.

We have made significant progress in education over the last 30 years. Public schools are experiencing greater success than ever before—with higher graduation rates, increased test scores, higher academic standards, and greater accountability. Students have made gains in achievement, and are more effectively meeting the challenge of high standards.

More students are taking the advanced math and science classes. This chart indicates between 1990 and 2000, those who took precalculus rose from 31 percent up to 44 percent; 19 percent in calculus, up to 24 percent; 44 percent in physics, up to 49 percent.

The number of students taking the Scholastic Aptitude Tests has also increased. 33 percent of all students were taking this test in 1980, and now it is 44 percent in 2000.

Contrary to what many have talked about, we are finding in many of the urban areas that a number of the urban school systems are doing increasingly better. One of those that was extremely challenged in the early 1990s was Detroit, for example. These are the increase-in-performance percentages from 1992 to 1998:

Michigan Education Assessment Program: In the district of Detroit, in 1992, 33 percent passed; in the State, 60 percent passed. In 1998, 65 percent in the district of Detroit passed, which is a 97-percent improvement; in the State 74 percent passed. So you are seeing not only is there a dramatic increase in the performance of children in this fourth grade on the subject of mathematics, but also the disparity between the children in a large urban area and those statewide have dramatically been reduced.

All of these indicators are rising. The fact is, also, that they are modest, but they are all the positive indicators. But, our work is far from over. In spite of this promising news—the results so far are not enough. Now is not the time to be complacent. We cannot leave any child or any group behind. We have a responsibility in Congress to help all students. The nation's children, the nation's parent, and the nation's schools are counting on us.

As we are getting closer to the election, it is getting fashionable to use the education issue as a political issue. But I think it is important to remind our colleagues and friends about who has the special responsibility for education. The fact is, the States and the Governors still have the prime responsibilities. They control effectively 97 cents out of every 100 cents that are spent on education. When some public officials go around and try to blame people for the fact that a particular area, region or community is failing in education, we ought to recognize who has the responsibilities—the local communities and the States.

We do have some important responsibilities as well. The American people expect us to fulfill those responsibilities. We are going to continue to speak about this issue and work until the end of this session, to see if we cannot put education back as a priority item for this Congress.

Mr. President, I reserve the remainder of my time and suggest the absence of a quorum and ask the time be charged equally.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAMM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAMM. Mr. President, I had the opportunity, earlier today, to talk

about the effort by Senator DASCHLE and the minority to suspend the rules of the Senate and to bring before this body an amnesty provision. In essence, this provision would reward people who violated the laws of this country by coming to the United States illegally when we have millions of people waiting to come the right way, legally.

After I left, the minority leader, in response to what I said, asked if I had seen the Statue of Liberty lately. Let me assure him that not only have I seen it, but that when my grandfather, who came to this country by way of Ellis Island, saw the Statue of Liberty he rejoiced in it. I would also like to ask the people who are for this bill, if they have they seen the Supreme Court Building lately? ''Equal Justice Under Law.''

Without law, we can't have liberty. Without law, we can't have an organized society. We corrupt the legal system when we have a set of rules that people are supposed to operate under, and then for political reasons in an election year, say to all of those who have abided by the law in waiting to come to America, that they are going to be treated differently than people who violated the law in coming to this country.

I have seen the Statue of Liberty and I rejoice in it. I want people to give us the best they have so we can build a greater country. But I want people to come, as my grandfather came, as my wife's grandparents came—I want them to come legally.

Second, the H–1B program is a temporary work program for highly skilled people. It is an entirely different issue than the issue before us, which is an effort to waive the rules of the Senate and bring before us a bill that would grant amnesty to and reward people who have violated the law. I do not believe my colleagues are going to do this. I know our Democrat colleagues believe this is good politics and that this is going to get them more votes, but I don't believe it. As I said before, I would be willing to let this election, and every other election for the remaining history of this country, be determined on this issue and this issue alone.

I do not believe it is good politics to basically say that we are going to reward people who violate the law at the expense of those who abide by the law.

Also, the idea that somehow immigrants support this bill I think is outrageous. I think those who have abided by the law resent the fact that we routinely reward people who violate the law.

Finally, in 1986 we adopted an amnesty provision, and that was supposed to be the final granting of amnesty. Now we are back trying to renegotiate the deal. The point is, every time we grant one of these amnesty provisions, we say to people all over the world: Violate the law, come to America illegally, and you will ultimately be rewarded for it.

I say to people all over the world: Come to America legally, and secondly I say, we need to promote free enterprise to individual freedom where we can take America to them. Not everybody who goes to bed at night praying to come to America is going to get to come. We cannot have the whole world in America, but we can take America to them by promoting the policies worldwide that have made us the greatest and richest country in the history of the world.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER (Mr. GREGG). The Senator from Idaho.

ANGELS IN ADOPTION

Mr. CRAIG. Mr. President, I am going to use some time this afternoon and depart from this immediate debate to talk about an event that occurred last night which I and my colleague from Louisiana had the opportunity to cohost, along with the Freddie Mac Foundation.

My colleague, Senator MARY LANDRIEU, and I are cochairs of the Congressional Caucus on Adoption. Both she and I are adoptive parents and very proud of that fact. For the last good number of years, we have worked to organize our colleagues into a caucus to become sensitive to the issues of adoption. We became very active in the transformation of the foster care laws of our country which this Senate passed 5 years ago that have certainly made many children safer and available to individuals, couples who want to form families through adoption to provide permanent loving homes for those children.

More importantly, the Senator and I have been active with our colleagues on the House side to literally debate and move nationally the whole issue of adoption, both at the State and the Federal level. Why? For a very simple reason. We know, and many of my colleagues know, that there are literally hundreds of thousands of children who are in search of loving adults and parents who will provide them with a home—not a foster home, not a temporary home, but a permanent home. Why? Because their natural parents either are no longer alive or are dysfunctional in a way that they cannot provide for and love these children. In many instances, they were actually harming these children and, as a result, we have worked in a bipartisan way to make a very real difference.

In the course of all of our efforts, the Senator from Louisiana and I a year ago stumbled on an idea that we thought just made all the sense in the world, to lift the visibility of and the general public awareness of adoption: That there are marvelous, beautiful young people who are in search of a home.

We began to ask our colleagues in the Senate and the House to recognize individuals who were outstanding in the area of adoption, whether it was individuals, families, or couples who were adopting children, whether it was foster parents, whether it was mentors who were attempting to work in the adoption of children, or volunteers with the court-appointed special advocates, known as CASA, who help family courts by working with children in their homes, support communities, organizations across the country, or just outstanding individuals who stand above it all, whose greatest and most direct interest is in helping kids.

Last night, we recognized a number of people who are doing just that. One hundred and twenty nominees flowed from House and Senate Members and from their States to be recognized. At a gathering last night at the Hyatt, over 450 people, hosted by the Freddie Mac Foundation, came together to honor Angels in Adoption.

I now turn to my colleague, Senator MARY LANDRIEU, my cochair of the Congressional Caucus on Adoption, to speak to this issue. There is a lot more to be said, and I want her to have a full share of this time as we talk about the most important issue of providing loving, caring homes for children who do not have them and who can have them if we can simply help facilitate the ability of adults to adopt these children.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank my colleague from Idaho for being such a wonderful partner in this endeavor. He and I have quite enjoyed leading the Senate coalition on adoption and working with our counterparts, TOM BLILEY and JIM OBERSTAR on the House side.

Senator CRAIG is absolutely right. Last evening was a wonderful event with over 450 people from all around our Nation nominated by Members of Congress for the outstanding work they are doing in their communities and States to promote the great beauty and joy of adoption, that it is a wonderful way to be a family.

Before I list some of the award winners from last night, it is our hope—and I think Senator CRAIG will agree with me—that every child who comes into this world is wanted, loved, and can remain with the family who brought them into the world—that would be ideal—to have someone love them and care for them.

For many reasons, which we do not have the time today to go into, families disintegrate or break down and children are abandoned or left alone. The fact of the matter is, children cannot raise themselves. The other fact is, although the Government can help with policies, the Government itself cannot raise children. The children need to be raised by adults who are responsible and who love them.

Today in our country—and the Senator from Idaho knows this because he speaks out regularly about it—there are 500,000 children, a half a million children—you could fill up the Superdome, which is in New Orleans, with

which a lot of people are familiar; it seats 80,000 people—you could fill up that Superdome many times with the number of children who have been taken from their homes because of abuse, neglect, or other very difficult situations. About 130,000 of those 500,000 are right now ready for adoption.

We believe there are no unwanted children, just unfound families. That is what our coalition is about: To promote the concept of reunification, obviously, when possible, but, if not, to move these children into loving homes.

We want to focus our attention on the children in the United States who need our help, but also there are children all around the world. There are literally too many to count. Millions and millions of children are being raised by themselves on the streets or are in institutions or are languishing in foster care. We want to correct that.

Last night, we nominated for our national Angels award Congressman TOM BLILEY, who is retiring this year, the wonderful Congressman from Virginia.

In his many years in Congress, he promoted tax credits for adoption, adoption awareness, family leave for adoptive parents, the formation of the National Adoption Information Center, foster care incentive payments, and aid to orphans and displaced children, which is one of the most recent things TOM BLILEY has promoted.

I say to Senator CRAIG, since you introduced Gale and Larry Cole, why don't you say a word on the record about this particularly wonderful family—Lynette Cole, Miss USA, and her parents.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, last night, as we were recognizing these national Angels in Adoption, I had the privilege of introducing Lynette Cole and her parents, Gale and Larry.

Lynette is a beautiful young lady whom we have come to know as Miss USA. She is a young lady of color, and her parents are not of color, they are Caucasian. Yet the marvelous chemistry of the family said they were made for each other. They came together, both she and her brother, to be adopted by Larry and Gale Cole and to be raised by them. Never prouder parents did you see than last night when they were standing beside their beautiful daughter on stage—all three—to be recognized as Angels in Adoption.

It was so appropriate that we did that. Here is a perfect example of what can happen when all of the right chemistry comes together, but, more importantly, when all of the right law comes together.

Here is an adult couple who wanted this child, who could not adopt her. They were not allowed to adopt her. They actually moved out of one jurisdiction into another, where the laws were different, so they could adopt this child and become her permanent parents.

The country knows the rest of that story now—not only the story of their unlimited love, but the fact that they raised and helped shape a beautiful young lady who ultimately became the reigning Miss USA 2000.

So it was my tremendous privilege last night to be there to honor them and to recognize them as the recipients of our Congressional Caucus on Adoption national award of Angels in Adoption.

I yield the floor.

Ms. LANDRIEU. Mr. President, let me just add to that an extraordinary element about this particular story. Obviously, part of it is that Lynette Cole went on to become Miss USA. But 25 years ago, her father had a steady job at Chrysler. He gave up his job, moved out of State, and his wife had to go back to work, so that they could basically fight the Government system to allow them to adopt this child.

When everyone said no—the Government said it was the wrong thing to do—this family, through sheer will and dedication, adopted this young lady. And she has grown up to be Miss USA. We are proud of them. These are the kinds of people who are helping us change the view of adoption and the way the system should work in this country. We are proud of them.

Let me mention Bertha Holt, another person we honored last night. I presented this award to her daughters because, unfortunately, she passed away just this year, at 96 years of age, as we were preparing to give her this award. So last night I said, she truly is our angel because she was observing, watching from Heaven last night.

But 50 years ago, Bertha Holt, and her husband Harry Holt, began breaking down the barriers for international adoption. They had six biological children of their own and were well on their way, raising those children, when the aftermath of the Korean war brought these two loving people basically to their knees. They said: What can we do to help? They went over to Korea and literally began trying to save children, one by one, picking them up off the streets, out of the hospitals, children who had been orphaned by the war, and said: Let's make a home for them here in our own home in the United States.

It took an act of Congress, back in the late 1950s, to allow them to do this. They had to literally change the law to allow them to do this. Because of that ground-breaking work and their advocacy, decade after decade they have found homes here in the United States for 2,000 children from around the world.

We honored Bertha Holt last night. She truly is an angel in Heaven.

Finally, one of our national award winners was Children's Action Network, a group of individuals who have great stature and standing because many of them operate in movies and in videos. So they are quite familiar to the general public. They have come together to use their celebrity status to promote this idea, to bring attention to it.

Last year, they raised money and contributed to a wonderful program that was filmed in our Nation called ''Home For the Holidays.'' It was shown, I say to the Senator, all across the country. Because of that video, and because of the issue that was raised to the American public, hundreds of children were adopted into homes here.

So we had a grand night. These were our national Angels. I think for the RECORD we may submit these other names. There were over 120 of our award winners last night.

I am happy to yield.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, let me talk just a little more about what the Congressional Caucus on Adoption and the coalition we formed actually does.

As you know, coalitions or caucuses here in the Congress are nonpartisan. We are bicameral. We are an alliance of Members of the House and the Senate, now 150 strong, who work very closely together for the purpose that both Senator LANDRIEU and I have talked about.

We are from all political stripes: Liberal, moderate, conservative. But we have one goal, and that is to help facilitate and change the laws so young people, in search of loving, permanent homes and families can come together.

Just this last week, we were able to see the ''adoption bonuses'' announced. These are the incentive payments that were created by Congress in the Adoption and Safe Families Act, which provides to States, if you will, the carrot and the stick to assure that States help get more children out of that system once they have determined that the natural parents—if they are still living—are unable or unacceptable to parent these children. Then they move them into adoption and into loving homes. These are the incentives we have created in the passage of that law for the reshaping of foster care in our country.

I would be remiss if I did not mention the name of the late Senator John Chafee, and Senator MIKE DEWINE, who, with myself, and others—I say to Senator LANDRIEU, I think she was just coming to the Senate at that time—worked to reshape that law.

It has become a tremendously valuable change in the law because, tragically enough, for all the right reasons—and for some of the wrong motivations—the foster care system in our country was becoming a warehouse which young people went into and stayed and oftentimes graduated out of at the age of 18, never knowing a permanent home, sometimes living in three or four or five homes during their life. Foster care parents are wonderful, loving, giving people, but those children knew that this was not a permanent environment. They did not have a mom or a dad.

We are changing that now, and doing it very quickly, by erring on the side of

the child and making the determination for the child and not for the natural parent, because, by definition of being in foster care, that parent in some way has given up a good many rights or has been found dysfunctional and unable to care for the child they may have brought into this world.

Also, last week—and I will let the Senator speak more about this—Senator LANDRIEU, working with Senator HELMS, was very instrumental in bringing about the final clearance of the Hague Treaty that deals with international intercountry adoption, which is so critical as we try to change laws not just in our country, nationally and on a State-by-State basis, to create greater uniformity in State law to accommodate and enhance adoption, but also working internationally. These are very important steps.

Let me conclude and yield back to the Senator by saying this to my colleagues. In November, we are not going to be here, hopefully. We are going to be adjourned. All of us will be back in our States and back in our hometowns.

November is Adoption Month. That is when our Nation celebrates the institution of adoption. I certainly encourage my colleagues to think about November and look forward and ask the congressional coalition to work with them in giving them material or information so they could prepare to give a speech back in their home State about adoption. Host an adoption party for prospective parents and adoptable children. Most importantly, though, speak publicly about it. Make your citizens in your State more aware or at least give them the opportunity to be more aware of it.

You can also do something I did. You can host, with the U.S. Postal Service, a ceremony about the adoption stamp that was just released this year. You can give out those stamps. It is a marvelous activity that the Post Office loves to do, not only to bring attention to adoption but to bring attention to the fact that they are sensitive to these kinds of important issues in our country.

I yield the floor.

Ms. LANDRIEU. The Senator has made some wonderful suggestions as to what we all can do to celebrate Adoption Month, which is November, whether you have adopted children or perhaps adopted grandchildren; perhaps you yourself were adopted and you know someone, a neighbor, who has built a family through adoption. It is life affirming.

This is what we can all agree on, whether you are conservative or liberal, Democrat or Republican. It is an endeavor where we believe our Nation can step forward; we can do a better job of making sure that every child has a family to call their own. That is what this is about.

The Senator mentioned the Hague Treaty on Intercountry Adoption. I would be remiss if I did not thank publicly the chairman of that committee, Senator JESSE HELMS, and our ranking member, Senator JOE BIDEN. There are many treaties sitting on shelves, waiting to be acted on by this Senate. There are literally, to my understanding, hundreds. But this chairman, even with a busy schedule, with many demands about taking up a treaty on other international issues, brought forth a treaty for intercountry adoption.

It is going to be and is already a historic milestone so that the United States can continue to lead, to say that there should be no barriers to adoption.

We would love all children to stay with the parents to whom they were born or the parent or the family to stay within the country where they were born. But if we can't find a home for them in that country or in that community, we should not leave children in institutions or orphanages or, for Heaven's sake, living on the street by themselves in boxes and boxcars. We should do everything we can.

This treaty will help us to do just that. It will help the governments of the world to shape laws and policies, minimize costs, stamp out corruption, and help us to have a system where we can all feel good about our work to bring help to these children. It will be done with the governments, in partnership with the nonprofit organizations, churches, faith-based organizations, and individuals throughout the world. It is quite exciting.

Perhaps, because there are other Senators on the floor who may want to speak, we could submit the names of our 120 Angels into the RECORD. I know the Senator probably will want to at least mention his Idaho Angel.

I will mention our Louisiana Angel. I was proud to present, with Congressman DAVID VITTER, the award last night to Judith Legett from the New Orleans area, and Sister Rosario O'Connell from the Houma area. Both are doing extraordinary work. The sister, with her other sisters, originally from Ireland but now long-time residents of Louisiana, are taking care of approximately 22 abused and neglected children, helping them to move through that system and find permanent homes. Mrs. Legett has been an outstanding spokesperson in our State.

I thank the Senator for the time and thank Chairman HELMS for his great leadership in intercountry adoption and thank the Senators for their vote on that earlier this year.

I ask unanimous consent to print in the RECORD the list of Angels in Adoption 2000 Awardees.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL COALITION ON ADOPTION—ANGELS IN ADOPTION 2000 AWARDEES

NATIONAL ANGEL IN ADOPTION AWARDEES

The Honorable Tom Bliley
Children's Action Network
Gail and Larry Cole
Lynette Cole
Bertha Holt

CONGRESSIONAL COALITION ON ADOPTION ANGEL IN ADOPTION AWARDEES

Alabama: John Hamilton Carr, Judith Smith Crane, and Anne Forgey.

Alaska: Dawn Crombie.

Arizona: Barbara and Samuel Aubrey, John A. Oliver, and Lori Vandagriff.

Arkansas: Curtis and Margaret Blake and Connie Fails.

California: Dr. Frank Alderette and Delia Morales, Hillview Acres Children's Home and Foster Family Agency, Mark and Sylvia Olvera, Walden Family Services, and Nancy Wang.

Colorado: Clem and Florence Cook, Yuri Gorin, Mike and Ellie Honeyman, and Jackie and Tom Washburn.

Delaware: Mary Lou Edgar.

Florida: Florence Gilbert, Jesse and Cheryl Parsons, Beverly Young, and Georgia Edward W. (Kip) Klein.

Hawaii: Denise and Frank Mazepa.

Idaho: Jolyn Callen.

Illinois: Chuck and Lynn Barkulis, Kenneth and Kim Lovelace, Annette and Jim McDermott, Henry and Odessa McDowell, and Judy Stigger.

Indiana: Ann and Moses Gray.

Iowa: Jim and Diane Lewis and Bambi Schrader.

Kansas: Joe Harvey.

Kentucky: Virginia Sturgeon and Martin and Lisa Williams.

Louisiana: Judith Legett and Sister Rosario O'Connell.

Maine: Anne Henry Sister Theresa Theuein, LCSW.

Maryland: Lisa A. Olney.

Massachusetts: Dr. Laurie Miller, Penny Callan Partridge, Dr. Joyce Maguire Pavao, and Nancy Reffsin.

Michigan: Sydney Duncan, Mary Ellyn Lambert, Jim Rockwell, Milton and Julia Smith, JoAnne Swanson, Craig and Paula Van Dyke, and Judge Joan E. Young.

Minnesota: Roger Toogood and The Witikko Family.

Missouri: Janet Harp, Ed and Joan Harter, Howard and Rochelle Muchnick, Connie Quinn, Small World Adoption Foundation, and Brenda Henn and Slava Plotonov.

Nebraska: Stuart and Dari Dornan and Tammy Nelson.

Nevada: Judge Nancy M. Saitta.

New Hampshire: David Villiotti.

New Jersey: Lawrence and Deborah Andrews, Barbara Cohen, Joseph Collins, Karen Flanagan Ken and Bonnie Moore, Jane Nast, Mary Hunt Peret, and Paytra Skelly.

New York: Dr. Jane Aronson, Linda and Thomas Bellick, Kevin and Eileen Gilligan, Frederick Greenman, Marie Keller Nauman, New York State Citizens' Coalition for Children, Inc., Paul and Jackie White, Barbara and Scott Williams, Alan M. Wishnoff and Lisa Smith.

North Dakota: Tammy and Jared Gasel and Family.

Ohio: Mary Malloy, Theodore and Lillian Mason, Faith and Marvin Smith.

Oklahoma: Jerry and Denise Dillion and Debbie Espinosa.

Oregon: Judith Spargo.

Pennsylvania: Barbara Schoener.

Rhode Island: Dennis B. Langley.

South Carolina: Brenda and Anthony Davis, Peggy Ewing, Tomilee Harding, William Brantley Hart.

South Dakota: Jeanine Jones and Andy Browles, Dale and Arlene Decker, Jeannie French, Mark Kelsey and Calla Rogue, Jon and Laurie LeBar, and Judge Merton B. Tice, Jr.

Texas: Kathleen Foster, Tom and Mary Alice McCubbins, and Armando and Lucy Valdes.

Utah: Gary Simmons.
Vermont: William M. Young.
Virginia: Cathy Harris, Brian and Kellie Meehan, Sandra F. Silvers, WRIC TV 8, and United Methodist Family Services.
Washington: Ivan Day, Janice Neilson, Jon and Kerri Steeb.
West Virginia: Scott and Faith Merryman.
Wisconsin: Cheri Kainz and Lisa Robertson.
Wyoming: Ellen McGee.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, again, a very special thanks to my cochair with the Congressional Coalition on Adoption for the tremendous work she has done.

We now are able to have an intern, thanks to a private organization helping facilitate the development of our coalition.

Lastly, a marvelous lady in Boise, ID, Jolyn Callen, is my Angel in Adoption. Her advocacy grew out of her own experience adopting her daughter from abroad. She is now a volunteer with a local adoption agency, helping others who are thinking about adopting or going through the adoption process. Even as we work to streamline this process and improve the law and create the tax credits, all of that, it is still a phenomenally daunting process. It takes time. It is a legal approach and necessary, as we make sure that the laws are dealt with appropriately.

What we want to make sure is that there are no locked doors, that the doors are there with large signs on them for people to walk through, whether it be State by State or across the Nation or nation to nation, to assure, as Senator LANDRIEU says, that every child in search of a home can find one.

Let me close by drawing attention to the map behind Senator LANDRIEU. A good many people will recognize that these are all of the people and their names and locations that we have just placed into the RECORD. For Senators who might be listening or Senators who will read this RECORD, look at the States where there are no Angels yet. That means you haven't done your homework. That means you haven't gone home to check to see who that marvelous individual is in your State who is helping facilitate an adoption or may have 10 or 12 or 15 adopted children of their own. They are all over America, wonderful people, whether it is at the court level, at the family level, at the agency level, advocating for children to be placed in permanent, loving homes.

Next year, when the Congressional Coalition on Adoption once again steps forward to name nationally our Angels in Adoption, let's make sure that this map is completely full, not 150 but several hundreds of citizens who are helping us facilitate and work for this very worthy cause across our country.

I thank the Senator from Louisiana for the tremendous work she does and yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, S. 2045 and the Lott amendment would raise the H–1B visa cap for highly skilled workers, and there seems to be considerable support on both sides of the aisle for raising this cap.

Much has been said about the shortage of skilled workers for the information technology industry. In my State of Minnesota, the Minnesota Department of Economic Security has said that over the next decade, the industry will need about 8,800 more skilled workers, but at the same time they see only about 1,000 workers a year being trained for such jobs. I am sympathetic to what the business community is saying in Minnesota and around the country. But I think there is a right way and a wrong way to raise the H–1B visa cap. I rise to speak about what I think would be the right way.

The only way we can do it the right way is if we are able to bring amendments to the floor to improve this bill. That is how you are a good Senator representing people in your State.

One amendment would call for more resources for high-skilled training for workers in our country, for men and women who want nothing more than to be able to obtain a living wage job, earn a decent standard of living, take care of their families. We ought to make sure that there is a significant investment of resources for such skill development and job training. The Kennedy amendment would have done that. We are not able to do that because we are shut out from amendments.

If we are going to raise the H–1B visa cap, we ought to make sure that those workers with more advanced skills that Americans could not obtain the training for right away—that is to say, workers who have a PhD or a master's degree—would be the ones who, first of all, would be coming to our country from other countries.

That way, you make sure working people in our country who can easily be trained for these jobs are not shut out. My understanding is that Senator KENNEDY will be offering a carve-out amendment after the cloture vote.

Then there is rural America. The Center for Rural Affairs, located in Nebraska, came out with a study that one-third of households in rural counties in a six-State region, including Minnesota, have annual incomes of less than $15,000 a year. Information technology companies say we need skilled workers. People in rural America have a great work ethic. Farmers and other rural citizens tell me: PAUL, we would like nothing more than to have the opportunity to receive the training for these jobs and then we could telework, do it from our homes and farms, or from a satellite office. We can make a decent wage. Why don't we put some focus on that?

I have an amendment, the telework amendment, and I have worked on this for the better part of a year. Whether it is Native Americans, first Americans, who want the opportunity for skills development or whether it be rural people, I wanted to bring an amendment to the floor that would have provided funding for this telework. I think this amendment would have made all the sense in the world.

Rural workers need jobs. High-tech employers need workers. This amendment would have found a solution to these common challenges. It would authorize competitive grants to qualified organizations for 5-year projects to connect and broker employment in the private sector through telework to a population of rural workers, setting up centers of distance learning around the country in rural America, where we can make the connection between rural citizens who so desire the opportunity to have the skills and find the employment and the information technology companies that need these skilled workers.

It seems to me that if we are going to have such a piece of legislation on the floor—we would be respectful, of course, of skilled immigrants coming to our country to do the work. I am all for that. But at the same time, we would also make sure citizens within our own country who desire the opportunity to receive the skills and job training to obtain these jobs are given such an opportunity.

Cloture on the underlying bill would also doom another amendment that I think is necessary to improve this legislation. We cannot escape the irony that we are proceeding to pass a bill that would bring more foreign nationals into this country to work in high-tech companies, while we have done nothing to help literally thousands of immigrants who have been living in this country for years and paying taxes and often raising their children as American citizens. If we are going to bring more foreign workers into this country, it is only fair and just to take into account people who are already here, already contributing to our economy, and who already have families who have only known America as their home. It is hypocrisy, in my view, to do one without the other.

There are thousands of taxpaying immigrants who have been waiting years for an adjustment of status to permanent residency. Many of them have done everything they are required to do to stay in this country. But through a bureaucratic mixup, a change in laws, or another reason, largely beyond their control, they have become ''out of status.'' It is for these people that we must—I use the word ''must''—pass the Latino and Immigrant Fairness Act. Instead, we have moved to pass the H–1B bill and we ignore them. We ignore them, while we open our doors to more high-tech workers. With so many of our neighbors, our coworkers, our fathers, our mothers, and friends facing possible deportation to countries that have not been their home, I do not know how we can stand here and

argue that increasing the H–1B cap to admit new foreign nationals should pass without bringing fairness and relief to those who are already here. I include a thousand wonderful people in the Liberian community in my own State of Minnesota.

I don't know how a nation that believes in fairness could say that if you fled Castro, you can stay, but if you fled the death squads in El Salvador, you must go. I don't know how a nation that calls for more family values and responsible fatherhood would deport the father of American children such as JoJo Mendoza of Minnesota, who has worked for years building our economy, our community, and our Nation. Mr. Mendoza was deported 2 weeks ago from Minnesota. He left his children, who are Americans.

I would be prepared to vote for raising the H–1B visa cap if it were done in the right way. I do not think the LOTT amendment is the right way. I hope we can reach an agreement to do it in the right way—by permitting amendments that would make this bill one I could support.

Finally, I say one more time—and I feel as if I have said it so many times that perhaps I have deafened all the gods—we cannot be good Senators, whether we are Democrats or Republicans, when we no longer have a process that allows unlimited debate and allows any Senator to come to the floor with amendments that he or she believes will lead to an improvement in the quality of life of the people we represent. I have said to the majority leader a million times—he is not on the floor now, but I don't feel badly saying it because I have said it so many times when he has been on the floor of the Senate—I believe the way in which we have proceeded, the way in which the majority party doesn't want to debate amendments and doesn't want to vote on controversial questions, robs the Senate of its vitality. It makes it hard for any of us to be good Senators.

Here I am giving a speech. I like speaking on the floor of the Senate. I am honored to speak on the floor of the Senate. I get goose bumps every time I come to the Chamber. I love this Chamber, but I would rather be on the floor doing what I consider to be the work of a Senator, which is with an amendment that would set up centers for distance learning, that would focus on telework, that would be so important to so many rural Americans, including so many citizens in Minnesota, that would connect the need of the information technology industry for more skilled workers with a strong desire of rural people to be able to have the training, I say to my colleague from Idaho, and then telework from a satellite office from their home, a good job with a decent wage, with decent health care benefits.

I can't introduce that amendment to this bill with the way the majority leader has proceeded. I can't improve this bill. I can't represent the people in greater Minnesota and rural Minnesota, many of whom are really hurting given the farm economy. For that reason, I certainly will vote for the motion to move forward on the immigrant fairness legislation, but I won't vote for this H–1B legislation as brought to the floor by the majority leader. I will not vote for cloture.

I am going to insist over and over again, as is my right as a Senator, to come to this floor and introduce and debate amendments that I think will make our country better. My solution could be another Senator's horror. I understand that. But the beauty and the greatness of the Senate, when we are at our best, is not this process, but it is the process of amending and debating, disposing of amendments, voting yes or no, and having more amendments to deal with, and then work to pass the legislation. I think we are making a terrible mistake in proceeding the way we have. I do not think it is for the good of the Senate as an institution, and I don't think it is for the good of Minnesota or the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, we will vote later this afternoon on a motion to change the way we proceed here to allow an amendment to come to the floor of the kind the Senator from Minnesota has spoken to.

This is an interesting process because the beauty of the process of the Senate that the Senator speaks of is that there are rules and procedures by which we live. Historically, most Americans understand that when they elect a majority to the Congress, they expect that majority, under the Constitution, to form a Congress and to form rules and to be able to manage that Congress. Under that responsibility of management, which this time the Republicans have under the majority leader of TRENT LOTT, there are the rules that each one of us as Senators have a right to enforce and to live by; that is, that we are all equal as our Founding Fathers assured that every State must be.

But it also recognized that there are more important procedures and processes that keep us functioning and functioning well. It is the rule of the majority, and in some instances in our Senate it is a supermajority that must move, giving the minority even greater rights to speak out.

While the Senator from Minnesota may be frustrated, clearly he has the right to make every effort to enjoy his right. But if a majority or a supermajority says, no, that is not the way we will proceed, and this is what we must do to carry on the business of the Senate and the Government, then while it may collectively have chosen to say to the Senator from Minnesota this is the way we are going to go, it is very difficult to suggest that is an outright denial of his right.

We are here to deal with allowing people from other countries to come to this country to work and not only to share in the American dream, to enhance the American dream, but to share in the freedoms and the benefits that all citizens in our country have.

While we as a country have always recognized the importance of our existence, we are a conglomerate as a country. We are not one people in the sense of one nationality or one color or one religion. We are all Americans, and we live under this marvelous system. We are brought together by our Constitution, and oneness under that Constitution which is really spelling out the rights and the freedoms of us as citizens.

We take seriously allowing others to come. They must come by rule, and they must come by law, or we become a nation quite lawless. Certainly a lawless nation is a nation that loses control of its boundaries, loses control of its borders, and, in fact, could lose control of its institutions—the very institutions of which the Senator from Minnesota and I are so proud.

We, as a country, have established laws. We have said this is the way a foreign national can enter our country to enjoy those things that are basically American. Some would choose to enter illegally; in other words, they would choose to violate the process or to violate the law.

We have before us today what we consider is waiving the rules of the Senate to consider a bill that basically says it is OK to violate the law; that we will change the law now that you violated it to make you legal.

I don't think American citizens with their full faith as it relates to how our institutions of government work are going to be very excited about that idea. They, too, may once have been a foreign national and became a naturalized American citizen. My family was five or six or seven generations ago. I am not sure when. But in the late 1700s, they were once foreigners coming from the great land of Scotland.

I have tremendous empathy for and have always voted when it came to changing our immigration laws or adjusting them to accommodate the needs of our country and the needs of our citizenry. But we as an institution and responsible as caretakers under the Constitution cannot reward the breaking of the law by simply changing it and saying it is OK now. It is OK if you can make it across the border into this country. Somehow we will accommodate you and change the law.

A sovereign nation is not a nation if it cannot control its borders—if it cannot police its borders and control the process of movement across those borders, both exit and entry. That is what creates a nation. That is what constitutes a nation. That is what identifies us as a nation. We are not one indivisible world. We are one indivisible nation under God. Nations make up a world.

There is a fundamental debate going on on the floor today, and it spells a difference.

My colleague from Texas talked about the millions and millions of foreign nationals who have applied to become American citizens, or at least legal as foreign nationals in our country. They stand in line. They work the procedure. It is complicated. We want it to be complicated. We do not want all of the world at our doorstep, nor would any other nation of the world. But we have always recognized that the vitality of our country is the uniqueness of our character, and our character is made up of many, many who come here and are not only the beneficiaries of our country but the great contributors to our country. They are many, and they are all different. Once they are here and once they are legal, under the process of law then they become part of that one nation indivisible.

There is a very important vote this afternoon that will occur about 4:30. It will be to decide whether we are going to change the law to allow those who came here illegally to all of a sudden be legal and, therefore, send a message to the world that there is no consequence. If you can make it across the border, you are home free.

That is not the way you sustain a nation. That is not the way you identify a border. That is not the way you protect the strength of our sovereignty. Diversity is important. We all recognize that because we are all part of this great diversity. We became the melting pot of the world, as so many down through the years have spoken of, but in doing so we did it through process and procedure—orderly with responsibility under the law. That is why this vote this afternoon will be so important.

I hope the Senate will not choose to waive our rule or waive our procedures for the purpose of an amendment that would clearly change the character of the law and allow an illegal alien to have benefits from having been the performer of an illegal act.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

THE VIOLENCE AGAINST WOMEN ACT

Mr. TORRICELLI. Mr. President, in only a matter of 2 or 3 weeks, the Congress will adjourn—I trust having passed H–1B visas, but in all likelihood without passing a Patients' Bill of Rights, or, unfortunately, a prescription drug benefit, and probably without any real improvement in gun safety legislation.

While many of us will take comfort in helping American high-technology companies by providing H–1B visas, it is not even a mixed success. Worse, however, than most of these frustrations is the most unnecessary of all of these failures; that is, the failure to pass the Violence Against Women Act.

Five years ago, Senator BIDEN led this Congress in passing a Violence Against Women Act, which I believe became noncontroversial and which benefits have been widely accepted. It makes it all the more difficult to understand that this $1.6 billion package is languishing and will expire.

Under this legislation, we have trained thousands of police officers to make them sensitive to the problems of family violence and abuse. Judges and counselors have received training in sensitivity. We have increased the means of reporting domestic violence. So our records are accurate. We know the extent of the problem and how to respond.

Most importantly, we have provided real services, medical services, for a woman or a family who is abused; a place to go to get counselling from someone who understands domestic violence and how to deal with it; a place to take a child.

I think the most important of all is temporary housing. No American parent should have to choose between subjecting their child or themselves to violence, sexual abuse, or even a threat to life, and homelessness. Thousands of American women face that every night. Do I take my child to the streets, to a temporary motel, unsafe shelter, no shelter at all, or do I stay in a home where the child can be abused, where my life can be threatened?

The Violence Against Women Act has created thousands of beds in temporary shelters across the country so women do not have to face that choice. It established an emergency hotline which continues to get 13,000 calls a month, half a million calls since its inception; where a desperate woman, not knowing her options, or how to protect her child, not knowing what to do, how to get medical help, how to get counseling, how to get a police officer who understands, can call and get someone on the other end of a phone and get help.

The greatest part of the Violence Against Women Act is that it is showing results. Since 1997, the programs created by the Violence Against Women Act have reduced the rate of partner violence against women by 21 percent. This is a dramatic decline in the amount of violence against women since the act came into being. There may be many reasons.

We are also seeing dramatic drops in murders. Fewer murders were committed by intimate partners in 1996, 1997, and 1998, than any year since 1976. The number of women raped has declined by 13 percent between 1994 and 1997. Members may cite many reasons why violence is down, rape rates are down, and most importantly, murder rates are down, but one of those reasons must be that police officers are better trained and are responding more promptly, judges are move sensitive to the crime, and most importantly, women who feel threatened in these circumstances have a choice, are getting out of residences and into shelters, into protected environments.

During a recent recess, I visited a number of the shelters across my State of New Jersey. The Women's Center in Monmouth County, NJ, is receiving $285,000 for counseling and shelter and emergency services. The Passaic County Women's Shelter in Paterson received $185,000 under the Violence Against Women Act for Spanish-speaking women to get help and advice.

If this act is not reauthorized, these shelters lose their Federal funding, potentially close their doors, with the unescapable conclusion that violence may rise as women lose choices.

We have come to recognize in these years, the criminal justice system has come to recognize, as well, that violence in the family, particularly in cities, is dangerous not only to the individuals in the family, but society, which is built upon a family unit. We decided not to ignore the problem. But that may be exactly what this Congress is doing. This legislation will lapse, this funding will end, and people will get hurt. Those are realities. They are not partisan comments. They don't represent a philosophy or ideology. They are cold, hard, facts because for all the progress we have made, family violence in this country remains an epidemic. One in three women continues to experience domestic violence in their lifetime. A woman is still raped every 5 minutes, and still there are no arrests in half of all the Nation's rape cases.

The risks of not acting are great: Lose the shelters, lose another generation of police officers or judges who are not properly trained, a phone call in the night that cannot be made, beds that will not be available. Is it worth the price, the cost of this inaction?

I am pleased we are voting on this H–1B visa today. I wish we were doing many other things. Other things may be controversial, we may have our own ideas about them, but surely this could bring us together. It did once. In 1995, we acted together, without division. Are we less now than we were then—is the problem so much less in our minds?

I urge the leadership to bring the Violence Against Women Act to the floor and to do so now.

The PRESIDING OFFICER (Mr. CRAPO). Who yields time?

If no one yields, time will be charged equally against both sides.

Mr. GRAHAM. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRAHAM. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, I again lend my support to the Latino and Immigrant Fairness Act. I understand we may be voting at 4:30 this afternoon to waive the rules to allow this legislation to be considered. I am hopeful in

the spirit of fundamental fairness the Senate will vote to allow a full debate on this issue.

The focus of this legislation is the same word that I just used to refer to what I hope will be the disposition of the Senate, and that is ''fairness.'' There has been a lot of discussion over the past few days about high-tech workers, H–1B visas. Our American companies need these high-tech workers.

Unfortunately, there are deficiencies in the skill level of Americans which have resulted in the necessity of providing visas for specific high-skilled foreign workers to come to the United States to fill these jobs. I hope this deficiency will just be a temporary one and we will use the debate we are having on H–1B as a spur to do the fundamental reforms we are called upon to do to see that Americans have the skills to fill these high-tech, high-wage jobs. Until then, American industry needs these workers. High-tech industries are one of the engines that have been growing our prosperous economy.

I want to see the H–1B bill become law. I am a cosponsor and a long-time supporter of this legislation. However, high-tech workers are not the engine of our economic growth. The equally essential workers in our service and retail industry, manufacturing, care giving, tourism, and others are part of that economic engine. The need is great for H–1B and high-tech workers. The need is also great for these essential workers. Many of these workers would remain as legal, permanent members of our society under the relief provided with the Latino and Immigrant Fairness Act.

Simply put, what is fairness? I said before that we all learn in grammar school what is fair and what is not fair. It is fair for a teacher to punish two noisy and disruptive schoolchildren by keeping both of them inside during recess. But if the teacher keeps only one student in and lets the other go outside and play, that is unfair. In other words, fair is treating people in the same circumstances in the same way. This is exactly what we are trying to achieve with the ''NACARA Parity'' section of the Latino and Immigrant Fairness Act.

We are here today trying to achieve fairness because in 1996 we passed an immigration law that went too far. It was unfair because it applied retroactively. This is like changing the rules in the middle of the game. This is what we have done, and we should correct it, and we should begin that process of correction today.

What we are being asked to do is not to provide citizenship or even legal permanent status to the persons who will be affected by this legislation. In most instances what we are being asked to do is to give these people a chance to apply for legal status in the United States, just as we have given others who are in the same circumstances the right to apply for legal residence in the United States.

I spoke on the Senate floor earlier about the human faces and human stories I came to know when Congress corrected part of this unfairness, the unfairness of the 1996 act, in 1997 and 1998 with two immigration bills dealing with Central Americans and Haitians.

On the Senate floor I spoke of Alexandra Charles, whom I came to know when I participated in a hearing held in Miami when we were originally introducing the Haitian Refugee Immigration Fairness Act. Let me tell you Alexandra's story.

As a young child in Haiti, she witnessed the military murder her mother. Her father has disappeared. She came to the United States as an unaccompanied minor, but she has built a life here. When I testified about her at the hearing in Miami, she was working at two jobs. She was finishing 2 years at Miami Dade Community College. Congress took the right step, in 1997, to protect her future in the United States. We have the opportunity today to start the process to take the right step for others who are in Alexandra's same circumstances.

We are now treating differently those individuals who faced equally arduous hurdles to come to the United States: Those who fled civil wars, those who witnessed brutal acts—such as Alexandra, seeing a military man shoot down her mother—those who were forced out of a nation after a military overthrow because of their views on democracy. Our Nation has always set the standard for offering refuge to those in need. We did so in this case. We gave legal status to many in the mid-1980s who came here in these circumstances, fleeing persecution, seeking democracy and freedom. Then, in 1996 we took it away and did it retroactively. This is wrong. This is not the American way. We should correct this error in this legislation.

In July of this year, Congressman ALCEE HASTINGS and I met with members of the Haitian community in Fort Lauderdale, FL. One of the audience members who approached the microphone to speak was in elementary school. His name was Rickerson Moises. He and some of his siblings were born in the United States. They are U.S. citizens. His mother fled the violence in Haiti but was not protected in the Haitian Refugee Fairness Act because she came with a false document, a method she had to take to escape Haiti.

If I could just explain for a moment the differences in exit from Haiti during that period of the Duvalier regime and then the military dictatorship which followed. Most Haitians who fled the country did so by small boat. They arrived in the United States with no documentation at all. They had no passports, no other documents to support their exit from their former country or their arrival in the United States. There was another group, a smaller group, approximately 10,000, who came by commercial airline. These frequently were the people who were in the greatest jeopardy. They realized they did not have time to seek out a boat, to wait possibly the days or weeks before the boat was prepared to leave. They had to leave tonight because of the nature of the threat they faced.

Mr. President, I ask for an additional 10 minutes.

The PRESIDING OFFICER. Will the Senator clarify as to what time that 10 minutes will come from? We have a time agreement which has a deadline for a vote.

Mr. GRAHAM. It will come from the minority side.

The PRESIDING OFFICER. There is no time on the minority side. It would have to come from the majority side. As a Senator from Idaho, I would have to object until I have advice from the majority leader as to the time.

Mr. GRAHAM. Mr. President, in light of the fact that there is no one here seeking the floor, I ask unanimous consent I be allowed to continue until someone seeks the floor or for an additional 5 minutes, whichever is shorter.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, those persons who came by commercial airliner had to have some documents in order to get on the plane. So what they would frequently do is get counterfeit passports so they could get onto the plane and out of Haiti and escape the imminent prospect of persecution or worse.

She was one of those persons. She came to the United States with false documents, counterfeit documents she admits. Had she come with no documents at all, she would have been allowed to stay here. But because she arrived with false documents, she is subject to deportation. After years of life in the United States, this action would separate U.S. citizen children from their Haitian mother. This is an agonizing choice—follow the law and leave your children behind or take your children back to a country where you suffered violence and persecution. I cannot think of any choice more un-American, more offensive to our basic principles. We have a chance to correct this and restore fairness, and we should do so as soon as possible.

Mr. President, I ask unanimous consent to have printed in the RECORD two editorials, one from the Miami Herald, one from the San Francisco Chronicle, which explain in greater detail the urgent need to take action and correct this injustice. I ask these two editorials be printed in the RECORD immediately after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. GRAHAM. Mr. President, I do not want to speak much longer. I didn't speak much when I was on the floor before about another element of the Latino and Immigrant Fairness Act because I focused on my own personal experiences in south Florida. But

the ''registry date'' component of the legislation will have a tremendously positive impact on my State and on our Nation as a whole.

Congress every so often in the course of legislation updates what is called the registry date in immigration law. This is the way, for many years, residents of our Nation have had to formalize their status in the United States. It recognizes the fact that after many years in our country doing the hardest work, paying taxes, participating in the community, and starting small businesses, there should be an avenue of appeal to be able to stay in the United States.

To apply for relief—and I underscore apply for relief, not be granted relief—to apply for relief under the new registry date, 1986, you must have been here since that time, nearly 15 years.

For many Floridians, these are the most long-term employees or our established neighbors. These workers for Florida's companies have the most experience and are among the most dedicated. It is fundamentally unfair to these workers, the businesses, and our communities to uproot these families after 15 years or more.

Critics have said this condones illegal immigration. Our Nation should have a firm policy on illegal immigration, and through the last few years' appropriations cycles, we have allocated more money for border enforcement. We have the Federal responsibility to strengthen our borders, but we also have the responsibility to face the reality and the consequences of uprooting families after nearly two decades of work and life in the United States.

Many of these individuals did have legal status at one time and were affected by the immigration laws passed in 1996. Some were given bad advice about whether they were eligible for the amnesty program in 1986. They were told not to apply, when, in fact, they were eligible for the program.

Updating the registry date allows those who have dedicated 15 or more years of their life to building and strengthening our economy and Nation to finally have the opportunity for a formal status here. It makes both economic and humanitarian sense.

Lastly, I want to react to some of the debate yesterday. I believe there should be a free and open debate on this important immigration issue, but, in my view, that debate does not need to be partisan.

This is an issue that affects every city, business, and family in America. It crosses State lines and party lines. There is a common ground, and I hope we can work together to find a way to allow both H–1B and the Latino and Immigrant Fairness Act to become law. It is in the greatest of America's tradition of justice and fairness.

I thank the Chair.

EXHIBIT 1

[From the Miami Herald, May 4, 2000]

HAITIAN PARENTS OF U.S. KIDS DESERVE TO REMAIN HERE TOGETHER

Imagine a scene where American children are made to bid goodbye to their mothers and fathers as federal agents force the parents to board a plane to Haiti, where they'll have to rebuild their lives.

After going to extraordinary lengths to reunite Elian Gonzalez with his father, Attorney General Janet Reno must not let that tragedy come to pass for the 5,000 U.S.-born children of Haitians who soon might be placed in this awful situation. These parents, some of whom have been here for as many as 20 years, could be deported at a moment's notice. They'd be forced to choose between leaving their children behind or raising them in a destitute, strife-torn country the children have never seen.

That's what the U.S. Immigration and Naturalization Service, which Ms. Reno oversees, proposes to do. Ms. Reno should be consistent in her concern for children. For their sake, she must protect these families by suspending their deportation at the highest executive level.

The next step is for Ms. Reno to allow these Haitians to be included in the Haitian Refugee Immigration Fairness Act of 1998, which was intended to cover Haitians fleeing political violence in Haiti in the early 1990s. The law granted amnesty from deportation to Haitians who made it to U.S. shores before the 1996 cutoff date, as these 10,000 people did.

But unlike those who arrived by boat or other means, most of these 10,000 came through South Florida's airports using phony documents to flee that country. Yet because they broke the law by using counterfeit papers, the INS has refused to let them apply for protection under that amnesty law signed by President Clinton in 1998. One such refugee was a former Haitian soldier who fled after refusing to follow orders and shoot at unarmed demonstrators.

Another is Kenol Henricy who paid $2,500 for a passport and visa that got him to Turk and Caicos, then to Maimi. He was stopped at the airport and spent four months at the Krome Detention Center. ''I knew it was illegal,'' says Henricy, 32. ''There was nothing else I could do.''

That was 11 years ago. In the meantime, his wife died, leaving him alone to care for Kenisha, his asthmatic, American-born child. Since he arrived, Mr. Henricy has worked at the same Medley tool-and-die shop. Recently he's been sharing a house in Hollywood to help a brother pay the mortgage.

Last August, Mr. Henricy received his deportation letter with an extension set to run out in September if he's denied residency under HRIFA. He's interviewing with an INS officer today. If his request for amnesty is turned down, Henricy fears he may be detained and deported on the spot.

What then? Here he has work and insurance for his asthmatic daughter. In Haiti—nothing.

Ms. Reno must show compassion for children like Kenisha, some who don't speak a word of Creole. She has the power to stop INS lawyers from prosecuting fraudulent-entry cases, and she must use it. The HRIFA law was intended to correct a wrong, not to break apart families.

[From the San Francisco Chronicle, April 5, 2000]

NO ROOM FOR 5,000 ELIANS

While much of the nation is consumed by the plight of one little Cuban boy, more than 5,000 Haitian children are facing an even more frightening prospect: banishment by the Immigration and Naturalization Service to a Caribbean hell of filth, tyranny, starvation and, some cases, surely death.

Obscured in the dark shadows just beyond America's spotlight on Elian Gonzalez, few know the pain of thousands of lesser known but equally vulnerable children on the verge of either being ripped from their families or booted out of the only homeland they've ever known. Worried and puzzled, the children await the execution of deportation orders that, at any moment will either make them orphans, doom them to a life of squalor, or both.

U.S. citizens by birthright, the children can't be deported. But their parents can and have been so ordered—the penalty for doctoring passports to escape a fearsome Haiti more than a decade ago.

Now, 3,000 parents face an agonizing choice: take their children with them or leave their children here—in effect making them orphans—as the only way to ensure them at least a chance at a better life.

The fate of the Haitians, long colored by politics and race, is a brutal tale of a people unable to awake from nightmares most thought they fled years ago. From 1981 to 1994, 10,000 Haitians boarded leaky boats, leaving a country wracked by street chaos, military coups and the kind of ruthless politics that made Cuba look orderly by comparison.

But the U.S. Coast Guard seized and burned their boats, and returned them to a regime the world routinely scorns. But many tried again, this time using altered passports to board airlines and fly.

In 1997, Cubans and Nicaraguans who came here in much the same way were given amnesty, but not Haitians who entered with fake passports. Apparently, scaling border fences or floating in on rafts like Elian is less criminal.

Ironically, Haitians mostly live in Florida, virtually next door to Elian and his rabid street crusade for citizenship.

The Haitians have worked hard at menial jobs, obeying laws, buying homes, educating their kids. But no politicians have taken up their cause. No one is protecting their dilemma, demanding parental rights or simply fighting to save their children.

But if it is wrong to tear one child away from his father, surely it's wrong to tear 5,000 children away from theirs. It's time to end America's double standard for Haitian refugees. Attorney General Janet Reno should stay the deportations and assure the Haitians that they too won't be ripped from their parents.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. THOMAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I ask unanimous consent to be allowed to proceed as in morning business counted against the time on our side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. I thank the Chair.

RURAL HEALTH CARE

Mr. THOMAS. Mr. President, we are supposed to vote here at 4:30, so I want

to take a few minutes while we have a little time to talk about an issue that is very important to me and, I think, very important to many people in this country that has to do with rural health care.

I am cochairman of the Rural Health Care Caucus in the Senate. We are faced with a number of issues, of course, in health care for everyone. But one of the issues we always have to work at is the notion that when you have low population areas, rural areas, then the provision of health care and delivery of health care is different than it is in urban areas, than it is in city areas. So, from time to time, we have to make some different kinds of adjustments. That is what our Rural Health Care Caucus seeks to do.

It is also interesting that although Wyoming is certainly one of the rural States, almost every State has rural areas. Even New York, which we never think of that way, has, I think, a higher percentage of people who live in cities than any other State; so, therefore, they have rural areas as well.

I want to take a minute to bring to the attention of the Senate what I consider to be current inequities in the Medicare program that do not address the unique and different needs of rural Medicare providers and beneficiaries in my State and across the country.

Rural health care beneficiaries—those who utilize the program—tend to be poorer, tend to have more chronic illnesses than their urban counterparts. There is generally a higher proportion of seniors in rural areas. Rural providers generally serve a higher proportion of Medicare patients and therefore, of course, are impacted and are highly susceptible to changes and reductions in Medicare reimbursements for the services they provide.

It is because of these unique circumstances that rural providers and beneficiaries are working now to put into whatever package we come up with, as this Congress comes to a close, that which strengthens Medicare.

The Balanced Budget Act of 1997 asked for some reductions. Unfortunately, HCFA, the agency that handles the disbursements for Medicare, reduced those payments a great deal more than asked for by Congress. It had been provided at one time to bring them up again. There is an effort being made to have a sort of payback arrangement from the BBA this year as well.

So there are a number of specific provisions I hope will be considered that do pertain to rural areas and are specifically pertinent to rural Medicare providers.

The Balanced Budget Act of 1997 reduced the annual inflation —the market basket it was called—update that hospitals usually received in order to make the payments even with inflation. In fiscal years 2001 and 2002, hospitals were slated to receive a market basket which would have been the inflation minus 1.1 percent as an update. Unfortunately, studies demonstrate that because of the reductions, many rural hospitals have margins now that hover below that. So we are really interested in that. This market basket payback does reflect what the increased inflationary costs are. I think that is terribly important as we move forward.

We need to revise the disproportionate share hospital payment formula. A majority of those hospitals serve large numbers of seniors who are in low-income brackets and receive little or no Medicare payments because of the differential qualifications for rural and urban hospitals.

Rural and sole community hospitals must meet a higher threshold of criteria of 45 percent and 30 percent than their urban counterparts. So here again is a certain amount of unfairness in these kinds of payments and distributions.

So we are asking that the committee apply the threshold of the 15 percent of having these kinds of patients, to make it fair and equitable—which is currently what it is in urban hospitals—rather than the 30 percent.

The wage index: Here again we have the formula that applies to most hospitals. The local wage index is considered to be about 70 percent of the total cost. However, that is not true in rural hospitals, where it is more like 50 or 60 percent. So when that adjustment is made, our hospitals in the rural areas have lower wages and, therefore, are unfairly penalized. So we are asking that each of them be assessed on what their average percentage really is.

Rural home health agencies are not able to spread out their fixed costs. They are not able to generally include the costs of the excessive traveling that takes place in rural areas. That needs to be changed.

Medicare-dependent hospitals: We find that this program was established in 1989 to provide special protections to rural hospitals that serve a high proportion of Medicare patients. They used the old figures that were there. We need to do something about that.

So there are a number of areas in rural health care that need to be justified, and hopefully can be justified, as we move forward toward the kind of changes that ought to be made to bring this balanced budget business back into play and to be fair.

All we are asking for is fairness as we compare the different kinds of hospitals. We found some time ago that the payments made in Florida were much larger than payments made for the same kind of services in Wyoming. Now there is some adjustment in terms of cost, and so on, but not nearly the kind of adjustment that showed up in the payments. We have made some improvements on that. I think it is something we have to continue to look at as we revise the criteria.

Last year, we also established a critical access hospital arrangement for small communities that could not sustain a hospital with all the full requirements that are necessary in an urban hospital, so their hospitals could be listed so they could be paid for their services under Medicare.

We do have community access hospitals which basically are clinics. People can take care of emergencies knowing, if it is a serious illness or a serious accident, they can be moved to another location, but the community access hospitals can provide the emergency care that is needed and can be paid for it out of Medicare. That is simply a very reasonable, sensible, fair, and equitable thing that needed to be changed and was. I am pleased about that.

I am looking for ways to increase the program which entices providers to come to rural areas where they could pay off part of their educational expenses by serving in areas of low population in the United States. That is just one of the things, as we complete this session, that needs to be done. I hope it will be done. And as that happens, I am very anxious that the uniqueness of our rural communities be recognized and that we have fairness based on that.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, it is my understanding that the minority has no more time left under the time agreement.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Mr. President, I know the Chair, acting in his capacity as a Senator from Idaho, if there was a problem, would certainly correct it. But nobody is here.

I ask unanimous consent that until somebody from the majority wants to talk—I have spoken to Senator THOMAS, to whom I have indicated I was going to speak. I don't know if he knew that we had no time. I ask unanimous consent that I be allowed to address the Senate for up to 4 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Nevada is recognized.

Mr. REID. Before the vote occurs at 4:30, I want to make sure we all understand where we are coming from in this instance. Our leader has asked that the rules be suspended, in effect, so that we can vote on the Latino and Immigrant Fairness Act. This is a very simple measure that we want to vote on. Some people disagree with what we are trying to do. We want an up-or-down vote on this amendment. The Latino and Immigrant Fairness Act contains Central American parity, date of registry,

245(i), and the matter that has been so well discussed by Senator REED from Rhode Island dealing with Liberians. We want an up-or-down vote on this and we will get one eventually. We hope this measure will pass.

Everybody should understand that a vote against our suspending the rules is against the amendment that we are advocating, the Latino and Immigrant Fairness Act. This has nothing to do with illegal immigration. These are people who are already in the United States, who are here seeking to have their status readjusted. It has nothing to do with criminals. None of these people are criminals who could apply to have legal status here and apply for citizenship.

There are a number of red herrings that have been thrown up, and this is a simple proposal. We want the ability of these people who are in the country to have their status adjusted. Some of it is so unfair that people have the ability to apply under an amnesty act passed in 1986. Anybody in the country prior to 1982 could apply to have their status readjusted. They had a year to do that. Some people took more than a year. We believe there should be the ability of these people who were here before 1982 to have their status adjusted. We have asked that that date be moved up to 1986 in keeping with what we have done in this country since 1929. We have been adjusting the time for individuals to readjust their status.

It is unfair if we are unable to do this. The President has said he would not allow this Congress to adjourn unless this fairness provision is passed and made law.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN WRESTLER RULON GARDNER WINS GOLD MEDAL

Mr. THOMAS. Mr. President, I want to suggest something that is very exciting for those of us in Wyoming and, I think, all over the country. I will start with a headline off of the Internet: ''American Stops Russian's 13-year Streak.''

It says:

> ''I cannot believe I actually won,'' said the 286-pound Rulon Gardner, and he was not alone.

He wasn't expected to win. He is a wrestler from Star Valley, WY, weighing 286 pounds. This was really an incredible thing. Listen to this:

> Just how invincible was the Russian Icon he beat? Alexander Karelin had not lost a match in international competition in 14 years. Only one point had been scored against him by an opponent in 10 years. He'd won gold in the past three Olympics. The American who wrestled him in Atlanta in 1996, respected silver medalist Matt Ghaffari, faced him 22 times over his career and lost every time.

He is a huge guy and has done this great, great job of wrestling throughout the years. In fact, it seemed so certain he would win again that the Olympic Committee president was there to present him with the medal. Sure enough, that did not happen. The unthinkable happened, in fact, and our man scored a point. Gardner scored a point early on and maintained that point, and now he is the gold medal winner in heavyweight wrestling at the world Olympics.

He grew up the youngest of nine in Afton, WY, population 1,400. He went to college and wrestled there. Before wrestling, he also played a little football. But he has been wrestling for some time and had a chance to go to the Olympics this year. This is the first Olympic gold for a U.S. wrestler since 1984.

We are especially proud in Wyoming to have had a number of athletes in the Olympics. But we are really so proud of this one in particular, who, as of yesterday, had the gold medal in heavyweight wrestling.

I couldn't resist the opportunity to recognize that.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SESSIONS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OIL CRISIS

Mr. BENNETT. Mr. President, this morning there was a meeting of the Joint Economic Committee on which I sit. The subject had to do with oil prices. I would like to report to my fellow Senators and any who may be watching on television some of the things we found out.

The first thing that became clear was that the oil crisis that we are dealing with now did not occur in the last 60 days. It has been building for months. Indeed, the conditions have been building for years.

One of the things that I found distressing was a comment made by one member of the committee whose suggestion was that anyone who disagreed with what the President and the Vice President are currently proposing should be challenged with this question: What is your solution? And if the answer was you don't have an easy solution, then stop complaining about our solution.

I think that is an irresponsible reaction.

I quoted to the members of the committee a column that was written in the New York Times yesterday by Thomas L. Friedman. He is the foreign affairs commentator for the New York Times, not normally known—either Mr. Friedman or his newspaper—for their support of Republicans or for their disapproval of Democrats.

I found it a rather interesting column. I quoted some of this to my fellow committee members. I would like to quote from it here on the floor.

I ask unanimous consent that at the conclusion of my remarks, the entire column be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BENNETT. Mr. President, Mr. Friedman is writing this column from Tokyo. It has a Tokyo byline on it. He starts out by saying:

> It's interesting watching the American oil crisis/debate from here in Tokyo. The Japanese are cool as cucumbers today—no oil protests, no gas lines, no politicians making crazy promises. That's because Japan has been preparing for this day since the 1973 oil crisis by steadily introducing natural gas, nuclear power, high-speed mass transit and conservation, and thereby steadily reducing its dependence on foreign oil.

That is one of the key paragraphs in this entire piece, that for nearly 30 years now the Japanese have been steadily reducing their dependence on foreign oil. In the same period in the United States, we have been steadily increasing our dependence on foreign oil.

Look at the power sources Mr. Friedman refers to: Natural gas, nuclear power, high-speed transit, on the conservation side. I have been a supporter of high-speed transit ever since I came to the Senate. There are some people who have said: Senator, you come from the West. Why do you care about Amtrak? Why do you care about high-speed ground transportation in the Northeast corridor? I have said I care about it because it is part of the long-term solutions in the United States. Even as a Senator from Utah, I have sided with the Senators from New Jersey, the Senators from New York, and the Senators from Delaware in supporting Amtrak and high-speed ground transportation, in hoping to keep that form of transportation alive so we are not always on the highways.

Natural gas: There is an enormous amount of natural gas in the United States.

Nuclear power: We have not built a nuclear powerplant in this country since the oil crisis of 1973. There are those who say nuclear power cannot be built. I am a strong supporter of nuclear power.

Just because we have large supplies of natural gas, including large supplies of natural gas on Federal lands, public lands, doesn't mean we can use the natural gas to heat our homes. Why? Because natural gas on Federal lands is of no value. It must be explored for, it must be brought out of the ground, and then it must be transported, which means building pipelines, usually across Federal lands.

Once we realize, particularly in this administration, what the attitude has been, we begin to understand why Mr.

Friedman can write this somewhat sarcastic column in Tokyo. This administration, for 8 years, has done everything it can to prevent the building of additional pipelines across Federal lands. They say, no, we don't want to do that; somehow it will despoil the Federal land if there is a pipeline under it. I stress ''under it'' because once a pipeline is in place, people who are out on that Federal land who love the wide open spaces will not be aware of the fact that the pipeline is there. The pipelines get buried, particularly natural gas pipelines, and the scenery is unaffected. It comes back quickly, in the age of the wide open spaces of the West, a few years, to recover from where a pipeline has been buried. It is nothing more than the blink of an eye in nature's time. This administration is opposed to pipelines.

Friedman goes on to tell us that America has failed to do the kind of exploration and conservation that the Japanese have done. He makes this comment:

> Imagine if America had that sort of steely focus. Imagine, in fact, if at this time of soaring oil prices and endangered environments, America had a presidential candidate who could offer a realistic plan for how to preserve our earth in the balance.

Then Thomas Friedman goes on to make this comment, writing in the New York Times:

> Wait a minute—that was supposed to be Al Gore, but in the heat of the campaign, Mr. Gore has shamelessly offered us instead a fly-by-night plan for putting America out of balance. The new Gore energy theory is to demonize the oil companies, tap into the Nation's strategic oil reserve—which only a few months ago he declared shouldn't be touched to manipulate prices —and talk about developing new magic energy-saving technologies that will create jobs in the swing states where Mr. Gore needs to get elected and will allow Americans to keep driving gas-guzzling big cars and indulging their same energy-consuming habits without pain.

I felt a little sense of satisfaction when I read that particular paragraph because I have just traded in my gas-guzzling car for one that will get 70 miles to the gallon on the highway. I am sorry to say that it is Japanese in its origin, but it is a lovely little car and I will be happy to give any Member of this body a ride in it at any point.

Back to the Friedman article, referring, again, to the Gore policy with respect to energy:

> How nice! How easy! And how far from what's really required to free us from the grip of OPEC.

He goes on and describes what needs to be done and then makes this comment:

> Mr. Gore knows this, but instead of laying it on the line he opted for an Olympic-quality, full-bodied pander—offering a quick-fix to garner votes and pain-free solutions for the future. Prime the pumps, pumps the polls and pay later. Don't get me wrong, tapping the strategic reserve makes some sense to ease the current distribution crisis—but doing it without also offering a real program for consuming less oil and finding more makes no sense at all.

I go back to the accusation made in this morning's committee hearing: you who are complaining about what the President is doing, have no solution yourselves, so stop complaining.

What Mr. Friedman is talking about illustrates what I and other Members of this body have been proposing as a solution for 8 years. For 8 years, we have been trying to increase the domestic supply of power. For 8 years, we have been on this floor asking this administration to allow us to drill more, to find more, to produce more so that we will have the supply when the demand comes. For 8 years, we have been sounding the alarm on the energy issue and we have been ignored by the President of the United States, or on those occasions where we have actually passed legislation, it has been vetoed by the President of the United States on the recommendation of the Vice President: No, we do not need to go after that vast pool of oil that is there in Alaska; It will despoil the environment.

The Senator from Alaska has pointed out if we compared this room to the Alaska Natural Wildlife Reserve or ANWR, say this room is the size of ANWR, the footprint of the drilling would be about the size of one of those decorative stars in the middle of the carpet. One could cover it entirely with a single piece of paper 8½ by 11. That would be the total amount of impact on the entire room in the bill that this Congress has passed and that the President has vetoed—not once but twice.

Yet now when we say wait a minute, it is the action of this administration that has prevented America from having the oil supplies we need to deal with this crisis, we are told: you have no solution. We have had a solution and we have had it for years and it is the President and the Vice President who have stymied us.

I don't want to overdramatize this, but I will try to be a student of history. I feel a little like Winston Churchill who for years and years and years warned of the coming threat, and then when it happened, he had to say to his people: I have nothing to offer you but blood, toil, tears, and sweat.

That is overdramatic, and I do not want to overplay it. The point is, there is one thing to be complaining about this over and over and then there is another thing to come along and say: We are in a mess and you guys don't have any solution.

My senior colleague from Utah is here. I understand he has reserved the last 10 minutes before the vote so I shall terminate my comments.

I want to make it clear, the solution to the problem of high oil prices does not lie in short-term fixes. It does not lie in the kind of neat conclusions that Thomas Friedman talks about. It lies in long-term plans and long-term policies. That being the case, we are not going to get out of this anytime soon.

I leave you with this one conclusion that came out of the witnesses. They said this: If everything goes the very best that it can, if everything works according to our plans, home heating oil prices in New England this year will be substantially higher than they were last year. That is the best-case scenario.

I think those who should have seen the handwriting on the wall last year bear the responsibility for that situation and should not be let off the hook by just saying to us: Well, what's your solution?

We were not in charge. Those who were should bear the responsibility. I yield the floor.

EXHIBIT 1

[From the New York Times, Sept. 26, 2000]

CANDIDATE IN THE BALANCE

(By Thomas L. Friedman)

It's interesting watching the American oil crisis/debate from here in Tokyo. The Japanese are cool as cucumbers today—no oil protests, no oil protests, no gas lines, no politicians making crazy promises. That's because Japan has been preparing for this day since the 1973 oil crisis by steadily introducing natural gas, nuclear power, high-speed mass transit and conservation, and thereby steadily reducing its dependence on foreign oil. And unlike the U.S., the Japanese never wavered from that goal by falling off the wagon and becoming addicted to S.U.V.'s—those they just make for the Americans.

Imagine if America had that sort of steely focus. Imagine, in fact, if at this time of soaring oil prices and endangered environments, America had a presidential candidate who could offer a realistic plan for how to preserve our earth in the balance.

Wait a minute—that was supposed to be Al Gore, but in the heat of the campaign Mr. Gore has shamelessly offered us instead a fly-by-night plan for putting America out of balance. The new Gore energy theory is to demonize the oil companies, tap into the nation's strategic oil reserve—which only a few months ago he declared shouldn't be touched to manipulate prices—and talk about developing new magic energy-saving technologies that will create jobs in the swing states where Mr. Gore needs to get elected and will allow Americans to keep driving gas-guzzling big cars and indulging their same energy-consuming habits without pain.

How nice! How easy! And how far from what's really required to free us from the grip of OPEC. Here is how we got into this pickle, which you won't hear from Mr. Gore:

OPEC came along in the 1970's and pushed the crude oil price up too far too fast, and it created a global economic slowdown, triggered both energy conservation and widespread new exploration outside of OPEC. The result was an oversupply of oil from 1981 to 1998—culminating in 1998 with oil falling to $10 a barrel, when the glut coincided with Asia's economic crisis.

This cheap oil lulled us into retreating from conservation, and was like a huge tax cut. And because it coincided with the technology revolution, it added to the booming U.S. economy, which helped fuel a world economic recovery. But this boom eventually stretched OPEC's capacity for quality oil, used up most of the world's oil tankers and once again pushed up prices. As such, today we either have to start to consume less oil—by shrinking our S.U.V.'s, raising gasoline taxes and again taking conservation seriously—or find more non-OPEC oil, which means figuring out how to tap more of Alaska's huge natural gas reserves without spoiling Alaska's pristine environment. Or else we pay the price.

Mr. Gore knows this, but instead of laying it on the line he opted for an Olympic-quality, full-body pander—offering a quick fix to garner votes, and pain-free solutions for the future. Prime the pumps, pump the polls and pay later. Don't get me wrong, tapping the strategic reserve makes some sense to ease the current distribution crisis—but doing it without also offering a real program for consuming less oil and finding more makes no sense at all.

It's also dangerous. Another name for the Gore strategy would be ''The Saddam Hussein Rehabilitation Act of 2000.'' Because tapping into the strategic reserve, without conservation or exploration, only guarantees OPEC's dominance. And when the oil market remains tight, it means that Saddam is in an ideal position to hold America hostage. Any time he threatens to take any of his oil off the market, he can make the price soar.

Mr. Gore's oil pander also reminds many Democrats of what it is that bothers them about the vice president. Many Democrats really are not wild about him, yet they know they have to vote for him over Mr. Bush. They would at least like to feel good about that vote.

But when you hear Mr. Gore bleating that ''I will work for the day when we are free forever of the dominance of big oil and foreign oil''—without leveling with Americans that the only way to do that is by us consuming less and drilling more—you just want to cover your ears. Surely Mr. Gore is better than that. Surely Gore supporters are entitled to expect more from him. I guess all they can hope for now is that he will show more spine and intellectual honesty as a president than he has as a candidate. You really start to wonder, though.

Ms. MIKULSKI. Mr. President, I rise to oppose cloture on the H–1B visa bill. I understand the importance of filling jobs in our high-tech industry. Yet hiring more people from abroad is only a short-term stop-gap solution.

We don't have a worker shortage—We have a skill shortage. We must upgrade the skills of American workers.

If we don't start dealing with the issue of skills, we will never have enough high-tech workers, and we'll perpetuate the underclass.

I am pleased that the H–1B visa bill would use visa fees for worker training and National Science Foundation scholarships, but we must do a lot more for K–12 education. That is why I want to offer an amendment to enable all Americans to learn the skills they need to work in the new digital economy.

My amendment is endorsed by the NAACP, the National Council of La Raza, the American Library Association, and the YMCA.

During consideration of the budget resolution, I offered an amendment to create a national goal: to ensure that every child is computer literate by the 8th grade, regardless of race, ethnicity, income, gender, geography, or disability.

My amendment passed unanimously. Yet in this Congress, we have done nothing to make this goal a reality.

A digital divide exists in America. Low-income, urban and rural families are less likely to have access to the Internet and computers. Black and Hispanic families are only two-fifths as likely to have Internet access as white families. Some schools have ten computers in every classroom. In other schools, 200 students share one computer.

Technology is the tool; empowerment since the Civil Rights Act of 1964, or it could result in even further divisions between races, regions and income groups.

Last year I visited New Shiloh Church in Baltimore. The pastor, Reverend Carter is working to bring jobs and hope to his community. He wanted to start a technology center. He asked for my help—and I didn't know how to help him. So for over a year, I've been learning about the digital divide.

I reached out to the Congressional Hispanic Caucus, the Congressional Black Caucus, people throughout Maryland, including, Speaker Cass Taylor, who is trying to wire western Maryland, ministers in Baltimore, who want their congregations to cross the digital divide, business leaders, who need trained workers, and educators, who want to help their students become computer literate.

I learned that our Federal programs are scattered and skimpy. Teachers and community leaders have to forrage for assistance.

The private sector is doing important, exciting work in improving access to technology. But technology empowerment can't be limited to a few zip codes or a couple of recycled factories. We need national policies and national programs.

We must focus on the ABC's: A—Universal Access; B—best trained—and better paid teachers; C—computer literacy for all students by the time they finish 8th grade.

My amendment would do two things. First of all, I am focusing on access. Community leaders have told me that we need to bring technology to where kids learn not just where we want them to learn.

They don't just learn in school; they learn in their communities.

Not every family has a computer in their home, but every American should have access to computers in their community.

This is a truly American ideal. We are the nation that created free public schools to provide every child with access to education.

We created community libraries across the country to provide all Americans with access to books.

We now need to bring technology into our communities to give all Americans access to technology.

What does this amendment do to improve access to technology? It creates 1,000 community based technology centers around the country. These centers would be created and run by community organizations, like a YMCA, the Urban League, or a public library.

The Federal Government would provide competitive grants to community based organizations.

At least half the funds for these sectors must come from the private sector. So we will be helping to build public-private partnerships around the country.

The private sector is eager to form these partnerships because their biggest problem is hiring enough skilled workers.

What does this mean for local communities? It means a safe haven for children, where they could learn how to use computers and use them to do homework or surf the Web.

It means job training for adults, who could use the technology centers to sharpen their job skills or write their resumes.

These community centers can serve all regions, races, and ethnic groups. They will be where they are needed, where there is limited access to technology.

They will be in urban, rural, and suburban areas.

They will be in Appalachia, and urban centers, and Native American reservations.

Over 750 community organizations applied for Community Technology Center grants last year.

We were only able to give grants to 40 community organizations.

There were so many excellent proposals last year that they didn't ask for new applicants this year, so this year, they are funding 71 more of the original applicants.

We must do better.

The second part of my amendment is about education.

My amendment doubles teacher training in technology.

Why is this important?

Because everywhere I go, teachers tell me that they want to help their students cross the digital divide. They need the training to do this because technology without training is a hollow opportunity.

Yet, according to a 1998 study by the National Center for Educational Statistics, only 20 percent of teachers feel fully prepared to use technology in their classrooms.

The Maryland Superintendent of Schools, Dr. Nancy Grasmick, told me that last summer, over 600 teachers from across the State volunteered to participate in a technology training academy. They volunteered their time to go to Towson State University to learn how to use technology in their classrooms. Over 400 were turned away because of lack of funding.

That is why my amendment would double funding for teacher training in technology.

Finally, my amendment doubles funding to train new teachers. Over the next 10 years, we will have to hire an additional 2 million teachers. In Maryland, over half our teachers will be eligible to retire by 2002. We must make sure that all new teachers have the skills they need to fully integrate technology into their classes.

Under cloture, I would not be able to offer my amendment.

Some of my colleagues would be glad about that.

They would say this bill is about immigration, not education.

Well, I would have preferred to offer this amendment to the Elementary and Secondary Education Act, but the majority leader pulled that bill off the floor after only nine days of debate.

So instead of educating Americans for high-tech jobs, we are putting a Band-Aid on the problem by relying on workers from abroad.

We are living in an exciting time.

The opportunities are tremendous: to use technology to improve our lives; to use technology to remove the barriers caused by income, race, ethnicity, or geography.

This could mean the death of distance as a barrier for economic development for poor children and children of color; it could mean the death of discrimination and enable them to leap frog into the future.

My goal is to ensure that everyone in Maryland and in American can take advantage of these opportunities, so that no one is left out or left behind.

It would be a shame and a disgrace for this Congress to end without helping all Americans to cross the digital divide.

Mr. HOLLINGS. Mr. President, I cannot agree with the premise of the H1B Visa bill. Affluent America with all of its opportunities cannot be designated skill-short. I have been in the game of technical training for skills for years. At present we are attracting high-tech industries, like Black Baud, training computer operators overnight. Stop for a moment and analyze the zeal behind this movement. We have learned that 20 percent of Microsoft employees are part-time. The employees had brought a suit in 1992 so that they would receive stock options, health care and retirement benefits as other workers performing the same task. By 1998 these workers had prevailed in the courts, but Microsoft put them all on part-time employment. The trend in these high-tech industries is to part-time. Today this amounts to 20 to 30 percent of those at Redmond, Washington. In Silicon Valley 42 percent of the employ is part-time. So high-tech is not providing the paying jobs to support a middle class in America. High-tech is looking to bring in the so-called Indian or Chinese talented at a $40,000 per year rate. But these jobs can and should be trained for in the United States. In fact, that is what they have told the 38,700 textile workers in South Carolina who have lost their jobs since NAFTA. ''We have moved into a new economy'' is the cry with the rejoinder, ''retrain, retrain.'' So, as I set about retraining them for high-tech, the Congress prepares to superimpose 600,000 foreign trained before they have had a chance to compete in the new economy. Mind you me, I am devoted to advanced technology. I authored the successful advanced technology program now ongoing in the Department of Commerce. I believe America's security rests with its superiority in technology. But high-tech doesn't provide the number of jobs that manufacture does. Microsoft has 21,000 employees in Redmond, Washington; Boeing has 100,000. And high-tech doesn't pay. I know firsthand that we can train the cotton picker to become a skilled automobile manufacturer. We have done this at BMW in Spartanburg, South Carolina. Incidentally, the quality of the product of the South Carolina BMW plant exceeds the quality of the Munich product. What we are really facing is a foot race for the high-tech political money. I saw this in the farcical Y2K law adopted by the Congress. We saw it again in the foot race for the estate tax legislation to take care of 100 new Internet billionaires. And now we presume a non-existent national crisis in H1B for the high-tech political contributions. I am not joining in this charade.

I ask unanimous consent that an article entitled ''How To Create a Skilled-Labor Shortage'' be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 6, 2000]

HOW TO CREATE A SKILLED-LABOR SHORTAGE

(By Richard Rothstein)

To alleviate apparent shortages of computer programmers, President Clinton and Congress have agreed to raise a quota on H–1B's, the temporary visas for skilled foreigners. The annual limit will go to 200,000 next year, up from 65,000 only three years ago.

The imported workers, most of whom come from India, are said to be needed because American schools do not graduate enough young people with science and math skills. Microsoft's chairman, William H. Gates, and Intel's chairman, Andrew S. Grove, told Congress in June that more visas were only a stopgap until education improved.

But the crisis is a mirage. High-tech companies portray a shortage, yet it is our memories that are short: only yesterday there was a glut of science and math graduates.

The computer industry took advantage of that glut by reducing wages. This discouraged youths from entering the field, creating the temporary shortages of today. Now, taking advantage of a public preconception that school failures have created the problem, industry finds a ready audience for its demands to import workers.

This newspaper covered the earlier surplus extensively. In 1992, it reported that 1 in 5 college graduates had a job not requiring a college degree. A 1995 article headlined ''Supply Exceeds Demand for Ph.D.'s in Many Science Fields'' cited nation-wide unemployment of engineers, mathematicians and scientists. ''Overproduction of Ph.D. degrees,'' it noted, ''seems to be highest in computer science.''

Michael S. Teitelbaum, a demographer who served as vice chairman of the Commission on Immigration Reform, said in 1996 that there was ''an employer's market'' for technology workers, partly because of post-cold-war downsizing in aerospace.

In fields with real labor scarcity, wages rise. Yet despite accounts of dot-com entrepreneurs' becoming millionaires, trends in computer technology pay do not confirm a need to import legions of programmers.

Salary offers to new college graduates in computer science averaged $39,000 in 1986 and had declined by 1994 to $33,000 (in constant dollars). The trend reversed only in the late 1990's.

The West Coast median salary for experienced software engineers was $71,100 in 1999, up only 10 percent (in constant dollars) from 1990. This pay growth of about 1 percent a year suggests no labor shortage.

Norman Matloff, a computer science professor at the University of California, contends that high-tech companies create artificial shortages by refusing to hire experienced programmers. Many with technology degrees no longer work in the field. By age 50, fewer than half are still in the industry. Luring them back requires higher pay.

Industry spokesmen say older programmers with outdated skills would take too long to retrain. But Dr. Matloff counters by saying that when they urge more H–1B visas, lobbyists demonstrate a shortage by pointing to vacancies lasting many months. Companies could train older programmers in less time than it takes to process visas for cheaper foreign workers.

Dr. Matloff says that in addition to the pay issue, the industry rejects older workers because they will not work the long hours typical at Silicon Valley companies with youthful ''singles'' styles. Imported labor, he argues, is only a way to avoid offering better conditions to experienced programmers. H–1B workers, in contrast, cannot demand higher pay; visas are revoked if workers leave their sponsoring companies.

As for young computer workers, the labor market has recently tightened, with rising wages, because college students say earlier wage declines and stopped majoring in math and science. In 1996, American colleges awarded 25,000 bachelor's degrees in computer science, down from 42,000 in 1985.

The reason is not that students suddenly lacked preparation. On the contrary, high school course-taking in math and science, including advanced placement, had climbed. Further, math scores have risen; last year 24 percent of seniors who took the SAT scored over 600 in math. But only 6 percent planned to major in computer science, and many of these cannot get into college programs.

The reason: colleges themselves have not yet adjusted to new demand. In some places, computer science courses are so oversubscribed that students must get on waiting lists as high school juniors.

With a time lag between student choice of majors and later job quests, high schools and colleges cannot address short-term supply and demand shifts for particular professions. Such shortages can be erased only by raising wages to attract those with needed skills who are now working in other fields—or by importing low-paid workers.

For the longer term, rising wages can guide counselors to encourage well-prepared students to major in computer science and engineering, and colleges will adjust to rising demand. But more H–1B immigrants can have a perverse effect, as their lower pay signals young people to avoid this field in the future keeping the domestic supply artificially low.

Mr. MCCAIN. Mr. President, I regret that the Latino and Immigrant Fairness Act, which I enthusiastically support, has fallen victim to political currents in the Senate that do a disservice to the many Latino and other immigrants who rightly deserve the status this legislation would afford them. I strongly support the H–1B visa bill but, like my colleagues, recognize that attaching the Latino and Immigrant Fairness Act to it would likely prevent the high-tech worker legislation's passage in the 106th Congress. Indeed, the

House leadership has indicated that it will not bring the H–1B visa bill to the floor with the Fairness provisions attached—a position I strongly disagree with.

Senators who support passage of both the H–1B bill and the Fairness Act thus find themselves in the position of being forced to vote against a procedural motion to allow consideration of the Fairness provisions to keep alive our hope of raising visa caps for the high-tech workers our companies so desperately need.

I hope the Senate will have the opportunity to vote on passage of the Latino and Immigrant Fairness Act before the 106th Congress adjourns. It is the right thing to do, and our leaders on both sides of the aisle should find a way to bring it to a vote.

Throughout my political career, I have been deeply honored by the support of Latinos and other immigrants in my home state of Arizona. Our compassion and advocacy of family values for all members of our society, including hard-working, tax-paying Latinos who have resided in this nation for many years, require us to take a closer look at the Latino and Immigrant Fairness Act than has been afforded us during the H–1B visa debate. I look forward to an up-or-down vote on this legislation and will support its passage.

Mr. BYRD. Mr. President, earlier today I voted against suspending the rule to allow for the consideration of the Latino and Immigration Fairness Act as an amendment to the H–1B visa legislation.

I opposed suspending the rules because the Latino and Immigration Fairness Act sends the wrong message to those persons who might consider illegally entering the United States. Under current law, a person who enters this country as a temporary alien or nonimmigrant must return to his native country after his temporary papers have expired if he wants to apply for permanent residency in the United States. This amendment would allow these nomimmigrants to pay a $1,000 fee to the Immigration and Naturalization Service (INS) in order to remain in the United States while they apply for permanent residency. Advocates of this provision argue that this fee would be a significant source of income for the INS. That may be so, but, at the same time, the amendment would allow for illegal immigrants to legally work in the United States while their residency application is pending, and send the message abroad that this is the preferred route to U.S. residence. Although it may be inconvenient for eligible aliens who are in the United States to have to apply for residency from outside of the United States, that is not a sufficient reason for giving them an advantage that is unavailable to other hopeful immigrants who are patiently waiting abroad for their opportunity to legally immigrate.

Similarly, the Latino and Immigration Fairness Act would extend the registration time line for immigrants who are here illegally to apply for permanent residence if they entered the country prior to 1986. While this provision would allow immigrants of good moral conduct to apply for permanent residency, it also rewards immigrants who managed to stay in the United States illegally. What is worse is, that it sends the unfortunate message that is possible to gain permanent residency in the United States regardless of whether you are an alien who arrived here legally or illegally.

I am opposed to Congress' sending these mixed signals to immigrants entering this country. The Immigration and Nationality Act, our primary law for regulating immigration into this country, sets out a very specific process by which nonimmigrants may apply for permanent residency in this country. The Latino and Immigration Fairness Act would effectively create short cuts around this process by allowing illegal immigrants to circumvent the normal rules. This is not the message I want to send abroad.

Mr. SMITH of New Hampshire. Mr. President, I rise today in support of S. 2045, the American Competitiveness in the Twenty-First Century Act.

This bill provides for an increase in foreign workers possessing special skills to enter the United States on a temporary basis in the field of information technology.

This bill also encourages more young people to study mathematics, engineering, and computer science to insure that in the future, Americans can fill these high technology jobs.

I support this legislation, but I do have some concerns about the potential for the theft of American technology through immigrant high-tech workers.

H–1B is a visa classification. H–1B visas were created for non-immigrant foreign nationals admitted to the U.S. on a temporary basis. These H–1B visas are valid for three years and can be renewed for an additional three years.

In order to qualify for H–1B visa status, an individual must be in a specialty occupation which requires a theoretical and practical application of a body of highly specialized knowledge and at least a bachelor's degree in the specific specialty area.

In 1998, Congress passed, and the President signed, legislation increasing the annual ceiling for admission of H–1B visas from 115,000 in fiscal year 1999 and 2000, and 107,500 in fiscal year 2001.

In 1999, it took nine months to exhaust the H–1B annual ceiling. This year the ceiling was reached in 6 months. The high tech industry has not filled these jobs and the American economy is paying the price.

Another provision of this legislation addresses the long-term problem that too few U.S. students are excelling in mathematics, computer science, and engineering. We need to encourage more young people to study mathematics, engineering, and computer science and to train more Americans in these areas, so that there will be no need in the future for H–1B visas.

I do have national security concerns about the H–1B visa program. I would like to see a proper screening of candidates for H–1B visas by the Immigration and Naturalization Services to ensure that these foreign nationals do not steal technology for export to a foreign government.

I will be monitoring the implementation of this new law to ensure that national security and intellectual property rights are protected.

We also need to make a better effort to encourage these companies to train and recruit American workers for these high paying jobs.

Mr. President, I ask that the Senate support this increase in the ceiling on H–1B visas and this increase in funding to train young Americans to fill these important jobs in the high tech industry.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, parliamentary inquiry: How much time is left on both sides?

The PRESIDING OFFICER. The majority controls all remaining time until 4:30.

Mr. HATCH. Mr. President, I ask unanimous consent that the distinguished Senator from Connecticut be granted 5 minutes to make whatever speech he desires, and that there be an additional 10 minutes for me to conclude my remarks on this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut.

Mr. DODD. Mr. President, I thank my colleague from Utah. As always, he is very gracious.

Mr. President, I rise today in support of the pending motion made by the Democratic leader on behalf of the Latino fairness legislation, and also in support of the underlying H–1B visa legislation. First, let me speak to the H–1B legislation, which is so vital to the economic growth of our nation. This legislation both raises the limit on the number of foreign high-tech workers admitted to the United States each year, and invests vital funds in educating our American students, especially those in low-income areas, in math, science, and technology. This is a critically important bill that is necessary to maintain the dynamic growth we have seen in the high-tech sector of our economy over both the short- and long-term.

We live in a remarkable period of prosperity. Just today we read in our newspapers that the poverty rate in America is the lowest in 20 years, while median household income is at an all time high—over $40,000 a year. Yet, we can do more to lift the tide of growth for all Americans. Currently, approximately 190,000 high-tech jobs go unfilled in America each year, and it is expected that close to 1.3 million high-tech jobs will be unfilled in 2006. Our

high-tech businesses are hurting for employees, and there are not enough American students graduating with technology degrees to fill these jobs. The short-term answer to this shortage of technology skilled workers is simple: we must admit more highly-trained foreign workers to the United States. This legislation will do that by raising the number of H–1B visas issued to 195,000.

Yet, in the long-run, we should not simply keep importing foreign workers to shore up our workforce. We must do a better job of preparing our own students to seek careers in technology. That is why the education and training provisions included in this bill are so important. By making an investment in math and science education for our young people, especially those students who live in our low-income areas, we are investing in their future as well as America's future.

Having said that, we must remember that the economic prosperity that we enjoy today is not being distributed equally. There is a cloud behind the silver lining of our current prosperity. The gap between the most affluent Americans and the rest of the population is widening, and poverty rates are still too high. 11.8 percent of our citizens live below the poverty line. True, that number is the lowest in years. However, it also means that 32.2 million Americans cannot afford the basic necessities of life. A disproportionate number of those who live in poverty are minorities, including a great many who have left their country of birth for a better life in America.

This is one of the reasons why when we talk about H–1B visas we must also talk about the Latino Fairness Act. This act will help restore fairness and parity to our immigration laws, keeping families together and encouraging more Hispanics to work lawfully. This bill has three purposes;

First, it will update the date of registry to 1986, recognizing that immigrants who have lived in the United States for a very long time have deep roots here, and it is best to put them on a track toward citizenship.

Second, it would restore section 245(I) of the immigration code to allow immigrants who are undergoing the process of legalization to apply for their visas in the United States, rather than forcing them to leave the country and reenter, sometimes causing them to be ''locked-out'' of the United States for years.

Finally, the Latino Fairness Act would guarantee that Latinos from strife-torn nations are treated the same under immigration law. The oppression that residents of one Latin American country have suffered should not be considered more or less grave than the oppression faced by the residents of another country where serious human rights abuses have been committed. By improving parity and equality in our immigration law, this bill would even the playing field for many Latin Americans who want to come to this country and be referred to as simply ''Americans.'' In fact, I would hope that as we continue efforts to enact this legislation, we would consider expanding the list of covered nationalities to include people from countries that also experience economic strife.

I would like to take a moment to share with you the story of just one of the many immigrants that would be helped by this law. Gheycell moved to the United States in 1991, when she was 12 years old, with her father and sister from war-torn Guatemala. She went to school and became an active member of her community. In high school, she formed a club to help homeless adults and children in Los Angeles. Her father applied for asylum and they were all given work permits. Gheycell aspired to go to college to become a teacher and help others. She could not afford to go to a state university so she went to community college while working full time to save money for university tuition. Her father has applied for permanent residence under current law, but Gheycell has turned 21 and no longer qualifies for adjustment of status through her father's application. Her work permit has expired and she is now undocumented. She must return to Guatemala where she will not have the opportunities she has here. Her father and sister are not getting their green cards and Gheycell does not want to be separated from her family or give up her dream of educating and helping children here in her adopted homeland.

Do we really want to be responsible for turning Gheycell away from her dream? America needs more teachers. Why are we sending this dedicated American away? Denying Gheycell a visa is both her and America's loss. That is why we must act to help Gheycell and others like her. Reforming our immigration laws is not only an issue that is important for our economy, but is also important to our values as a nation. If we truly believe in family values, we need to value families. We should be trying to keep families together, especially those families with children that need two wage-earners to stay above the poverty line. The Latino Fairness Act, as much as any other legislation this Congress will consider, tells Americans and the world that we do value families. It says that we will not turn family members away when they have for years been a part of America—working, serving their community, and contributing to the well-being of their families and our country.

We read stories every day in the paper and in magazines about the innovators and leaders of the new economy. Thanks in many respects to them, the technology sector is booming. That sector now needs the relief that the H–1B legislation will provide. However, we must remember that people like Gheycell also exist—people who are not the subject of biographies and ''man-of-the-year'' awards—that need relief too.

While the Latino Fairness measures may not be technically germane to the H–1B bill, they are highly relevant to the issues we are debating today. The general goal of the H–1B legislation is to admit immigrants to our country to work and contribute to our economic prosperity. Why then are we attempting to limit consideration of a bill that would allow people who have been living and working in the United States to stay here and continue to contribute to our prosperity? We seem to be giving with one hand, and taking with the other. By obstructing the Latino Fairness Act, we are effectively closing our doors and contributing to a process that will result in the departure of people that have been working and adding to our prosperity for years. At a time when job vacancies are commonplace, we can't afford as a nation to turn people out. If we want to help the high tech community, our economic well-being, and families, we need to pass both the H–1B and Latino fairness bills, and I hope that my colleagues will agree with me on this matter.

The PRESIDING OFFICER. Under the previous agreement, the Senator from Utah is recognized for 10 minutes prior to the vote.

Mr. HATCH. Mr. President, I spoke at length this morning on the issues before us, so I will try and be brief now.

First, let me begin by emphasizing how critical this bill is for our country's future. The second vote this afternoon is on the Hatch substitute to the underlying bill, S. 2045. Like the bill, the substitute raises the annual cap on H–1B visas to 195,000 in each of the next three years. The increase in the number of highly skilled temporary workers will help American companies continue to create jobs in this country and maintain their competitiveness in the global economy.

But this substitute, however, does a lot more. The use of skilled foreign labor is nothing more than a temporary stop gap solution to a long term problem we face in this Century. The problem is one of ensuring that our high tech industry has an adequate number of highly trained and educated workers to fill the demand. To hear some of my colleagues in recent days, one would think there is nothing in this bill on educating our young people and training our workforce. That is simple and completely inaccurate. The substitute contains important education and training provisions, worked out with my colleagues—including Senators LIEBERMAN, FEINSTEIN, KENNEDY, and ABRAHAM. Senators ABRAHAM and KENNEDY are respectively the chairman and ranking member of the Immigration Subcommittee. These provisions use the fees generated by these visas to finance important education and training programs for our children and our current workforce. These are critical measures for our country.

That, Mr. President, is the matter at hand. Unfortunately, however, much of the discussion and debate this week

has been on an unrelated and far-reaching immigration matter—the so-called Latino fairness bill. As I noted in some detail this morning, this measure, which purports to simply restore due process to a limited group is a broad, far-reaching and costly new amnesty program, conservatively estimated to cost $1.4 billion over the next 10 years. It provides amnesty to hundreds of thousands if not millions of illegal aliens on an ongoing basis—or, in other words, an amnesty, ''rolling'' amnesty—over the next 5 years. That is right, Mr. President—it is a rolling amnesty, obviously creating an incentive for illegal aliens to continue to escape the law because the rewards for those who are most effective at remaining in this country illegally happen to be permanent resident status.

But this so-called Latino fairness is no fairness at all—no fairness to the millions of immigrants who have and will continue to play by the rules and follow the legal process. I have said to my friends on the other side, if we are so eager to increase the supply of labor from abroad, if we are so eager to unify families, then perhaps we should examine lifting the caps on legal immigrants or at least cutting down their waiting periods.

I am willing to work on that, but I can never get any cooperation from the other side. They want to have a ''rolling'' amnesty for several million illegal aliens in this country who can evade the law for a matter of time and then be eligible for full nonresident status on the way to citizenship.

To summarize:

First, the so-called Latino fairness bill extends a broad amnesty to illegal immigrants here since 1986.

Second, it is a ''rolling'' amnesty, so that over the next 5 years we move the date up to 1991.

Third, a conservative CBO estimate, even without considering the ''rolling'' provision, puts the cost of the amnesty at $1.4 billion over 10 years.

Fourth, this provision rewards illegal immigrants who have been the most effective in evading law enforcement.

What this proposal does not do, and what I think real Latino fairness would be is:

First, we should increase the number of legal immigrants allowed in this country annually if such an increase is needed to ensure an adequate labor supply and greater family unification. This would be a wise thing to do. It would be a fair thing to do. It would also be the legal thing to do, compared to what they are trying to do over there.

They are trying to enact a bill that they did not even have the foresight to bring up on the floor or to file until July 25 of this year.

Mr. DURBIN. Will the Senator yield?

Mr. HATCH. I only have a limited period of time, so I have to finish my remarks.

Second, we should expedite INS review of petitions by family members of citizens. Let's face it, the INS is in a mess right now, and it could be reformed to expedite the processing of legal immigrants.

Third, we should restore the right of persons allowed amnesty back in 1986 to have their claims adjudicated.

These three changes in law, in contrast to what is proposed today by our friends on the other side, would be real Latino fairness. It would reward those who have followed the law and played by the rules.

So this is where we are. The vote we are about to have on suspending the rules is a ''have it both ways'' vote. My colleagues voted overwhelmingly for cloture yesterday—including almost all Democrats and all Republicans. The last time I looked, cloture meant the inability to consider nongermane amendments.

Today, many of these same persons who voted for cloture are voting to suspend the results of that vote and allow debate on this unrelated measure. Tomorrow, they will probably vote for cloture again.

So on Tuesday, the high-tech community gets its vote. On Wednesday, many of the same group vote to undo their vote, and on Thursday they vote with high tech again. Oh, it is confusing when you are trying to have it both ways.

I hope no one will be fooled by what is happening. I urge my colleagues to oppose suspending the rules, which is an extraordinary procedural move aimed at playing politics.

I am told that this procedure of suspending the rules has not been used since 1982. I do not believe it has ever been used in this manner for crass political purposes and maneuvering. I hope it will be overwhelmingly rejected. I hope that, once again, we will vote for cloture on this bill.

Mr. President, I ask unanimous consent that a letter from the Chamber of Commerce dated September 26, 2000, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. CHAMBER OF COMMERCE,
Washington, DC, September 26, 2000.

TO MEMBERS OF THE UNITED STATES SENATE: On behalf of the U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, I wish to clarify our position with regard to the current debate on the H–1B legislation and proposals unrelated to that legislation concerning legalization of certain workers already in the United States. During this afternoon's debate on this issue, there have been misleading statements as to the Chamber's position on provisions relating to updating the registry date, restoring section 245(i), and adjustments for certain Central Americans.

While the U.S. Chamber of Commerce, as part of the Essential Worker Immigration Coalition, has expressed its general support for these concepts, it strongly opposes efforts to amend the pending H–1B legislation with these provisions. These are completely separate issues and must be considered separately.

Sincerely,

R. BRUCE JOSTEN.

Mr. HATCH. Mr. President, I have heard all this talk on the other side about how all these people are supporting what they want to do. It just ''ain't'' true. Let me read this letter dated September 26, 2000:

TO MEMBERS OF THE UNITED STATES SENATE: On behalf of the U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, I wish to clarify our position with regard to the current debate on the H–1B legislation and proposals unrelated to that legislation concerning legalization of certain workers already in the United States. During this afternoon's debate on this issue, there have been misleading statements as to the Chamber's position on provisions relating to updating the registry date, restoring section 245(i), and adjustments for certain Central Americans.

While the U.S. Chamber of Commerce, as part of the Essential Worker Immigration Coalition, has expressed its general support for these concepts, it strongly opposes efforts to amend the pending H–1B legislation with these provisions. These are completely separate issues and must be considered separately.

Sincerely,

R. BRUCE JOSTEN.
Executive Vice President Government Affairs.

Mr. President, it is remarkable to say all these organizations support this type of extraordinary procedural maneuvering. Because when you really look at what the organizations support, they support a regular process whereby the committee with jurisdiction holds real substantive hearings to determine what is right and what is wrong. The organizations do not support just slamming some bill that would change our immigration laws wholesale—on the floor at the last minute—for no other reason than to try to indicate that they are currying favor with certain groups in this society. In reality this so-called Latino fairness bill would undermine every one of the people who have come here legally, have earned their right to be citizens, and have abided by the rules of this country.

That is just not right. I think this type of procedural maneuvering and politicking should not occur on something where most everybody in this body agrees. And we—most everybody—agrees that this bill should pass.

Mr. President, I ask for the yeas and nays on the pending motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. HATCH. Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion to suspend the rules in reference to amendment no. 4184. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. REID. I announce that the Senator from California (Mrs. FEINSTEIN), and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

The result was announced—yeas 43, nays 55, as follows:

[Rollcall Vote No. 257 Leg.]

YEAS—43

Akaka	Feingold	Mikulski
Baucus	Graham	Miller
Bayh	Harkin	Moynihan
Biden	Hollings	Murray
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Breaux	Kennedy	Robb
Bryan	Kerrey	Rockefeller
Cleland	Kerry	Sarbanes
Conrad	Kohl	Schumer
Daschle	Landrieu	Torricelli
Dodd	Lautenberg	Wellstone
Dorgan	Leahy	Wyden
Durbin	Levin	
Edwards	Lincoln	

NAYS—55

Abraham	Frist	Murkowski
Allard	Gorton	Nickles
Ashcroft	Gramm	Roberts
Bennett	Grams	Roth
Bond	Grassley	Santorum
Brownback	Gregg	Sessions
Bunning	Hagel	Shelby
Burns	Hatch	Smith (NH)
Byrd	Helms	Smith (OR)
Campbell	Hutchinson	Snowe
Chafee, L.	Hutchison	Specter
Cochran	Inhofe	Stevens
Collins	Jeffords	Thomas
Craig	Kyl	Thompson
Crapo	Lott	Thurmond
DeWine	Lugar	Voinovich
Domenici	Mack	Warner
Enzi	McCain	
Fitzgerald	McConnell	

NOT VOTING—2

Feinstein	Lieberman

The PRESIDING OFFICER. On this vote the ayes are 43, the nays are 55. Two-thirds of the Senators duly chosen not having voted in the affirmative, the motion is rejected.

Mr. HATCH. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON AMENDMENT NO. 4178

The PRESIDING OFFICER. Under the previous order, amendment No. 4201 is agreed to, and amendment No. 4183, as thus amended, is agreed to.

The amendments (Nos. 4201 and 4183) were agreed to.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4178.

Mr. HATCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Connecticut (Mr. LIEBERMAN) are necessarily absent.

The PRESIDING OFFICER (Mr. VOINOVICH). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 96, nays 2, as follows:

[Rollcall Vote No. 258 Leg.]

YEAS—96

Abraham	Enzi	Mack
Akaka	Feingold	McCain
Allard	Fitzgerald	McConnell
Ashcroft	Frist	Mikulski
Baucus	Gorton	Miller
Bayh	Graham	Moynihan
Bennett	Gramm	Murkowski
Biden	Grams	Murray
Bingaman	Grassley	Nickles
Bond	Gregg	Reed
Boxer	Hagel	Reid
Breaux	Harkin	Robb
Brownback	Hatch	Roberts
Bryan	Helms	Rockefeller
Bunning	Hutchinson	Roth
Burns	Hutchison	Santorum
Byrd	Inhofe	Sarbanes
Campbell	Inouye	Schumer
Chafee, L.	Jeffords	Sessions
Cleland	Johnson	Shelby
Cochran	Kennedy	Smith (NH)
Collins	Kerrey	Smith (OR)
Conrad	Kerry	Snowe
Craig	Kohl	Specter
Crapo	Kyl	Stevens
Daschle	Landrieu	Thomas
DeWine	Lautenberg	Thompson
Dodd	Leahy	Thurmond
Domenici	Levin	Torricelli
Dorgan	Lincoln	Voinovich
Durbin	Lott	Warner
Edwards	Lugar	Wyden

NAYS—2

Hollings	Wellstone

NOT VOTING—2

Feinstein	Lieberman

The amendment (No. 4178) was agreed to.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The majority leader.

NATIONAL ENERGY SECURITY ACT OF 2000—MOTION TO PROCEED

Mr. LOTT. Mr. President, I now withdraw the pending motion to proceed to S. 2557.

The PRESIDING OFFICER. The Senator has that right. The motion is withdrawn.

AMERICAN COMPETITIVENESS IN THE TWENTY-FIRST CENTURY ACT OF 2000—Continued

AMENDMENT NO. 4214 TO AMENDMENT NO. 4177

Mr. LOTT. Mr. President, I call up amendment No. 4214 at the desk to the pending first degree amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 4214 to amendment No. 4177.

Mr. LOTT. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

AMENDMENT NO. 4216

Mr. LOTT. Mr. President, I now call up amendment No. 4216 at the desk to the pending bill and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 4216.

Mr. LOTT. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. LOTT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4217 TO AMENDMENT NO. 4216

Mr. LOTT. Mr. President, I now call up the filed second-degree amendment No. 4217 at the desk to the pending amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 4217 to amendment No. 4216.

Mr. LOTT. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

MOTION TO RECOMMIT

Mr. LOTT. Mr. President, I move to recommit the bill back to the Judiciary Committee to report back forthwith, and I send the motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] moves to recommit the bill to the Committee on the Judiciary with instructions to report back forthwith.

Mr. LOTT. Mr. President, I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4269

Mr. LOTT. Mr. President, I now send an amendment to the desk to the pending motion to recommit with instructions.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 4269.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. LOTT. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4270 TO AMENDMENT NO. 4269

Mr. LOTT. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 4270 to amendment No. 4269.

Mr. LOTT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

NATIONAL ENERGY SECURITY ACT OF 2000—MOTION TO PROCEED

Mr. LOTT. Mr. President, I now move to proceed to S. 2557, regarding America's dependency on foreign oil sources.

The PRESIDING OFFICER. The motion is debatable.

MORNING BUSINESS

Mr. LOTT. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The assistant minority leader.

Mr. REID. Mr. President, before the majority leader leaves the floor, I know that he and the minority leader have had the opportunity to speak this afternoon. I haven't had an opportunity to speak since that took place.

For purposes of informing Members, could the leader give us some idea of what we can expect. We know that tomorrow is pretty well filled up. We have 7 hours set aside for the continuing resolution, but there is some progress being made on various bills. Energy and water, they are reading that now. Hopefully, that might be filed tonight.

Mr. LOTT. I might say, Mr. President, I know the Senator from Nevada helped with some of the completion efforts on that energy and water appropriations bill. We should have it ready, hopefully, to be considered tomorrow; if not tomorrow, then the first part of next week.

I yield further for his questions and then I have some answers for him.

Mr. REID. On the H–1B, we are ready to vote on it. We have tried to have a vote on the Latino and Immigrant Fairness Act. There was one this afternoon that this Senator considers a vote on that amendment. Perhaps we are arriving at a point where we can start moving some of these things because I know we are going to get out of here next Thursday or Friday.

Mr. LOTT. That sounds like an excellent suggestion to me, Mr. President.

If I could respond, of course, the Senator is correct when he noted that we have, I believe, 7 hours of time that will be consumed, if it is all used, to discuss the continuing resolution. And, of course, we would have a vote at the end of that time. Obviously, Senator REID and others have made their points on the immigration issue. The H–1B issue, hopefully, we could come to agreement to have a vote scheduled on that. And I would like to work with the minority in determining what time they would find agreeable to have that vote. Perhaps we could do that tomorrow. I am fixing to ask consent that we consider the D.C. appropriations bill, which would give us a time agreement on that, if we could get that.

On the appropriations bills, it is like all appropriations conferences. They are never closed until they are closed. There are one or two issues that are very important that are still pending on a number of them. Interior appropriations, I believe, is very close to closure. There is still discussion going on with regard to so-called lands legacy funding and the CARA conservation bill.

The Agriculture appropriations bill is very close to conclusion. Once again, we have a couple of issues that have to be dealt with in finality. One of them is how do you deal with the sanctions question. A lot of people are making suggestions and, hopefully, a compromise can be reached that satisfies the great majority of the Senate and the House, Republicans and Democrats.

We think we are very close on the HUD–VA appropriations bill. The information I get is the administration is signaling that they think that could be an acceptable bill. There might be some issues that would be considered being added to that, not necessarily appropriations bills.

The Transportation appropriations bill, I believe, is for the most part done, with one remaining issue that is very difficult to resolve. But I know the Senator from New Jersey has a very passionate feeling about that. I understand that. So there are at least four or five appropriations bills that are pretty close to being wrapped up in terms of the dollar amounts. There is about one policy issue left on each one of them.

We hope to have two or three of those done, perhaps in the House of Representatives tomorrow, and then as quickly as we could get to them after that, we would want to do that.

I might say, I am expecting that we will be in session obviously on Monday. We do have the Jewish holiday to honor on Friday, September 29. But we will expect to be here on Monday, October 2, and could be having votes on these conferences that Monday.

I want to give Senators as much notice as we can, although we have indicated for quite some time that that first week in the new fiscal year, obviously we will have to be prepared to be in session the whole week and into the night, if necessary.

Those are the issues we now have identified. There are a number of other issues that are being worked on. The Finance Committee has been doing some work on the railroad retirement bill and on the community renewal legislation, two issues in which I know there is a lot of interest on both sides of the Capitol. I will give the Senator that list, and, hopefully, we can begin to work together to move a number of these. I believe I sense that opportunity now, when maybe it hadn't been quite ready for that earlier.

HEROISM OF WILLIBALD C. BIANCHI AND LEO K. THORSNESS

Mr. DASCHLE. Mr. President, the state of South Dakota has just dedicated a very special park at my alma mater, South Dakota State University. This park holds two new granite markers, each honoring a former SDSU student who won the Congressional Medal of Honor, our nation's highest award for valor in action against an enemy force.

Today I offer my solemn appreciation to these great Americans: First Lieutenant Willibald C. Bianchi, whose heroism occurred in the Philippines during the first weeks of World War II, and Lt. Colonel Leo K. Thorsness, who was decorated for his feats as a fighter pilot over North Vietnam.

First Lieutenant Bianchi, a Minnesota native, was a football player at SDSU and graduated in 1940 with a degree in animal science. During World War II, he served in the 45th Infantry, Philippine Scouts, one of the largest units in the Philippines during the Japanese invasion of December 1941. The invasion was brutally effective and, after less than a month, our Filipino and American troops were forced to retreat onto the Bataan Peninsula where they mounted a final stand against a numerically superior foe.

For three desperate months, the Americans and Filipinos battled the Japanese in a sweltering, mountainous jungle. Food was limited and medical supplies scarce. About a month into the fight, however, First Lieutenant Bianchi participated in a crucial series of battles that helped eliminate a pocket of Japanese troops behind the American line.

Four days after the Japanese incursion, our forces targeted ''the Big Pocket'' in a coordinated infantry-tank attack. A tank was lost and only slight gains made. On February 3, our forces tried again. Although he was assigned to another unit, First Lieutenant Bianchi volunteered to join a rifle platoon that was directed to destroy two machine gun nests. While leading part of the platoon, First Lieutenant Bianchi was struck by two bullets in his left hand. Refusing to pause for first aid, he dropped his rifle and began firing a pistol. He located one of the

machine gun nests and silenced it with grenades. When wounded again, this time by machine gun bullets through his chest muscles, First Lieutenant Bianchi climbed atop an American tank, seized its anti-aircraft gun, and fired into another enemy position until he was knocked off the tank by a third severe bullet wound.

This story has a sad ending. First Lieutenant Bianchi survived that day and returned to the fight a month later. The American-Filipino forces crushed ''the Big Pocket'' about a week after his heroics. But the Japanese would take Bataan in the end, and First Lieutenant Bianchi was sent off on the Bataan Death March. Though he survived the march, he died on January 9, 1945, when an American plane bombed a Japanese prison ship, not realizing that it held Americans.

The other hero memorialized in Brookings is Lt. Colonel Leo Thorsness, with whom I share some history. We both studied at SDSU, we both served in the Air Force, and we both ran for South Dakota's 1st Congressional District seat in 1978. While I prevailed, it was only by the skin of my teeth—110 votes out of more than 129,000 total ballots. And from that struggle, I gained a first-hand appreciation of the spirit, determination and patriotism of Leo Thorsness. For me, that experience enhances my appreciation for the remarkable story of a 35-year-old Air Force major who, in the words of his strike force commander, took on ''most of North Vietnam all by himself.''

Lt. Colonel Thorsness had served as a pilot for about 15 years when he was assigned to the 357th Tactical Fighter Squadron at Takhli Royal Thai Air Base. Lt. Colonel Thorsness was sent in just months after the Soviet Union began supplying North Vietnam with surface-to-air missiles (SAMs), and his mission was a new and dangerous one—distract and destroy the SAMs so that U.S. bombers could deliver their ordnance.

At one o'clock in the afternoon on Wednesday, April 19, 1967, his F–105 screamed off the runway, headed for the Xuan Mai army barracks and storage supply area, 37 miles southwest of Hanoi. Lt. Colonel Thorsness and his wingman attacked from the south, while another pair of F–105s attacked from the north. He silenced one SAM site with missiles, and then destroyed a second SAM site with bombs. But in the attack on the second site, Lt. Colonel Thorsness' wingman was shot down by intensive anti-aircraft fire, and the plane's pilot and electronic warfare officer were forced to eject over North Vietnam. Lt. Colonel Thorsness circled their parachutes and relayed their position to search and rescue crews. While he was circling, a MIG–17 was sighted in the area. Lt. Colonel Thorsness immediately initiated an attack and destroyed the MIG, but he was then forced to depart the area in search of an aerial tanker for refueling.

After learning that rescue helicopters had arrived, but that no additional F–105s were arriving to provide cover, Lt. Colonel Thorsness returned alone, flying back through an area bristling with SAMs and anti-aircraft guns to the downed flyers' position. As he approached, he spotted four MIG–17 aircraft, which he attacked, damaging one and driving away the rest. Soon it became clear that Lt. Colonel Thorsness' plane lacked sufficient fuel to continue protecting the rescue operation and that he would have to find an aerial tanker. On his way to the tanker, however, Lt. Colonel Thorsness received a distress call from a fellow F–105 pilot who had gotten lost in battle and was running critically low on fuel. In response, Lt. Colonel Thorsness allowed that pilot to refuel at the tanker, while he himself flew toward the Thai border, a decision that may have saved the other plane and the life of its pilot, according to the Medal of Honor citation. Lt. Colonel Thorsness managed to return to a forward operating base—''With 70 miles to go, I pulled the power back to idle and we just glided in,'' he would recall later. ''We were indicating 'empty' when the runway came up just in front of us.''

A week-and-a-half later, on a similar mission, Lt. Colonel Thorsness was shot down over North Vietnam by a heat-seeking missile from a MIG–21. He spent the next six years as a North Vietnamese prisoner of war. He was released on March 4, 1973, and in October of that year, the President of the United States draped the light blue ribbon of the Congressional Medal of Honor around Lt. Colonel Thorsness' neck.

The official citation says: ''Lt. Colonel Thorsness' extraordinary heroism, self-sacrifice, and personal bravery involving conspicuous risk of life were in the highest traditions of the military service and have reflected great credit upon himself and the U.S. Air Force.'' I could not have put it any better myself.

With this statement before the United States Senate, I join in saluting First Lieutenant Bianchi and Lt. Colonel Thorsness. As Congressional Medal of Honor winners, they are a symbol of the finest our nation has to offer. Their feats serve as extraordinary lessons in courage, commitment, and self sacrifice, and I am proud that they are identified with my home state.

THE PROFESSIONAL STANDARDS FOR GOVERNMENT ATTORNEYS ACT OF 2000

Mr. LEAHY. Mr. President, I spoke earlier this month about the continuing problems for Federal law enforcement caused by the so-called McDade law, which was slipped into the omnibus appropriations law at the end of the last Congress. I discussed how the interplay of the McDade law and a recent attorney ethics decision by the Oregon Supreme Court is severely hampering Federal law enforcement efforts in Oregon. Oregon's Federal prosecutors will no longer use federally authorized investigative techniques such as wiretaps and consensual monitoring, and by the end of this week, the FBI will shut down Portland's Innocent Images undercover operation, which targets child pornography and exploitation. This is just the latest example of how the McDade law has impeded important criminal prosecutions, chilled the use of traditional Federal investigative techniques and posed multiple hurdles for Federal prosecutors.

Due to my serious concerns about the adverse effects of the McDade law on Federal law enforcement efforts, I introduced S. 855, the Professional Standards for Government Attorneys Act, on April 21, 1999. The Justice Department has called this legislation ''a good approach that addresses the two most significant problems caused by the McDade Amendment—confusion about what rule applies and the issue of contacts with represented parties.''

Since that time, I have conferred with a number of lawmakers from both sides of the aisle about crafting an alternative to the McDade law. Together, we worked out a proposal based on S. 855, which would address the problems that have caused by the McDade law, while adhering to the basic premise of that law— that the Department of Justice should not have the authority it long claimed either to write its own ethics rules or to exempt its lawyers from the ethics rules adopted by the Federal courts. Based on these discussions, I am filing this substitute amendment to my bill, S. 855.

I regret that we have squandered opportunities to move any corrective legislation through the Congress. The consequences of our inaction have been severe, as I have discussed, and it is clear that Federal law enforcement efforts will continue to suffer if we do not act now.

I ask unanimous consent that a copy of the substitute amendment and a section-by-section summary be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE PROFESSIONAL STANDARDS FOR GOVERNMENT ATTORNEYS ACT OF 2000

1. OVERVIEW

The Professional Standards for Government Attorneys Act of 2000 adheres to the basic premise of section 801 of the omnibus appropriations act for fiscal year 1999 (Pub. L. 105–277), commonly known as the McDade law: the Department of Justice does not have the authority it has long claimed to write its own ethics rules. The proposed legislation would establish that the Department may not unilaterally exempt federal trial lawyers from the rules of ethics adopted by the federal courts. Federal courts are the more appropriate body to establish rules of professional responsibility for federal prosecutors, not only because federal courts have traditional authority to establish such rules for lawyers generally, but because the Department lacks the requisite objectivity.

The first part of the proposed legislation embodies the traditional understanding that when lawyers handle cases before a federal court, they should be subject to the federal court's rules of professional responsibility, and not to the possibly inconsistent rules of other jurisdictions. By incorporating this ordinary choice-of-law principle, the proposed legislation would preserve the federal courts' traditional authority to oversee the professional conduct of federal trial lawyers, including federal prosecutors. It would thereby avoid the uncertainties presented by the McDade law, which subjects federal prosecutors to state laws, rules of criminal procedure, and judicial decisions which differ from existing federal law.

The second part of the proposed legislation addresses the most pressing contemporary question of government attorney ethics—namely, the question of which rule should govern government attorneys' communications with represented persons. It asks the Judicial Conference of the United States to submit to the Supreme Court a proposed uniform national rule to govern this area of professional conduct, and to study the need for additional national rules to govern other areas in which the proliferation of local rules may interfere with effective federal law enforcement. The Rules Enabling Act process is the ideal one for developing such rules, both because the federal judiciary traditionally is responsible for overseeing the conduct of lawyers in federal court proceedings, and because this process would best provide the Supreme Court an opportunity fully to consider and objectively to weigh all relevant considerations.

2. SHORT TITLE

Section one is the short title of the bill.

3. AMENDMENTS TO 28 U.S.C. 530B

Section two supersedes the McDade law with a new 28 U.S.C. 530B, consisting of four subsections.

Subsection (a) codifies the definition of ''attorney for the Government'' in the current Department of Justice regulations, and also includes in the definition any outside special counsel, or employee of such counsel, as may be appointed by the Attorney General under 28 CFR 600.1 or any other provision of law.

Subsection (b) establishes a clear choice-of-law rule for government attorneys with respect to standards of professional responsibility, modeled on Rule 8.5(b) of the ABA's Model Rules of Professional Conduct. An attorney who is handling a case in court would be subject to the professional standards established by the rules and decisions of that court. An attorney who is conducting a grand jury investigation would be subject to the professional standards of the court under whose authority the grand jury was impanelled. In other circumstances, where no court has clear supervisory authority over particular conduct, an attorney would be subject to the professional standards established by rules and decisions of the United States district court for the judicial district in which the attorney principally performs his official duties, except that the Act does not apply to government attorney conduct that is unrelated to the attorney's work for the government.

Thus, for example, an Assistant United States Attorney for the Eastern District of New York would ordinarily be subject to the attorney conduct rules prescribed by the E.D.N.Y. courts, as interpreted and applied by those courts. If the attorney handled a government appeal in the United States Court of Appeals for the Second Circuit, the attorney's conduct in connection with the appeal would be subject to the local rules and interpretive decisions of the Second Circuit. If cross-designated to handle a prosecution in another judicial district, e.g., the District of New Jersey, the attorney's conduct with respect to that prosecution would be subject to the local federal district court rules. Similarly, if the attorney were to handle a matter for the government before a New York State court, the attorney would be subject to the professional standards established by the rules and decisions of that court, in the same manner and to the same extent as other New York State practitioners.

This provision anticipates that the Supreme Court might promulgate one or more uniform national rules governing the professional conduct of government attorneys practicing before the federal courts. In this event, the terms of the uniform national rule would apply.

Subsection (c) codifies the predominant practice with respect to state disciplinary proceedings against government attorneys. A government attorney whose conduct is subject to the professional standards of a federal court may be disciplined by state authorities only if referred to state authorities by a federal court. No referral is needed when the applicable professional standards are those of a state court (which may occur, under subsection (b), if the attorney is handling a matter before a state court). This gatekeeping provision ensures that federal courts will have the first opportunity to interpret and apply federal court rules to government attorneys, while leaving substantial enforcement authority with state disciplinary bodies. This provision also specifically promotes federal uniformity in the application of professional standards to government attorneys.

Subsection (d) clarifies the law regarding the licensing of government attorneys, an issue that is currently addressed through the appropriations process. Since 1979, appropriations bills for the Department of Justice have incorporated by reference section 3(a) of Pub. L. 96–132, which states: ''None of the sums authorized to be appropriated by this Act may be used to pay the compensation of any person employed after the date of the enactment of this Act as an attorney (except foreign counsel employed in special cases) unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, territory, or the District of Columbia.''

Subsection (d) codifies this longstanding requirement, and also makes clear that government attorneys need not be licensed under the laws of any state in particular. The clarification is necessary to ensure that local rules regarding state licensure are not applied to federal prosecutors. Cf. *United States* v. *Straub*, No. 5:99 Cr. 10 (N.D. W. Va. June 14, 1999) (granting defense motion to disqualify the Assistant United States Attorney because he was not licensed to practice in West Virginia).

Subsection (e), like the McDade law, authorizes the Attorney General to make and amend rules to assure compliance with section 530B.

4. JUDICIAL CONFERENCE REPORTS AND RECOMMENDATIONS

Section three directs the Judicial Conference of the United States to prepare two reports regarding the regulation of government attorney conduct. Both reports would contain recommendations with respect to the advisability of uniform national rules.

The first report would address the issue of contacts with represented persons, which has generated the most serious controversy regarding the professional conduct of government attorneys. See, e.g., *State* v. *Miller*, 600 N.W.2d 457 (Minn. 1999); *United States* v. *McDonnell Douglas Corp.*, 132 F.3d 1252 (8th Cir. 1998); *United States* v. *Lopez*, 4 F.3d 1455 (9th Cir. 1993); *United States* v. *Hammad*, 858 F.2d 834 (2d Cir. 1988).

Rule 4.2 of the ABA's Model Rules of Professional Conduct and analogous rules adopted by state courts and bar associations place strict limits on when a lawyer may communicate with a person he knows to be represented by another lawyer. These ''no contact'' rules preserve fairness in the adversarial system and the integrity of the attorney-client relationship by protecting parties, potential parties and witnesses from lawyers who would exploit the disparity in legal skill between attorneys and lay people and damage the position of the represented person. Courts have given a wide variety of interpretations to these rules, however, creating uncertainty and confusion as to how they apply in criminal cases and to government attorneys. For example, courts have disagreed about whether these rules apply to federal prosecutor contacts with represented persons in non-custodial pre-indictment situations, in custodial pre-indictment situations, and in post-indictment situations involving the same or different matters underlying the charges.

Lawyers who practice in federal court—and federal prosecutors in particular—have a legitimate interest in being governed by a single set of professional standards relating to frequently recurring questions of professional conduct. Further, any rule governing federal prosecutors' communications with represented persons should be respectful of legitimate law enforcement interest as well as the legitimate interests of the represented individuals. Absent clear authority to engage in communications with represented persons—when necessary and under limited circumstances carefully circumscribed by law—the government is significantly hampered in its ability to detect and prosecute federal offenses.

The proposed legislation charges the Judicial Conference with developing a uniform national rule governing government attorney contacts with represented persons. Given the advanced stage of dialogue among the interested parties—the Department of Justice, the ABA, the federal and state courts, and others—the Committee is confident that a satisfactory rule can be developed within the one-year time frame established by the bill.

While the ''no contact'' rule poses the most serious challenge to effective law enforcement, other rules of professional responsibility may also threaten to interfere with legitimate investigations. The proposed legislation therefore directs the Judicial Conference to prepare a second report addressing broader questions regarding the regulation of government attorney conduct. This report, to be completed within two years, would review any areas of conflict or potential conflict between federal law enforcement techniques and existing standards of professional responsibility, and make recommendations concerning the need for additional national rules.

HISPANIC HERITAGE MONTH

Mr. KERRY. Mr. President, I would like to take this opportunity to commemorate the 30-day period from September 15 through October 15, which was designated by the President as Hispanic Heritage Month. Hispanic Heritage Month was first initiated by Congress in 1968 to celebrate the diverse cultures, traditions, and valuable contributions of Hispanic people in the United States.

We are living through the longest and strongest economic boom in American history. Since 1992, our economy has created 22 million new jobs—and Hispanics in Massachusetts and around the country are sharing in our national prosperity and contributing to this marvelous growth. Since 1993, Hispanic employment has increased by nearly one-third nationwide, and median weekly wages for Hispanics have risen more than 16 percent. The unemployment rate for Hispanics is the lowest since we began tracking it, and the median income for Hispanic households has risen 15.9 percent over the last three years.

But for all our progress, we know that many challenges remain. The dropout rate for Hispanic youth is astonishingly high. There are far too many young people with nothing to do after school, and the unemployment rate is still too high in many predominately-Hispanic communities. We cannot ignore or turn our backs on these young people, because they are truly the future of this nation. And prosperity that is not broadly shared is not true prosperity.

In February of 1994, President Clinton signed Executive order 12900, ''Educational Excellence for Hispanic Americans,'' specifically, ''To advance the development of human potential, to strengthen the Nation's capacity to provide high-quality education, and to increase opportunities for Hispanic Americans to participate in and benefit from Federal education programs.'' I am proud to tell you about an initiative in my state, the Massachusetts Education Initiative for Latino Students (MEILS), which was created to implement the White House Initiative on Educational Excellence for Hispanic Americans in Massachusetts. MEILS created a Steering Committee responsible for developing and implementing a comprehensive approach for dealing with Latino educational issues statewide. MEILS has formulated a partnership between the state, federal, and local government to ensure high-level educational achievements for Latino students, from preschoolers to lifelong learners. MEILS has already established working groups in 13 of the communities with the highest percentages of Hispanic populations in the state of Massachusetts. Last Fall, MEILS held a conference in Worcester, Massachusetts, expecting approximately 300–400 participants, but ultimately drawing 700. They are currently planning their second conference, anticipating over 1,000 participants.

By 2050, one-quarter of all Americans will be Hispanic. In Massachusetts, Hispanics comprise 6% of the population and have made significant contributions to our communities, to our workplaces, to our public schools, and to academe. One of those contributors, Juan Maldacena, an Associate Professor of Physics at Harvard University, recently secured a MacArthur Foundation ''genius'' grant for his work on ''string theory,'' a method for describing gravity in the same terms as other forces in the universe. A colleague of Mr. Maldacena's from the University of Chicago was so taken by this theory that he penned a new version of the ''Macarena'' called the ''Maldacena.''

We know that the key to growing and staying strong is making sure that every American participates in our nation's prosperity. I will continue, and I hope the Congress will continue, to work closely with the Hispanic community because, together, we bring Massachusetts and America closer to the vision of a nation where all citizens are free to reach their potential.

THE PREVENTION OF CIRCUMVENTION OF SUGAR TARIFF RATE QUOTAS

Mr. DORGAN. Mr. President, I rise in support as a cosponsor of S. 3116. The purpose of this legislation is to prevent molasses stuffed with sugar from being allowed into this country.

As others have stated, the molasses in question is stuffed with South American sugar in Canada, and then transported into the United States. The sugar is then spun out of this concoction and sold in this country while the molasses is sent right back across the border to be stuffed with more sugar—and the smuggling cycle starts over again.

This practice is a blatant circumvention of our tariff quota. The sole purpose of this process is to smuggle excess sugar into the United States, and I urge my colleagues to support this legislation, which will put an end to this loophole.

ENERGY POLICY

Mrs. BOXER. Mr. President, yesterday, the Senator from Alaska, Senator MURKOWSKI, made a reference to me which I would like to respond to and set the RECORD straight.

The Senator from Alaska said that H.R. 2884, which would reauthorize the Strategic Petroleum Reserve, is being held up by a senator from the Democratic side of the aisle who is objecting to the reauthorization of the Energy Policy and Conservation Act.

I support H.R. 2884, but I oppose Senator MURKOWSKI's substitute amendment that undermines the new oil valuation rule for royalty payments on oil produced on Federal lands. This rule took over three years to finally implement. Senator MURKOWSKI's amendment would do great damage to the rule, which just took effect a few months ago and taxpayers would be hurt.

In conclusion, I support the House bill, which sets up a heating oil reserve for the northeastern states and reauthorizes the Strategic Petroleum Reserve, but I object to the royalty provision in the substitute amendment.

I call on the Senator from Alaska to let H.R. 2884 move forward as it was passed by the other body—without the royalty language.

VICTIMS OF GUN VIOLENCE

Mr. AKAKA. Mr. President, it has been more than a year since the Columbine tragedy, but still this Republican Congress refuses to act on sensible gun legislation.

Since Columbine, thousands of Americans have been killed by gunfire. Until we act, Democrats in the Senate will read the names of some of those who have lost their lives to gun violence in the past year, and we will continue to do so every day that the Senate is in session.

In the name of those who died, we will continue this fight. Following are the names of some of the people who were killed by gunfire one year ago today.

September 27, 1999: Jermaine Allen, 26, Baltimore, MD; John Arcady, 49, Cincinnati, OH; Nathaniel Ball, 61, Tulsa, OK; Patrick Penson, 18, Fort Worth, TX; Eric Shine, 29, Charlotte, NC; Kevin Woods, 37, St. Louis, MO.

We cannot sit back and allow such senseless gun violence to continue. The deaths of these people are a reminder to all of us that we need to enact sensible gun legislation now.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, September 26, 2000, the Federal debt stood at $5,648,781,388,359.77, five trillion, six hundred forty-eight billion, seven hundred eighty-one million, three hundred eighty-eight thousand, three hundred fifty-nine dollars and seventy-seven cents.

Five years ago, September 26, 1995, the Federal debt stood at $4,953,251,000,000, four trillion, nine hundred fifty-three billion, two hundred fifty-one million.

Ten years ago, September 26, 1990, the Federal debt stood at $3,214,541,000,000, three trillion, two hundred fourteen billion, five hundred forty-one million.

Fifteen years ago, September 26, 1985, the Federal debt stood at $1,823,103,000,000, one trillion, eight hundred twenty-three billion, one hundred three million.

Twenty-five years ago, September 26, 1975, the Federal debt stood at $552,848,000,000, five hundred fifty-two billion, eight hundred forty-eight million, which reflects a debt increase of more than $5 trillion—$5,095,933,388,359.77, five trillion, ninety-five billion, nine hundred thirty-three million, three hundred eighty-eight thousand, three hundred fifty-nine dollars and seventy-seven cents, during the past 25 years.

ADDITIONAL STATEMENTS

DANIEL DYER CELEBRATES 100TH ANNIVERSARY

• Mr. LEAHY. Mr. President, I rise today to speak about an extraordinary Vermonter, Daniel Dyer. As the world celebrates the end of the twentieth century, Daniel Dyer is celebrating the end of his first century. He has seen history made, but he has also made history of his own. Growing up on a farm in Vermont, Mr. Dyer attended the local school in Albany. His strong academic record afforded him the opportunity to attend Craftsbury Academy—where he performed odd jobs to help defray the cost of his room and board. From there, he moved on to the University of Vermont to study education and agriculture, and graduated in 1924. Since then, Mr. Dyer has given over forty years of dedicated service to the young people of Vermont as a teacher, a coach and a principal.

Even after retiring, Mr. Dyer remains active in his community—just last year he was speaking to a classroom of sixth-grade students about his experiences growing up. His contributions to Vermonters were recognized by the University of Vermont when he received awards for Community Service Leadership in 1978 and Distinguished Service in 1988. Today Mr. Dyer is the University's oldest active alumnus and still maintains an amicable relationship with members of the faculty.

On November 3, Daniel Dyer will celebrate his one hundredth birthday with friends and family. Of course, this grand event will include his children, grandchildren and great-grandchildren, all of whom—along with countless other Vermont children—have been touched by this special man.•

TRIBUTE TO CAROLYN C. ROBERTS

• Mr. JEFFORDS. Mr. President, I rise today to pay tribute to Carolyn C. Roberts, an outstanding Vermonter and a national leader in the area of health care reform. As she prepares to retire from her position as President and Chief Executive Officer of Copley Health Systems in Morrisville, Vermont, it is important to reflect on how much one person can accomplish in serving others.

Carolyn was the first Vermonter and the second woman to serve as the Chair of the Board of Trustees of the American Hospital Association. While Carolyn worked to represent all hospitals in this country, she stressed the importance of ensuring residents of rural communities access to health services in their communities. Carolyn also fought hard to preserve the role of community hospitals by advocating for relationships with other health systems. In this, as in every other capacity, her mark has been felt far beyond the boundaries of Lamoille County, Vermont.

Carolyn began her vocation as a nurse and quickly rose to leadership positions as a direct provider, clinical administrator, and executive. Since 1982, Carolyn has been at the helm of Copley, a rural, community-wide, health delivery system in Morrisville, Vermont. Under her leadership, Copley Hospital received the 1987 Foster G. McGaw Prize for Excellence in Community Service in 1987.

During Carolyn's career, she has frequently held leadership positions on national boards, including the Joint Commission on Accreditation of Healthcare Organizations, The Hospital Fund, the Commission on Professional and Hospital Activities, the Institute for Healthcare Improvement, the American Academy of Medical Administrators, and the American College of Healthcare Executives.

I must also acknowledge Carolyn's willingness to advise me personally over the years on critical health care policy issues. As Chairman of the Senate Committee on Health, Education, Labor, and Pensions, I have been gratified to know that I could always rely on Carolyn's expertise in such arenas as rural health care, integrated systems of care, and Medicare reform.

Vermont has much to be grateful for, in view of Carolyn's steadfast commitment to improving the quality of life in our State. Whether serving on Governor Snelling's Blue Ribbon Health Care Commission or on Governor Dean's Task Force on Medicaid Managed Care, she always brought a sense of knowledge, dedication, and grace to solving the problem at hand. It is reassuring to know that her legacy will lead Copley Health Systems and the greater community of Vermont itself into the next millennium.

Mr. President, Carolyn's unwavering commitment toward improving the health status of Vermont and its citizens serves as a testament to us all. Vermont is truly indebted to her. Her deep commitment to the citizens of the Green Mountain State has endeared her to us. She has our sincerest good wishes for the future.•

MESSAGES FROM THE HOUSE

At 11:20 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 1248. An act to prevent violence against women.

H.R. 2267. An act to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails, and for other purposes.

H.R. 2572. An act to direct the Administrator of NASA to design and present an award to the Apollo astronauts.

H.R. 2752. An act to direct the Secretary of the Interior to sell certain public land in Lincoln County through a competitive process.

H.R. 3745. An act to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa.

H.R. 4259. An act to require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

H.R. 4292. An act to protect infants who are born alive.

H.R. 4429. An act to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such businesses to successfully integrate and utilize electronic commerce technologies and business practices, and to authorize the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major manufacturing industry.

H.R. 4519. An act to amend the Public Buildings Act of 1959 concerning the safety and security of children enrolled in childcare facilities located in public buildings under the control of the General Services Administration, to provide for reform of the Federal Protective Service, and for other purposes.

H.R. 4613. An act to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program.

H.R. 4835. An act to authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes.

H.R. 4904. An act to express the policy of the United States regarding the United States relationship with Native Hawaiians, to provide a process for the reorganization of a Native Hawaiian government and the recognition by the United States of the Native Hawaiian government, and for other purposes.

H.R. 4944. An act to amend the Small Business Act to permit the sale of guaranteed loans made for export purposes before the loans have been fully disbursed to borrowers.

H.R. 4946. An act to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes.

H.R. 5034. An act to expand loan forgiveness for teachers, and for other purposes.

H.R. 5036. An act to amend the Dayton Aviation Heritage Preservation Act of 1992 to clarify the areas included in the Dayton Aviation Heritage National Historical Park and to authorize appropriations for that park.

H.R. 5117. An act to amend the Internal Revenue Code of 1986 to clarify the allowance of the child credit, the deduction for personal exemptions, and the earned income credit for missing children, and for other purposes.

H.R. 5273. An act to clarify the intention of the Congress with regard to the authority of the United States Mint to produce numismatic coins, and for other purposes.

H.J. Res. 100. Joint resolution calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 999) to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes.

The message further announced that the House has passed the following bill, without amendment:

S. 1324. An act to expand the boundaries of the Gettysburg National Military Park to include Wills House, and for other purposes.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent, and referred as indicated:

H.R. 2267. An act to amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails, and for other purposes, to the Committee on Energy and Natural Resources.

H.R. 2572. An act to direct the Administrator of NASA to design and present an award to the Apollo astronauts; to the Committee on Commerce, Science, and Transportation.

H.R. 4429. An act to require the Director of the National Institute of Standards and Technology to assist small and medium-sized manufacturers and other such business to successfully integrate and utilize electronic commerce technologies and business practices, and to authorize the National Institute of Standards and Technology to assess critical enterprise integration standards and implementation activities for major manufacturing industries and to develop a plan for enterprise integration for each major manufacturing industry; to the Committee on Commerce, Science, and Transportation.

H.R. 4519. An act to amend the Public Buildings Act of 1959 concerning the safety and security of children enrolled in childcare facilities located in public buildings under the control of the General Services Administration, to provide for reform of the Federal Protective Service, and for other purposes; to the Committee on Environment and Public Works.

H.R. 4835. An act to authorize the exchange of land between the Secretary of the Interior and the Director of Central Intelligence at the George Washington Memorial Parkway in McLean, Virginia, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4944. An act to amend the Small Business Act to permit the sale of guaranteed loans made for export purposes before the loans have been fully disbursed to borrowers; to the Committee on Small Business.

H.R. 4946. An act to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes; to the Committee on Small Business.

H.R. 5034. An act to expand loan forgiveness for teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5117. An act to amend the Internal Revenue Code of 1986 to clarify the allowance of the child credit, the deduction for personal exemptions, and the earned income credit for missing children, and for other purposes; to the Committee on Finance.

H.R. 5273. An act to clarify the intention of the Congress with regard to the authority of the United States Mint to produce numismatic coins, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

MEASURES PLACED ON THE CALENDAR

The following bills and joint resolution were read the first and second time by unanimous consent, and placed on the calendar:

H.R. 1248. An act to prevent violence against women.

H.R. 2752. An act to direct the Secretary of the Interior to sell certain public land in Lincoln County through a competitive process.

H.R. 3745. An act to authorize the addition of certain parcels to the Effigy Mounds National Monument, Iowa.

H.R. 4613. An act to amend the National Historic Preservation Act for purposes of establishing a national historic lighthouse preservation program.

H.J. Res. 100. Joint resolution calling upon the President to issue a proclamation recognizing the 25th anniversary of the Helsinki Final Act.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BOND, from the Committee on Small Business, without amendment:

S. 3121: A bill to reauthorize programs to assist small business concerns, and for other purposes (Rept. No. 106–422).

By Mr. MCCAIN, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3059: A bill to amend title 49, United States Code, to require motor vehicle manufacturers and motor vehicle equipment manufacturers to obtain information and maintain records about potential safety defects in their foreign products that may affect the safety of vehicles and equipment in the United States, and for other purposes (Rept. No. 106–423).

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 2899: A bill to express the policy of the United States regarding the United States' relationship with Native Hawaiians, and for other purposes (Rept. No. 106–424).

By Mr. ROTH, from the Committee on Finance, with an amendment in the nature of a substitute:

H.R. 4868: A bill to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. DASCHLE (for Mrs. FEINSTEIN):

S. 3117. A bill to establish an Office of Children's Services within the Department of Justice to coordinate and implement Government actions involving unaccompanied alien children to ensure that their best interests are held paramount in immigration proceedings and actions involving them; to prescribe standards for their custody, release, and detention; to improve policies for their permanent protection; and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY:

S. 3118. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profits adjustment on crude oil (and products thereof) and to fund heating assistance for consumers and small business owners; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. SMITH of Oregon):

S. 3119. A bill to amend the Act entitled ''An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes''; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself, Mr. GRAHAM, Mr. LEAHY, Mr. KERRY, Mr. WELLSTONE, Mr. DURBIN, and Mr. FEINGOLD):

S. 3120. A bill to amend the Immigration and Nationality Act to modify restrictions added by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. BOND:

S. 3121. A bill to reauthorize programs to assist small business concerns, and for other purposes; from the Committee on Small Business; placed on the calendar.

By Mr. HUTCHINSON:

S. 3122. A bill to amend title III of the Americans with Disabilities Act of 1990 to require, as a precondition to commencing a civil action with respect to a place of public accommodation or a commercial facility, that an opportunity be provided to correct alleged violations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAMS:

S. 3123. A bill to provide for Federal class action reform; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself and Mr. THURMOND):

S. 3124. A bill to establish grants for drug treatment alternative to prison programs administered by State or local prosecutors; to the Committee on the Judiciary.

By Mr. CONRAD:

S. 3125. A bill to amend the Public Health Service Act, the Internal Revenue Code of 1986, and title XVIII of the Social Security Act to sustain access to vital emergency medical services in rural areas; to the Committee on Finance.

By Mr. HAGEL (for himself and Mr. BIDEN):

S. 3126. A bill to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger; to the Committee on Foreign Relations.

By Mr. SANTORUM (for himself, Mr. HUTCHINSON, and Mr. FITZGERALD):

S. 3127. A bill to protect infants who are born alive; to the Committee on the Judiciary.

By Mr. ROTH (for himself, Mr. SARBANES, and Mr. BIDEN):

S.J. Res. 53. A resolution to commemorate fallen firefighters by lowering the American flag to half-staff on the day of the National Fallen Firefighters Memorial Service in Emittsburg, Maryland; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE (for Mrs. FEINSTEIN):

S. 3117. A bill to establish an Office of Children's Services within the Department of Justice to coordinate and implement Government actions involving unaccompanied alien children to ensure that their best interests are held paramount in immigration proceedings and actions involving them; to prescribe standards for their custody, release, and detention; to improve policies for their permanent protection; and for other purposes; to the Committee on the Judiciary.

UNACCOMPANIED ALIEN CHILD PROTECTION ACT OF 2000

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

• Mrs. FEINSTEIN. Mr. President, I rise today to introduce legislation to change the way unaccompanied immigrant children are treated while in the custody of the Immigration and Naturalization Service (INS). The Unaccompanied Alien Child Protection Act of 2000 would ensure that the federal government addresses the special needs of thousands of unaccompanied alien children who enter the U.S. It would ensure that these children have a fair opportunity to obtain humanitarian relief when eligible.

Central throughout this legislation are two concepts:

(1) The United States government has a special responsibility to protect unaccompanied children in its custody; and

(2) In all proceedings and actions, the government must have as its paramount priority the protection of the best interests of the child.

The Unaccompanied Alien Child Protection Act of 2000 would ensure that children who are apprehended by the INS are treated humanely and appropriately by transferring jurisdiction over the welfare of unaccompanied minors from the INS Detention and Deportation division to a newly created Office of Children Services within the INS.

This legislation would also centralize responsibility for the care and custody of unaccompanied children in a new Office of Children's Services. By doing so, the legislation would resolve the conflict of interest inherent in the current system—that is, the INS retains custody of children and is charged with their care while, at the same time, it seeks their deportation.

Under this bill, the Office of Children's Services would be required to establish standards for the custody, release, and detention of children, ensuring that children are housed in appropriate shelters or foster care rather than juvenile jails. In 1999, the INS held some 2,000 children in juvenile jails even though they had never committed a crime. Equally as important, the bill would require the Office to establish clear guidelines and uniformity for detention alternatives such as shelter care, foster care, and other child custody arrangements.

The bill would strengthen options for the permanent protection of alien children in the United States, including providing asylum or adjustment of status to those who qualify.

Finally, the Unaccompanied Alien Child Protection Act would provide unaccompanied minors with access to legal counsel, who would ensure that the children appear at all immigration proceedings and assist them as the INS and immigration court considers their cases. The bill would also provide access to a guardian ad litem to ensure that they are properly placed in a safe environment. The guardian ad litem would also make sure that the child's attorney is, in fact, operating in his or her best interest.

Let me turn for a moment to the issue of access to counsel. Children, even more than adults, have immense difficulty tackling the complexities of the asylum system without the assistance of counsel. Despite this reality, most children in INS detention are unrepresented. Without legal representation, children are at risk of being returned to their home countries where they may face further human rights abuses.

I am aware of two cases that demonstrate the compelling need for counsel on behalf of these children. The first case involves two 17-year-old boys from China. Li and Wang were apprehended on an island near Guam and have been in INS custody for 16 months. During their detention on Guam, the two boys testified in federal court against the smugglers who brought them to Guam. In their testimony, they described being beaten by the smugglers even before leaving China, and stated that others were beaten during the trip to Guam. In the spring of 2000, the two boys were brought to a corrections facility in Los Angeles and are currently being held in the INS section of that facility. This is where the similarity in their cases end.

While both of the boys would face danger from the smugglers if they returned to China because of their testimony, only one was granted asylum. Li applied for asylum and was denied. He was not represented by counsel at his hearing. Despite the fact that the INS trial attorney mentioned that Li had testified in federal court against the smugglers, the judge did not include this information in her decision on the claim. Luckily for Li, an attorney overheard the hearing, and after speaking with Li, agreed to appeal his asylum claim. Li is still being held in a Los Angeles corrections facility. The story is different for Wang. Wang had an attorney and won his asylum hearing. But INS is appealing the decision so Wang still sits in a Los Angeles corrections facility, too.

These cases demonstrate the pressing need of legal representation for children. Li may have won his asylum claim if he had been represented by counsel and if the evidence regarding his testimony in federal court had been incorporated into his asylum claim. Instead, a 17-year-old boy unfamiliar with our immigration system and our language was forced to navigate the tricky court system alone.

According to Human Rights Watch, children detained by the INS, whether in secure detention or less restrictive settings, often have great difficulty obtaining information about their legal rights. On a visit to the Berks facility in 1998, Human Rights Watch staff found that none of the children they interviewed had received information about their rights or available legal services from either the INS or the facility's staff. Neither could local INS or facility staff identify how these children might receive this information.

In one way or another, we have been affected by the six-year-old shipwreck survivor from Cuba, Elian Gonzalez. His tragic story brought to light the plight of numerous other youngsters who find their way to the United States, unaccompanied by an adult and, in many cases, traumatized by the experiences provoking their flight.

Unaccompanied alien children are among the most vulnerable of the immigrant population; many have entered the country under traumatic circumstances. They are unable to protect themselves adequately from danger. Because of their youth and the fact that they are alone, they are often subject to abuse or exploitation.

Because of their age and inexperience, unaccompanied alien children are not able to articulate their fears, their views, or testify to their needs as accurately as adults can. Despite these facts, U.S. immigration laws and policies have been developed and implemented without careful attention to their effect on children, particularly on unaccompanied alien children.

Each year, the INS detains more than 5,000 children nationwide. They are apprehended for not having proper documentation at the ports-of-entry for entering the United States. Their detention may last for months—and sometimes for years—as they undergo complex immigration proceedings.

Under current immigration law, these children are forced to struggle through a system designed primarily for adults, even though they lack the capacity to understand nuanced legal principles and procedures. Children who may very well be eligible for relief are often vulnerable to being deported back to the very abuses they fled before they are able to make their case before the INS or an immigration judge.

Under current law, the INS is responsible for the apprehension, detention, care, placement, legal protection, and deportation of unaccompanied children. I believe that these are conflicting responsibilities that undercut the best interests of the child. Too often, the INS has fallen short in fulfilling the protection side of the these responsibilities.

The INS uses a variety of facilities to house children. Some are held in children's shelters in which children are offered some of the services they need but still may experience prolonged detention, lack of access to counsel, and other troubling conditions.

The INS relies on juvenile correctional facilities to house many children, even in the absence of any criminal wrongdoing. Today, one out of every three children in INS custody is detained in secure, jail-like facilities. These facilities are highly inappropriate, particularly for children who have already experienced trauma in their homelands.

There is currently no provision of federal law providing guidance for the placement of unaccompanied alien

children. In 1987, the Flores v. Reno settlement agreement on behalf of minors in INS detention established the nationwide policy for the detention, release, and treatment of children in the custody of INS. The Flores agreement requires that the INS treat minors with dignity, respect, and special concern for their particular vulnerability. It also requires the INS to place each detained minor in the least restrictive setting appropriate to the child's age and special needs.

In response to Flores, the INS issued regulations that permitted its officers to detain children in secure facilities only in limited circumstances. The INS officers were required to provide written notice to the child of the reasons for such placement. More importantly, the regulations required the INS to segregate immigration detainees from juvenile criminal offenders.

Although INS officials have contended that these children are placed in these facilities largely because they are charged with other offenses, the INS statistics do not bear out this claim. In fiscal year 1999, only 19 percent of the children placed in secure detention were chargeable or adjudicated as delinquents.

According to non-governmental organizations (NGOs) such as Human Rights Watch and the Women's Commission on Refugee Women and Children, the INS regularly violates these regulations. The NGOs contend that too often children are placed in jail-like facilities for seemingly arbitrary reasons, seldom notified of the reasons why, and forced to share rooms and have extensive contact with convicted juvenile offenders.

I was also astonished to learn that many of these children, some as young as four and five years old, are placed behind multiple layers of locked doors, surrounded by walls and barbed wire. They are strip searched, patted down, placed in solitary confinement for punishment, forced to wear prison uniforms and shackles, and are forbidden to keep personal objects. Often they have no one to speak with because of the language barrier.

The Unaccompanied Alien Child Protection Act of 2000 would ensure that the particular needs of the thousands of unaccompanied alien children who enter INS custody each year are met and that these children have a fair opportunity to obtain immigration relief when eligible.

In 1999, the INS held approximately 4,600 children under the age of 18 in its custody. Some of these children fled human rights abuses or armed conflict in their home countries, some were victims of child abuse or had otherwise lost the support and protection of their families, some came to the United States to join family members, and some came to escape economic deprivation.

Many of these children came from troubled countries around the world, including the Peoples Republic of China, Honduras, Afghanistan, Somalia, Sierra Leone, Colombia, Guatemala, Cuba, former Yugoslavia, and others. They range in age from toddlers to teenagers. Some traveled to the United States alone, while others were accompanied by unrelated adults.

Sadly, a significant number are victims of smuggling or trafficking rings. In one recent instance, Phanupong Khaisri, a two-year-old Thai child, was brought to the U.S. by two individuals falsely claiming to be his parents, but who were actually part of a major alien trafficking ring. The INS was prepared to deport the child back to Thailand. It was not until Members of Congress and the local Thai community had intervened, however, that the INS decided to allow the child to remain in the U.S. until the agency could provide proper medical attention and determine what course of action would be in his best interest. Now his case is before a federal district court judge who will determine whether he should be eligible to apply for asylum.

The Unaccompanied Alien Child Protection Act aims to prevent situations like this from recurring by centralizing the care and custody of unaccompanied children into a new Office of Children's Services within the INS, but outside the jurisdiction of the District Directors. By doing so, the Act resolves the conflict of interest inherent in the current system—that is, the INS retains custody of children and is charged with their care while, at the same time, it seeks their deportation.

I would like to take a moment to share with you a few other examples of how the federal government has fallen short in the manner in which we handle vulnerable unaccompanied minors. One would think that our country would treat unaccompanied minors with the sensitivity and care their situations demands. Unfortunately, in too many instances, that has not been the case. Too often, these children are often treated like adults and, under the worst circumstances, like criminals.

Xaio Ling, a young girl from China who spoke no English, was detained by the INS at the Berks County Juvenile Detention Center. The INS placed her among children guilty of violent crimes, including rape and murder. Xaio was never guilty of any crime, and yet she slept in a small concrete cell, was subjected to humiliating strip searches, and forced to wear handcuffs. She was forbidden to keep any of her clothes or possessions and, under the policies of the Berks Center, Xaio was not allowed to laugh.

Imagine the fear this child had: thrust into a system she did not understand, given no legal aid, placed in jail that housed juveniles with serious criminal convictions, including murder, car jacking, rape, and drug trafficking. She did not speak English and was unable to speak to any staff who knew her language, and she had to submit to strip searches. It is hard to believe that our country would have allowed this innocent child to be treated in such a horrible manner.

Situations like that of the young Chinese girl make a compelling case for a change in the way our nation treats unaccompanied alien children. Under the legislation I have introduced today, this youngster would never have been placed in a detention center with criminal offenders. Rather, she would have immediately been placed in shelter care, foster care, or a home more appropriate for her situation. She would have been provided an attorney for her immigration proceedings and a social worker would have been appointed as guardian ad litem to ensure that the child's needs were being met. Sadly, this young girl was given none of these options. Neither was a 16-year-old boy from Colombia.

This youngster fled Colombia to escape a life of violence on the streets of Bogota, where FARC guerrillas attempted to recruit him and the F–2 branch of the Colombian government harassed him in its attempt to get rid of street children. Fearing for his life, he fled Colombia for Venezuela where he lived without shelter or sufficient food. In search of a safer life, he sneaked into the machine room of a cargo ship bound for the United States. He was lucky to survive; many other stowaways were thrown overboard when discovered by the ship's crew.

The boy remained on the ship from November 1998 until March 1999, when he arrived in Philadelphia. He was soon turned over to the INS and placed into the same detention center the young Chinese girl was held in. He, too, was kept with criminal offenders. He did not understand English, which created a myriad of problems because he was unable to understand what was expected of him in the detention center. He was held in an inappropriately punitive environment for six months.

I have one last story to share with you today. Placed on a boat bound for the United States by her very own parents, a 15-year-old girl fled China's rigid family planning laws. Under these laws she was denied citizenship, education, and medical care. She came to this country alone and desperate. And what did our immigration system do when they found her? They held her in a juvenile jail in Portland, Oregon. She was held for eight months and was detained for an additional four months after being granted political asylum. At her asylum hearing, the young girl could not wipe away the tears from her face because her hands were chained to her waist. According to her lawyer, ''her only crime was that her parents had put her on a boat so she could get a better life over here.''

For years children's rights and human rights organizations have implored Congress to improve the way our immigration system handles unaccompanied minors—just like the ones whose stories I have just told. I believe my bill would do just that.

We cannot continue to allow children, who come to our country, often

traumatized and guilty of no crime, to be held in jails and treated like criminals. We cannot continue to allow children, scared and helpless, to be thrown into a system they do not understand without sufficient legal aid and a guardian to look after their best interests. We must adhere to the principles of our justice system. What kind of message do we send when we deprive children who come to our country seeking refuge of their basic rights and protections?

As a nation that holds our democratic ideals and constitutional rights paramount, how then can we continue to avert our attention from repeated violations of some of the most basic human rights against children who have no voice in the immigration system? We should be outraged that children who come to the U.S. alone, many against their will, are subjected to such inhumane, excessive conditions.

I am proud to have the support of the United States Catholic Conference and the Women's Commission on Refugee Women and Children, with whom I have worked closely to develop this legislation.

Although we are nearing the end of the session, I want to highlight this issue now so that we can begin to think about the importance of protecting the rights of children in immigration custody and work towards passing this legislation in the next Congress.●

By Mr. LEAHY:

S. 3118. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profits adjustment on crude oil (and products thereof) and to fund heating assistance for consumers and small business owners; to the Committee on Finance.

WINDFALL OIL PROFITS FOR HEATING ASSISTANCE ACT OF 2000

Mr. LEAHY. Mr. President, the Windfall Oil Profits for Heating Assistance Act of 2000 is a bit of a mouthful, but let me explain what this does. My legislation imposes a windfall profits adjustment on the oil industry so we can fund heating help for consumers and small business owners across America.

Mr. President, while American families have been paying sky-high prices at the gas pump and are bracing for record-high home heating costs this winter, the oil industry is savoring phenomenal profits. Something is wrong when working families are struggling to pay for basic transportation and home heat while Big Oil rakes in obscene amounts of cash by the barrel.

Indeed, the overall net income for the 14 major petroleum companies more than doubled in the second quarter of 2000 relative to the second quarter of 1999, to $10.3 billion.

In the second quarter of 2000, BP Amoco PLC reported profits of $2.87 billion, Chevron Corporation reported profits of $1.14 billion, Conoco reported profits of $460 million, Exxon Mobil Corporation reported profits of $4.53 billion, Marathon Oil Company reported profits of $367 million, Phillips Petroleum Company reported profits of $439 million, Royal Dutch/Shell Group reported profits of $3.15 billion and Texaco, Inc. reported profits of $641 million.

Look at these huge profits. When people in Vermont and New England want to know why they are paying so much extra for home heating oil, pick up the phone and call Texas and ask them how they justify these huge windfall profits.

This chart illustrates the phenomenal profits of the oil industry. Keep in mind, these profits came as gasoline prices soared and heating oil stocks fell. The oil industry executives said: It is the people of OPEC. It is not our fault. We love our customers. We are your friends. We wouldn't raise these prices. It is the naughty people overseas. We are not making any money from this. We are sorry you have to pay so much more to commute to work. We are sorry you can't heat your home.

In my State, where it can drop down to 20 below zero, this is not a matter of comfort. It is a matter of whether you will live or not.

But the oil industry executives say: We are sorry you have to pay so much more. Gee, maybe you should fill up early. Stocks are low. It is not our fault. We are not making anything out of this. We are not making any money out of it.

They are liars. They are making money. They are making windfall profits.

I have a chart here that illustrates the phenomenal profits of the oil industry for the past year when gasoline prices soared and heating oil stocks fell. Compared to the second quarter of 1999, the profits in the second quarter of 2000 increased 133 percent for BP Amoco, 136 percent for Chevron, 205 percent for Conoco, 123 percent for Exxon Mobil, 208 percent for Marathon, 275 percent for Phillips, 96 percent for Shell and 124 percent for Texaco.

Not surprisingly, these multi-million and even multi-billion dollar profits in the second quarter of 2000 for BP Amoco, Chevron, Conoco, Exxon Mobil and Shell were record quarterly profits.

These gushering profits are not new for the oil industry in 2000. In the first quarter of 2000, Big Oil also reaped record profits.

In the first quarter of 2000, ARCO reported profits of $333 million, BP Amoco reported profits of $2.68 billion, Chevron reported profits of $1.10 billion, Conoco reported profits of $391 million, Exxon Mobil reported profits of $3.35 billion, Phillips reported profits of $250 million, Shell reported profits of $3.13 billion, and Texaco reported profits of $602 million.

I have a second chart here that illustrates the phenomenal profits of the oil industry for the first quarter of the past year. Compared to the first quarter of 1999, the profits in the first quarter of 2000 increased 136 percent for ARCO, 296 percent for BP Amoco, 291 percent for Chevron , 371 percent for Conoco, 108 percent for Exxon Mobil, 257 percent for Phillips, 117 percent for Shell and 473 percent for Texaco.

Again, these multi-million and multi-billion dollar profits in the first quarter of 2000 for BP Amoco, Conoco, Exxon Mobil and Shell were record quarterly profits.

Yet these same oil company executives can tell the people of Vermont, the Northeast and elsewhere: Sorry you have to pay so much more for your gasoline. Sorry you have to pay so much more for your home heating oil. It is not our fault. We are not making any profits. It is those mean people in the Middle East.

Man, what hypocrisy.

Somebody once said, in Vermont: We will rely on the facts. Vermonters are not fooled by this. But how frustrating it is for all of us, how frustrating it is for middle America, to pay these bills, feeling they are helpless. Because the fact comes down, in our State, in an extraordinarily cold winter, we have to have heat. The fact comes down, when men and women have to go to work and they have to commute, they have to pay the price of going there. Everybody expects to pay what it costs to live. But they do not expect to have to pay windfall profits for a cartel of companies.

Big Oil reaped record profits while American consumers and small business owners dug deeper into their pockets to pay for soaring gasoline prices. And more record profits for Big Oil at the expense of consumers and small business owners are expected this winter when heating costs go through the roof.

Even more disturbing are the recent press reports that the major oil companies are not using their record profits to boost production and lower future prices, but are instead cutting back on exploration and production.

If they were using some of these huge profits to create more fuel, to create more production ability to be able to stave off shortages in the future, I would say let them have the profits because we will all benefit. They are not. They are just pocketing the profits. They are not doing a thing to find new oil, to find new production facilities.

Listen to this from a report in yesterday's Wall Street Journal: ''Exploration and production expenditures at the so-called super majors—Exxon Mobil Corp., BP Amoco PLC, and Royal Dutch/Shell Group—fell 20 percent to $6.91 billion in the first six months of the year from a year earlier. . . .'' Mr. President, that is outrageous.

The oil industry is made up of corporations formed under the laws of the United States. These oil industry corporations have a responsibility to the public good as well as their shareholders.

To reap record windfall profits and then cut back on exploration and production to further increase future profits is poor corporate citizenship and an abuse of the public trust by these oil industry corporations and their executives.

Well I for one have had enough of Big Oil making record profits at the expense of the working families and the small business owners who pay the oil bills, live by the rules and struggle mightily when fuel and heating costs skyrocket.

In response to the energy crisis of the 1980s, Congress enacted the Crude Oil Windfall Profit Tax Act of 1980. This windfall profits tax, which was repealed in 1988, funded low-income fuel assistance and energy and transportation programs.

Similar to the early 1980s, American families again face an energy crisis of high prices and record oil company profits. This past June, gasoline prices hit all-time highs across the United States, with a national average of $1.68 a gallon, according to the Energy Information Administration.

This winter, the Department of Energy estimates that heating oil inventories are 36 percent lower than last year with heating oil inventories in New England estimated to be 65 percent lower than last year. In my home state of Vermont, energy officials estimate heating oil costs will jump to $1.31 per gallon, up from $1.19 last winter and 80 cents in 1998.

Given the oil industry's record windfall profits in the face of this energy crisis, it is time for Congress to act and again limit the windfall profits of Big Oil.

The Leahy bill would do just that and dedicate the revenue generated from this windfall profits adjustment to help working families and small business owners with their heating oil costs this winter.

If they are not going to put more money into providing more energy for us, then the Windfall Oil Profits For Heating Assistance Act of 2000 would impose a 100 percent assessment on windfall profits from the sale of crude oil. My legislation builds on the current investigation by the Federal Trade Commission, a well deserved investigation into the pricing and profits of the oil industry.

My bill requires the Federal Trade Commission to expand this investigation to determine if the oil industry is reaping windfall profits.

The revenue collected from windfall oil industry profits, under my legislation, would be dedicated to two separate accounts in the Treasury for the following: 75 percent of the revenues to fund heating assistance programs for consumers such as the Low Income Home Energy Assistance Program (LIHEAP), weatherization and other energy efficiency programs; and 25 percent of the revenues to fund heating assistance programs for small business owners.

American consumers and small business owners continue to pay sky-high gasoline prices and home heating oil costs are expected to hit an all-time high this winter while U.S. oil corporations reap more record profits. We ought to restore some basic fairness to the marketplace. It is time for Congress to transfer the windfall profits from Big Oil to fund heating oil assistance for working families.

If big oil executives say: But we need these profits so we can continue our exploration, we can continue to increase refineries—then let them spend the money for that. If they are actually spending the money for that, it is not a problem. But they want to have it both ways: They want to have a shortage, they want to force up the price, they want to have a windfall profit, and they want to stick it in their pocket and they don't want to do anything to help the consumer. If they are unwilling to help the consumer, the Congress ought to stand up and help the consumer.

I ask unanimous consent the text of the bill be printed in the RECORD at the conclusion of my remarks and the bill be appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 3118

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 ''Windfall Oil Profits For Heating Assistance Act of 2000''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The overall net income for the 14 major petroleum companies more than doubled in the second quarter of 2000 relative to the second quarter of 1999, to $10,300,000,000.

(2) In the second quarter of 2000, BP Amoco reported profits of $2,870,000,000, Chevron Corporation reported profits of $1,140,000,000, Conoco reported profits of $460,000,000, Exxon Mobil Corporation reported profits of $4,530,000,000, Marathon Oil Company reported profits of $367,000,000, Phillips Petroleum Company reported profits of $439,000,000, Royal Dutch/Shell Group reported profits of $3,150,000,000, and Texaco, Inc. reported profits of $641,000,000.

(3) When compared to the second quarter of 1999, the profits in the second quarter of 2000 increased 133 percent for BP Amoco, 136 percent for Chevron, 205 percent for Conoco, 123 percent for Exxon Mobil, 208 percent for Marathon, 275 percent for Phillips, 96 percent for Shell, and 124 percent for Texaco.

(4) The profits in the second quarter of 2000 for BP Amoco, Chevron, Conoco, Exxon Mobil, and Shell were record quarterly profits for these oil companies.

(5) In the first quarter of 2000, ARCO reported profits of $333,000,000, BP Amoco reported profits of $2,680,000,000, Chevron reported profits of $1,100,000,000, Conoco reported profits of $391,000,000, Exxon Mobil reported profits of $3,350,000,000, Phillips reported profits of $250,000,000, Shell reported profits of $3,130,000,000, and Texaco reported profits of $602,000,000.

(6) When compared to the first quarter of 1999, the profits in the first quarter of 2000 increased 136 percent for ARCO, 296 percent for BP Amoco, 291 percent for Chevron, 371 percent for Conoco, 108 percent for Exxon Mobil, 257 percent for Phillips, 117 percent for Shell, and 473 percent for Texaco.

(7) The profits in the first quarter of 2000 for BP Amoco, Conoco, Exxon Mobil, and Shell were record quarterly profits.

(8) On June 19, 2000, gasoline prices hit all-time highs across the United States, with a national average of $1.68 per gallon, according to the Energy Information Administration.

(9) On September 22, 2000, the Department of Energy estimated that heating oil inventories nationwide are 36 percent lower than in 1999, in the East such inventories are 40 percent lower than in 1999, and in New England such inventories are 65 percent lower than in 1999.

(10) American consumers continue to pay sky-high gasoline prices and home heating oil prices are expected to hit an all-time high in the winter of 2000–2001 while the oil industry continues to reap record profits.

(b) PURPOSE.—The purpose of this Act is to transfer windfall profits from the oil industry to fund heating assistance for consumers and small business owners.

SEC. 3. WINDFALL PROFITS ADJUSTMENT.

(a) IN GENERAL.—Subtitle E of the Internal Revenue Code of 1986 (relating to alcohol, tobacco, and certain other excise taxes) is amended by adding at the end the following new chapter:

"CHAPTER 55—WINDFALL PROFITS ON CRUDE OIL AND PRODUCTS THEREOF

''Sec. 5886. Imposition of tax.

"SEC. 5886. IMPOSITION OF TAX.

''(a) IN GENERAL.—An excise tax is hereby imposed an the windfall profit from any domestic crude oil or other taxable product removed from the premises during the taxable year at a rate equal to 100 percent of such windfall profit.

''(b) DEFINITIONS.—For purposes of this section—

''(1) PREMISES.—The term 'premises' has the same meaning as when used for purposes of determining gross income from property under section 613.

''(2) PRODUCER.—The term 'producer' means the holder of the economic interest with respect to the crude oil or taxable product.

''(3) REASONABLE PROFIT.—The term 'reasonable profit' means the amount determined by the Chairman of the Federal Trade Commission to be a reasonable profit on the crude oil or taxable product.

''(4) TAXABLE PRODUCT.—The term 'taxable product' means any fuel which is a product of crude oil.

''(5) WINDFALL PROFIT.—The term 'windfall profit' means, with respect to any removal of crude oil or taxable product, so much of the profit on such removal as exceeds a reasonable profit.

''(c) LIABILITY FOR PAYMENT OF TAX.—The tax imposed by subsection (a) shall be paid by the producer of the crude oil or taxable product.

''(d) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle E of such Code is amended by adding at the end the following new item:

''CHAPTER 55. Windfall profits on crude oil and products thereof.''

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to crude oil or other products removed from the premises on or after January 1, 2000.

SEC. 4. FEDERAL TRADE COMMISSION INVESTIGATION AND DETERMINATION OF REASONABLE PROFITS.

(a) INVESTIGATION OF OIL INDUSTRY PROFITS.—The Chairman of the Federal Trade

Commission shall investigate the profits of the oil industry, including the 14 major petroleum companies, on the sale in the United States of any crude oil or other taxable product (as defined in section 5886(b) of the Internal Revenue Code of 1986) made after January 1, 1999.

(b) DETERMINATION OF REASONABLE OIL INDUSTRY PROFITS.—The Federal Trade Commission shall make reasonable profit determinations for purposes of applying section 5886 of the Internal Revenue Code of 1986 (relating to windfall profit on crude oil and products thereof).

(c) FUNDING.—There are authorized to be appropriated to the Federal Trade Commission such funds as are necessary to carry out this section.

SEC. 5. ALLOCATION OF REVENUES FROM WINDFALL OIL PROFITS ADJUSTMENT TO HEATING ASSISTANCE.

(a) ESTABLISHMENT OF TRUST FUND.—Subchapter A of chapter 98 of subtitle I of the Internal Revenue Code of 1986 (relating to establishment of trust funds) is amended by adding at the end the following new section:

"SEC. 9511. WINDFALL OIL PROFITS TRUST FUND.

''(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Windfall Oil Profits Trust Fund', consisting of such amounts as may be appropriated or credited to the Windfall Oil Profits Trust Fund as provided in this section.

''(b) TRANSFERS TO WINDFALL OIL PROFITS TRUST FUND.—There are hereby appropriated to the Windfall Oil Profits Trust Fund amounts equivalent to the taxes received in the Treasury under section 5886.

''(c) EXPENDITURES FROM WINDFALL OIL PROFITS TRUST FUND.—Amounts in the Windfall Oil Profits Trust Fund shall be available, as provided by appropriations Acts, for making expenditures—

''(1) in an amount not to exceed 75 percent of amounts transferred under subsection (b), for heating assistance for consumers, and

''(2) in an amount not to exceed 25 percent of amounts transferred under subsection (b), for heating assistance for small businesses.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 of subtitle I of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 9511. Windfall oil profits trust fund.''

Mr. WYDEN (for himself and Mr. SMITH of Oregon):

S. 3119. A bill to amend the Act entitled ''An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes''; to the Committee on Energy and Natural Resources.

THE FORT CLATSOP NATIONAL MEMORIAL EXPANSION ACT OF 2000

Mr. WYDEN. Mr. President, today I am pleased to introduce, with my friend and colleague from Oregon, Senator GORDON SMITH, the Fort Clatsop National Memorial Expansion Act of 2000. I am also pleased that Congressman DAVID WU, representing Fort Clatsop and Clatsop County in the United States House of Representatives, is introducing companion legislation in the House.

The Fort Clatsop Memorial marks the spot where Meriwether Lewis, William Clark and the Corps of Discovery spent 106 days during the winter of 1805. The bicentennial of their historic journey is fast approaching and it is estimated that over a quarter-million people will visit the Memorial during the bicentennial years of 2003 through 2006. Despite this anticipated influx of visitors, the Memorial is still legally limited to no more than 130 acres. This legislation would authorize the boundary expansion of the Memorial to no more than 1500 acres so as to help accommodate the large number of expected visitors.

Since the 1980s, the U.S. Park Service in Astoria, Oregon has been trying to negotiate a land purchase with Williamette Industries to acquire approximately 928 acres for the expansion of the Ft. Clatsop National Memorial. These acres are integral to the interpretation and enjoyment of the Memorial's historic site. Over the past 13 months the Park Service and Willamette Industries negotiated and, recently, reached an agreement that will lead to the Park Service acquiring this property. Before that can happen, however, this legislation, authorizing the expansion of the park boundary, will allow the Park Service to acquire the Willamette land administratively. The bill also authorizes a study of the national significance of Station Camp, another Lewis and Clark stopping point in 1805, located in Washington State.

The Park Service has targeted the expansion of the Fort Clatsop Memorial as one of its highest priorities. The Clatsop County Commission supports this legislation, as do the local landowners in and around the Memorial. In addition, I have heard from the National Parks and Conservation Association [NPCA], the Trust for Public Lands and the Conservation Fund, all of whom support efforts to expand the Ft. Clatsop Memorial.

I look forward to working with my colleagues to see this legislation pass because the protection of this important American historic area will enable us to illustrate the story of Oregon and America's western expansion for all who visit this special place. I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3119

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 Clatsop National Memorial Expansion Act of 2000''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) In 1805, the members of the Lewis and Clark Expedition built Fort Clatsop at the mouth of the Columbia River near Astoria, Oregon, where they spent 106 days waiting for the end of winter and preparing for their journey home. The Fort Clatsop National Memorial was created by Congress in 1958 for the purpose of commemorating the culmination, and the winter encampment, of the Lewis and Clark Expedition following its successful crossing of the North American continent, and is the only National Park Service site solely dedicated to the Lewis and Clark Expedition.

(2) The 1995 General Management Plan for the Fort Clatsop National Memorial, prepared with input from the local community, calls for the addition of lands to the memorial to include the trail used by expedition members to travel from the fort to the Pacific Ocean and to include the shore and forest lands surrounding the fort and trail to protect their natural settings.

(3) The area near present day McGowan, Washington where Lewis and Clark and the Corps of Discovery camped after reaching the Pacific Ocean, performed detailed surveying, and conducted the historic ''vote'' to determine where to spend the winter, is of undisputed national significance.

(4) The National Park Service and State of Washington should identify the best alternative for adequately and cost effectively protecting and interpreting the ''Station Camp'' site.

(5) Expansion of the Fort Clatsop National Memorial would require Federal legislation because the size of the memorial is currently limited by statute to 130 acres.

(6) Congressional action to allow for the expansion of Fort Clatsop for both the trail to the Pacific and, possibly, the Station Camp site would be both timely and appropriate before the start of the national bicentennial celebration of the Lewis and Clark Expedition planned to take place during the years 2004 through 2006.

SEC. 3. ACQUISITION OF LANDS FOR FORT CLATSOP NATIONAL MEMORIAL.

The Act entitled ''An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes'', approved May 29, 1958 (Chapter 158; 72 Stat. 153), is amended—

(a) by inserting in section 2 ''(a)'' before ''The Secretary''.

(b) by inserting in section 2 a period, ''.'', following ''coast'' and by striking the remainder of the section.

(c) by inserting in section 2 the following new subsections:

''(b) The Memorial shall also include the lands depicted on the map entitled 'Fort Clatsop Boundary Map', numbered and dated '405–80016–CCO–June–1996'. The area designated in the map as a 'buffer zone' shall not be developed but shall be managed as a visual buffer between a commemorative trail that will run through the property, and contiguous private land holdings.

(c) The total area designated as the Memorial shall contain no more than 1,500 acres.''

(d) by inserting at the end of section 3 the following:

''(b) Such lands included within the newly expanded boundary may be acquired from willing sellers only, with the exception of corporately owned timberlands.''

SEC. 4. AUTHORIZATION OF STUDY OF STATION CAMP.

The Secretary of the Interior shall conduct a study of the area known as ''Station Camp'' near McGowan, Washington, to determine its suitability, feasibility, and national significance, for inclusion into the National Park System. The study shall be conducted in accordance with Section 8 of Public Law 91–383 (16 U.S.C. 1a–5).

Mr. KENNEDY (for himself, Mr. GRAHAM, Mr. LEAHY, Mr. KERRY, Mr. WELLSTONE, Mr. DURBIN, and Mr. FEINGOLD):

S. 3120. A bill to amend the Immigration and Nationality Act to modify restrictions added by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

THE IMMIGRANT FAIRNESS RESTORATION ACT OF 2000

Mr. KENNEDY. Mr. President, I am honored to join my colleagues, Senators GRAHAM, LEAHY, KERRY, WELLSTONE, DURBIN, and FEINGOLD in introducing the Immigrant Fairness Restoration Act. This legislation will restore the balance to our immigration laws that was lost when Congress enacted changes in 1996 that went too far.

The 1996 law has had harsh consequences that violate fundamental principles of family integrity, individual liberty, fairness, and due process. Families are being torn apart. Persons who are no danger to the community have languished in INS detention. Individuals who made small mistakes and atoned for their crimes long ago are being summarily deported from the United States to countries they no longer remember, separated from all that they know and love in this country.

The Immigrant Fairness Restoration Act will repeal the harshest provisions of the 1996 changes. It will eliminate retroactive application of these laws. The rules should not change in the middle of the game. Permanent residents who committed offenses long before the enactment of the 1996 laws should be able to apply for the relief from removal as it existed when the offense was committed. Unfair new consequences should not attach to old conduct.

Our legislation will also restore proportionality to our immigration laws. Current immigration laws punish permanent residents out of proportion to their crimes. Relatively minor offenses are now considered aggravated felonies. Permanent residents who did not receive criminal convictions or serve prison sentences should not be precluded from all relief from deportation.

Our proposal also restores the discretion of immigration judges to evaluate cases on an individual basis and grant relief from deportation to deserving families. Currently, these judges are unable to grant such relief to many permanent residents, regardless of their circumstances or equities in the cases. Their hands are tied, even in the most compelling cases, and deserving legal residents are being unfairly treated by these laws.

In addition, our proposal will end mandatory detention. The Attorney General will have authority to release person from detention who do not pose a danger to the community and are not a flight risk. The traditional standards governing such determinations should be restored to immigrants. Dangerous criminals should be detained and deported. But indefinite detention must end. Those who have lived in the United States with their families for years, established strong ties in our communities, paid taxes, and contributed to the Nation deserve to be treated fairly.

The 1996 changes also stripped the Federal courts of any authority to review the decisions of the INS and the immigration courts. As a result, life-shattering determinations are often now made at the unreviewable discretion of an INS functionary. Immigrants deserve this day in court, and our proposal will provide it.

It is long past time for Congress to end these abuses. Real individuals and real families continue to be hurt by the unacceptable changes made four years ago.

Armando Baptiste of Boston was recently featured in a column in the New York Times by Anthony Lewis. Armando came to the United States at the age of 9 from Cape Verde. As a teenager, he became involved in a gang and was convicted of assault. Later, he joined a church-sponsored group and turned his life around. He became a key figure in the city, helping other young people in the Cape Verdean community avoid the mistakes that he had made.

But the 1996 law made Armando deportable as a result of his earlier conviction. In February, he was jailed by the INS, and he now awaits deportation. The immigration judge will not be able to consider his positive contributions to his community, his family ties, or the hardship that severing those ties will cause.

Mary Anne Gehris was born in Germany and adopted by a family in Georgia when she was 2 years old. She is married and has two children, including a 14-year-old with cerebral palsy. Eleven years ago, she pulled another woman's hair during an argument and pled guilty to a misdemeanor. Although she never spent a day in jail, the crime is a deportable offense under the 1996 laws. Mary Anne was pardoned by the Georgia Board of Pardons this year. The Board does not usually grant pardons for misdemeanor convictions, but it decided to do so because, it said, the 1996 laws have ''adversely affected the lives of numerous Georgia residents.''

Ana Flores also deserves a chance. For several years, she complained to police about physical abuse by her husband. In 1998, she bit her husband during a domestic dispute. Without consulting a lawyer, she pleaded guilty at the urging of a judge and was placed on probation for six months. Because the 1996 immigration law calls domestic violence a deportable offense, she is now being deported to Guatemala, even though she has two children who are U.S. citizens.

We still have time to act this year to end these abuses. The House of Representatives has already passed legislation that is an important first step in this process, but it fails to deal with many of the most harmful aspects of the 1996 laws. The legislation we are introducing today is needed to end these festering abuses once and for all, and we urge Congress to enact it.

Mr. GRAHAM. Mr. President, I rise today, with my colleagues, Senators KENNEDY, LEAHY, DURBIN, KERRY, and WELLSTONE to introduce legislation that will help restore fairness and justice to our legal system.

Our nation is known worldwide for our system of justice.

We proclaim that everyone is equal under the eyes of the law.

Since the passage of the 1996 immigration law and the Anti-Terrorism and Effective Death Penalty Act, this statement has been only partially true.

There have been thousands of individuals who have been, in simple terms, punished twice: once for a crime, even a very minor crime, that was committed, and once again for their immigration status.

These are individuals who are legally here in the United States; but they are not U.S. citizens.

I do a workday once a month.

On these days I work a full shift on jobs ranging from garbage collection to teaching.

In my 345th workday, in May 1999, I spent the day at the INS Krome Detention Center near Miami.

I met individuals who had been legally present in the United States for years.

They had committed a crime, and for that they had fully served any criminal sentence that was imposed.

When I met them, they were being indefinitely detained by the INS solely because of their immigration status.

Under the two laws we passed in 1996, the United States could not release them.

And because we don't have a treaty with their country of origin—in this case—Cuba, we could not deport them.

Cuba won't take them back.

So we are locking up for life individuals who may have bounced a check, or stolen a car radio and have already been sentenced, and have completed their sentence, for those crimes by a court of law.

Allow me to offer a few examples from my home state of Florida.

Catherine Caza was born in Canada but came to this country as a legal permanent resident when she was three years old.

She has always considered herself an American.

Until recently, she had no reason to believe otherwise.

Twenty years ago Ms. Caza made a terrible mistake. She sold drugs to an undercover policeman. For this she pleaded guilty and received five years probation—which she successfully completed.

That was 20 years ago. Now she is 40 years old. She is the mother of a 7-year-old girl. She is attending college, hoping to someday become a social worker. The INS wants to deport her.

Ms. Caza is scared, and justifiably so. She wonders how she will be able to build a new life for herself and her daughter, her American-born daughter, in a country that is wholly unfamiliar.

Roberto and Sheila Salas are facing an equally bleak future.

Mrs. Salas dreamed of going overseas with the United States Air Force. Naturally, she planned to take her husband and two children with her.

Her husband, 31-year-old Roberto Salas, came to this country from Peru as a permanent legal resident when he was 17.

At 19, he was sentenced to five years probation. He was released from probation two years early because he followed all the rules. He has followed the rules ever since.

His family calls him a loving husband and father and a good provider. In 1997 he applied for naturalization so his wife could go overseas. Months later he was told that his adopted country was sending him back to Peru. The rules had changed.

These are, as I have said, just two of countless stories from every state in the nation. This is not fair. This is not humane. This is simply not reasonable.

Our legislation tries to restore a measure of sanity to the laws governing deportation of legal aliens.

First and foremost: It is blatantly unfair to change the rules in the middle of the game. This is what we did in 1996.

We passed a bill that applied new rules retroactively. We need to fix this. Under our legislation, if you committed a crime 10 years ago, the rules that will punish you will be the rules that were in place then.

This bill restores proportionality to our immigration law. With the passage of Immigrant Fairness Restoration Act, the ''punishment will fit the crime.''

Under our current law, an individual can be deported for very minor crimes.

They can be punished even if a judge and jury hand down no jail time.

This person may have children who were born in this country, a spouse who is a U.S. citizen, even a business with many U.S. citizen employees.

This legislation returns to judges the discretion they had before 1996. There are some cases where deportation is the appropriate sanction. There are other cases where it is clearly not.

Let's let judges look at the facts and decide instead of taking over their role and insisting on a one-size-fits-all system of justice.

Let's not treat someone who stole a car as a teenager, served his time, and has since become a law-abiding productive adult, the same way we treat someone who has committed violent crimes over and over again.

Let's also not lock someone up for life because they have the bad fortune to come from a country that won't take them back. Long-term detention is an extremely powerful judicial tool.

We ask that the INS use this action only when necessary—not as a first option.

This is a very difficult issue to advocate. These are criminals. I absolutely believe they should be punished. They should fully repay their debt to society through incarceration, monetary restitution, community service, or any other sanction.

Judges and juries decide these punishments, and the legal immigrant should fully comply with each and every decision. However, from that point on, they should be allowed to start over.

As Americans, we cannot and should not re-punish them.

What we are doing now is locking up everyone: car radio thieves, check bouncers, and others, all mixed in with the most dangerous felons. Everyone should get an equal change to plead their case.

Experienced judges should have the discretion to keep together American families who now face the prospect of lifetime separation. I do not want a mass release of legal immigrants who pose a threat to our society.

However—I do want fairness and discretion restored to all those who legally live in the United States.

Mr. LEAHY. Mr. President, I am proud to be a cosponsor of a bill as important as the Immigrant Fairness Restoration Act, which would restore a number of the due process rights that were taken away by the passage in 1996 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and the Anti-Terrorism and Effective Death Penalty Act (AEDPA). With those laws, we turned our back on our historical commitment to immigration and the rule of law. It is long past time to undo the damage that was done then, and this bill provides an excellent foundation for such important change.

First, this bill would eliminate the retroactive effects of the 1996 laws. Those laws not only contained new and overly harsh provisions calling for increased deportations for minor offenses, it applied those new provisions retroactively. Under those laws, immigrants who may have committed a crime years before and had since gone on to live productive lives suddenly faced removal from the United States. Some had plead guilty to minor offenses—many of which did not even require jail time—with the understanding that such a plea would have no effect on their immigration status. And that was true at the time. But suddenly, with the passage of this law, they face removal and are not even allowed to apply for relief. They receive no due process, despite the fact that they have American families and legal immigration status.

This part of our immigration law simply must be changed. I have previously introduced legislation that would at least provide noncitizen veterans of our Armed Forces the right to due process before being removed for past offenses under these laws—the Fairness to Immigrant Veterans Act (S. 871). This bill has the support of the American Legion, the Vietnam Veterans of America, and other veterans' groups. It is unconscionable that those who served our country would be forced to leave it for a crime they committed 20 years ago, under a different immigration law regime, without even receiving the chance to convince a judge that they deserve the opportunity to stay. But in truth, this country should not treat any immigrant in that way, and I welcome a total eradication of the retroactivity provisions of these laws.

The Immigrant Fairness Restoration Act also refines the definition of ''aggravated felony'' that was itself altered in the 1996 legislation. This redefinition will ensure that immigrants who commit relatively minor offenses will not be classified as aggravated felons and precluded from all relief from deportation. Current law is unfair even when it is not applied retroactively, and we must fight to restore the concept of judicial review in our immigration law. The United States has historically been committed to the idea that people should be judged as individuals, and that we are just to impose penalties—whether they be criminal penalties or severe civil measures such as removal—because we have considered them carefully. We must return to that historical commitment.

The bill will also return the definition of ''crimes involving moral turpitude'' to the pre-1996 definition of that term. Before the 1996 laws were passed, an immigrant had to have been sentenced to a year in prison for a crime involving moral turpitude to be deportable. Today, any crime that could lead to a sentence of a year—even if a judge decides to impose no sentence whatsoever—qualifies as a crime involving moral turpitude. A one-year prison term requirement makes sense and could prevent great unfairness. Our immigration law should respect the decisions of judges and juries, not seek to undermine them.

This bill also touches on an area that I have worked on extensively—expedited removal. Expedited removal allows low-level INS officers with cursory supervision to return people who enter the United States to their home countries without opportunity for review. Although those who say they fear returning are given the opportunity for a credible fear hearing, there is ample evidence that that protection is insufficient to help those who have learned to fear authority in their native lands, or those whose grasp of English is halting or nonexistent. Senator BROWNBACK and I last year introduced S. 1940, the Refugee Protection Act, which would restrict the use of expedited removal to immigration emergencies, as certified by the Attorney General. I have been greatly disappointed that the Judiciary Committee has not scheduled a hearing on this bipartisan bill. I hope that we can still take action in this Congress to resolve this critical human rights issue. Meanwhile, I strongly support this bill's provision to restrict the use of expedited removal to our ports of entry. The INS has recently begun implementing expedited removal inside the United States. I believe an expansion of this program is inappropriate,

considering the bipartisan movement in Congress to reevaluate its existence even at our ports of entry. This bill will limit expedited removal's growth while we continue our efforts to restrict its use altogether.

I would also like to note this bill's restoration of the authority of federal courts to review INS decisions. Portions of this authority were stripped in both 1996 bills, a move I opposed at the time and continue to oppose today. Congress should not be in the business of micromanaging the federal docket, especially in politically sensitive areas such as immigration law. We should restore the pre-1996 status quo and give federal courts back the power we improvidently removed in the midst of the anti-immigration movement that seized this Congress.

I have highlighted only some of the excellent provisions in this bill today. This legislation also contains good provisions addressing the detention of immigrants, and allowing immigrants who have already been deported under the 1996 laws to reopen their cases. We cannot be content simply to fix these problems while ignoring those who have already been harmed by them. Rather, we must find a way to rectify the situations of those who have been treated unfairly over the last four years.

Although it is late in this Congress, there is a real opportunity for action on these issues. The House has already passed bipartisan legislation eliminating some of the retroactive effects of the 1996 laws. That legislation is not comprehensive enough in my view, but it is a good start, and it shows that members on both sides of the aisle are concerned about the effects—perhaps unintended—of those laws.

I would like to thank Senator KENNEDY and Senator GRAHAM for their hard and consistent work on these issues. I am happy to be able to join with them and I hope that we can work together to gain attention for this bill, and convince our colleagues and the Administration that these are changes that need to be made this year.

Mr. HUTCHINSON:

S. 3122. A bill to amend title III of the Americans with Disabilities Act of 1990 to require, as a precondition to commencing a civil action with respect to a place of public accommodation or a commercial facility, that an opportunity be provided to correct alleged violations; to the Committee on Health, Education, Labor, and Pensions.

ADA NOTIFICATION ACT

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3122

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 ''ADA Notification Act''.

SEC. 2. AMERICANS WITH DISABILITIES ACT OF 1990; AMENDMENT TO PROVIDE OPPORTUNITY TO CORRECT ALLEGED VIOLATIONS AS PRECONDITION TO CIVIL ACTIONS REGARDING PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES.

Section 308(a)(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(a)(1)) is amended—

(1) by striking ''(1) AVAILABILITY'' and all that follows through ''The remedies and procedures set forth'' and inserting the following:

''(1) AVAILABILITY OF REMEDIES AND PROCEDURES.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), the remedies and procedures set forth'';

(2) in subparagraph (A) (as designated by paragraph (1) of this section), by striking the second sentence; and

(3) by adding at the end the following subparagraphs:

''(B) OPPORTUNITY FOR CORRECTION OF ALLEGED VIOLATION.—A court does not have jurisdiction in a civil action filed under subparagraph (A) with the court unless—

''(i) before filing the complaint, the plaintiff provided to the defendant notice of the alleged violation, and the notice was provided by registered mail or in person;

''(ii) the notice identified the specific facts that constitute the alleged violation, including identification of the location at which the violation occurred and the date on which the violation occurred;

''(iii) 90 or more days has elapsed after the date on which the notice was so provided;

''(iv) the notice informed the defendant that the civil action could not be commenced until the expiration of such 90-day period; and

''(v) the complaint states that, as of the date on which the complaint is filed, the defendant has not corrected the alleged violation.

''(C) CERTAIN CONSEQUENCES OF FAILURE TO PROVIDE OPPORTUNITY FOR CORRECTION.—With respect to a civil action that does not meet the criteria under subparagraph (B) to provide jurisdiction to the court involved, the following applies:

''(i) The court shall impose an appropriate sanction upon the attorneys involved (and notwithstanding the lack of jurisdiction to proceed with the action, the court has jurisdiction to impose and enforce the sanction).

''(ii) If the criteria are subsequently met and the civil action proceeds, the court may not under section 505 allow the plaintiff any attorneys' fees (including litigation expenses) or costs.''.

By Mr. GRAMS:

S. 2123. A bill to provide for Federal class action reform; to the Committee on the Judiciary.

CONSUMER RIGHTS IN FEDERAL CLASS ACTIONS ACT OF 2000

• Mr. GRAMS. Mr. President, I offer today legislation entitled the ''Consumer Rights in Federal Class Actions Act of 2000.'' It is designed to incorporate checks upon the abuses of class action law that has led to an increasing number of suits where the primary benefit accrues to the attorney, and not the class represented. The bill also takes steps to ensure that attorney fees in class action resolutions are in proportion to the benefits that actually accrue to the class.

The last few years have seen the rise of ''coupon settlements'' in class action suits, in which attorneys reap literally hundreds of thousands of dollars in fees while the class members merely receive coupons for discounts on later purchases. For instance, in one well-known airline price-fixing settlement, class members received coupons in $8, $10, and $25 denominations which could not be pooled. In another class action settlement, a manufacturer was sued because its dishwashers caught on fire under conditions of normal use. Under the settlement, customers were provided coupons to purchase replacement dishwashers from the very same maker. So not only are the trial lawyers hitting the jackpot for themselves, but the defendants in many coupon settlements actually receive the benefit of a promotional tool for their products. These types of deals only further erode the credibility of our judicial system.

Moreover, notices to class members are so densely worded and difficult to slog through that they are routinely ignored, and the class action attorneys are free to proceed and negotiate without true accountability to their supposed clients. The idea of attorneys working for the benefit of their clients has been turned on its head, and now in many class action lawsuits class members exist for the benefit of the lawyer, and the lawyer walks away from the table with a large fee while the class members receive next to nothing.

The Senate Judiciary Committee has recently addressed the problem of ''coupon settlements'' with S. 353, the Class Action Fairness Act, which would move more large, multi-state claims into federal court where there has been more vigilance in reviewing class action certifications and settlements. This is an important reform, but I think we can take specific steps that go beyond this reform to cut down on the number of ''coupon settlements'' in class action lawsuits.

The first reform in my bill requires that the attorney filing the class action lawsuit file a pleading, including a disclosure of the recovery sought for class members and the anticipated attorney's fees, along with an explanation of how any attorney's fees will be calculated. This will give the court and the public notice of what the attorney is actually attempting to accomplish with the litigation for the class, and for themselves.

The second reform would require that, after a proposed settlement agreement has been filed by the parties, counsel for the class shall provide notice to the class members of the expected benefits they will receive, the rights they will waive through the settlement, the fee amount class counsel will seek, an explanation of how the attorney fee will be calculated and funded, and the right of any class member to enter comments into the court record about the proposed settlement terms. This will give class members a

more thorough knowledge about what they will receive in the settlement compared to what the attorney would receive, and will provide the court a mechanism for receiving comments from the class about the proposed settlement terms before rejecting or approving the agreement.

The third reform would require a regular, continuing disclosure as to how many members of the class are participating in the settlement. One of the dirty secrets of coupon settlements is that the benefits to the class are often of such minimal value that the class members do not even bother to take the steps necessary to receive the benefit, making the high fees received by the attorneys even more outrageous. Some settlements even offer cash recoveries to class members that are so minimal that it is not worth their time to recover the funds. The required disclosure will be via Internet so that the public and legal researchers can access the information, and also will be mailed directly to the class members for their information and use.

The final reform is that Congress will authorize a report by the Judicial Conference of the United States on ways to correct a particular abuse by class action lawyers in which they use polling surveys of the class to determine how many class members would utilize the settlement, and then submit it to the court as evidence for determining an appropriate fee. Courts have indeed used these tools to determine fees, however, the polling numbers regularly overestimate class utilization of the settlements by a wide margin, leading to inflated fee awards for class attorneys. My legislation directs the Conference to make recommendations to ensure that attorneys receive fees that are commensurate with the degree that the lawsuit benefits the class. The Judicial Conference is also directed to make recommendations affecting the broader topic of ensuring that proposed class action settlements are fair to the class members for whom the settlements are supposed to benefit.

My legislation will expose the trial bar to greater scrutiny in lawsuits that are filed primarily to line their own pockets, give class members greater rights in assessing the settlement offers, and set in motion other reforms that will put attorneys fees in line with the benefit they bring to the class. This is a true consumers' rights bill that will cut down on the abuses by the trial bar and shed more light on who is actually being benefited by these lawsuits. I urge all of my colleagues to join me in supporting this commonsense reform.●

Mr. CONRAD:

S. 3125. A bill to amend the Public Health Service Act, the Internal Revenue Code of 1986, and title XVIII of the Social Security Act to sustain access to vital emergency medical services in rural areas; to the Committee on Finance.

SUSTAINING ACCESS TO VITAL EMERGENCY MEDICAL SERVICES ACT OF 2000

Mr. CONRAD. Mr. President, today I am introducing the Sustaining Access to Vital Emergency Medical Services (EMS) Act of 2000. This bill would take important steps to strengthen the emergency medical service system in rural communities and across the nation.

Across America, emergency medical care reduces human suffering and saves lives. According to recent statistics, the average U.S. citizen will require the services of an ambulance at least twice during his or her life. As my colleagues surely know, delays in receiving care can mean the difference between illness and permanent injury, between life and death. In rural communities that often lack access to local health care services, the need for reliable EMS is particularly crucial.

Over the next few decades, the need for quality emergency medical care in rural areas is projected to increase as the elderly population in these communities continues to rise. Unfortunately, while the need for effective EMS systems may increase, we have seen the number of individuals able to provide these services decline. Nationwide, the majority of emergency medical personnel are unpaid volunteers. As rural economies continue to suffer, and individuals have less and less time to devote to volunteering, it has become increasingly difficult for rural EMS squads to recruit and retain personnel. In my state of North Dakota, this phenomenon has resulted in a sharp reduction in EMS squad size. In 1980, on average there were 35 members per EMS squad; today, the average squad size has plummeted to 12 individuals per unit. I am concerned that continued reductions in EMS squad size could jeopardize rural residents' access to needed medical services.

For this reason, the legislation I introduce today includes two components to help communities recruit, retain, and train EMS providers. First, this proposal would establish a Rural Emergency Medical Services Training and Equipment Assistance program. This program would authorize $50 million in grant funding for fiscal years 2001–2006, which could be used by rural EMS squads to meet various personnel needs. For example, this funding could help cover the costs of training volunteers in emergency response, injury prevention, and safety awareness; volunteers could also access this funding to help meet the costs of obtaining State emergency medical certification. In addition, EMS squads would be offered the flexibility to use grant funding to acquire new equipment, such as cardiac defibrillators. This is particularly important for rural squads that have difficulty affording state-of-the-art equipment that is needed for stabilizing patients during long travel times between the rural accident site and the nearest urban medical facility. This grant funding could also be used to provide community education training in CPR, first aid or other emergency medical needs.

Second, the Sustaining Access to Vital Emergency Medical Services Act would help individuals meet the costs of providing services by offering all volunteer emergency medical personnel a $500 income tax credit. Volunteers could use this credit to cover some of the incidental expenses incurred in providing services, such as purchasing gasoline for the vehicles they use to respond to emergencies or to buy medical gear like safety gloves and clothing. It is my hope that this tax credit would provide an incentive for unpaid EMS volunteers to continue providing services and for new volunteers to join rural emergency medical squads.

In addition to the provisions I have just described, this legislation also includes two other measures that would provide additional resources to EMS squads. The Balanced Budget Act (BBA) of 1997 reduced inflationary update payments to ambulance providers through 2002. This means that during this time frame, ambulance providers have not been given adequate resources to keep up with increasing service demands. To ensure ambulance providers receive appropriate resources, this legislation would eliminate the BBA market basket reductions and would instead provide a full inflationary update over the next two years. Also, this bill would provide an extra one percentage point increase in fiscal year 2001 to all EMS providers.

In addition, this proposal takes steps to fix the shortcomings of the newly implemented Medicare ambulance fee schedule. The negotiated rulemaking committee that developed the fee schedule voiced concern that the payment system does not adequately account for the costs of providing emergency care to low-volume rural areas. In response to this concern, the Committee included an add-on payment for services provided to rural areas. While this payment adjustment is a step in the right direction, we must go further in identifying low-volume areas and ensuring EMS providers are paid appropriately for serving these communities. This proposal would direct the Department of Health and Human Services (HHS) to conduct a study and provide recommendations to Congress on options for providing more appropriate payments to the nation's rural EMS providers. In conjunction with providing these recommendations, HHS would be required to implement any appropriate reimbursement changes by January 1, 2002.

It is my hope that the Sustaining Access to Vital Emergency (SAVE) Medical Services Act will help ensure EMS providers can continue providing quality medical care to our communities. I urge my colleagues to support this important effort.

By Mr. HAGEL (for himself and Mr. BIDEN):

S. 3126. A bill to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger; to the Committee on Foreign Relations.

FAMINE PREVENTION AND FREEDOM FROM HUNGER IMPROVEMENT ACT OF 2000

• Mr. HAGEL. Mr. President, today I am introducing a bill to amend title XII of the Foreign Assistance Act of 1961. Title XII describes the relationship between American universities and the United States Agency for International Development (USAID), with respect to USAID's international agriculture development programs. I am pleased to be joined in introducing this bill by my distinguished colleague from Delaware, Senator BIDEN.

This bill revitalizes the relationship between our universities, their public and private partners, and USAID. It reflects the fact that agriculture development work has changed dramatically in the past few years. For example, universities have long been important partners in the United States' efforts to promote agricultural development and decrease world hunger, but universities are no longer ivory towers. They now work with a variety of public and private partners to carry out agriculture-related assistance projects. This bill authorizes universities to utilize such partners when carrying out projects for USAID.

The bill also reflects the fact that agriculture development work increasingly focuses on income generation, rather than simply on household subsistence production. In addition to helping farmers grow enough to feed their immediate families, foreign agricultural assistance should also help farmers market and sell their products, and maximize their household income. This bill recognizes this new focus on income generation as a goal of American foreign agricultural assistance programs.

Lastly, the bill reflects the fact that sustainable development has increased in importance. Environmental and natural resource issues should be considered as part of the big picture in agriculture development.

I ask unanimous consent that the full text of the bill be printed in the RECORD immediately following these remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3126

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 ''Famine Prevention and Freedom From Hunger Improvement Act of 2000''.

SEC. 2. GENERAL PROVISIONS.

(a) DECLARATIONS OF POLICY.—(1) The first sentence of section 296(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(a)) is amended to read as follows: ''The Congress declares that, in order to achieve the mutual goals among nations of ensuring food security, human health, agricultural growth, trade expansion, and the wise and sustainable use of natural resources, the United States should mobilize the capacities of the United States land-grant universities, other eligible universities, and public and private partners of universities in the United States and other countries, consistent with sections 103 and 103A of this Act, for: (1) global research on problems affecting food, agriculture, forestry, and fisheries; (2) improved human capacity and institutional resource development for the global application of agricultural and related environmental sciences; (3) agricultural development and trade research and extension services in the United States and other countries to support the entry of rural industries into world markets; and (4) providing for the application of agricultural sciences to solving food, health, nutrition, rural income, and environmental problems, especially such problems in low-income, food deficit countries.''.

(2) The second sentence of section 296(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(a)) is amended—

(A) by redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively;

(B) in subparagraph (A) (as redesignated), by striking ''in this country'' and inserting ''with and through the private sector in this country and to understanding processes of economic development'';

(C) in subparagraph (B) (as redesignated), to read as follows:

''(B) that land-grant and other universities in the United States have demonstrated over many years their ability to cooperate with international agencies, educational and research institutions in other countries, the private sector, and nongovernmental organizations worldwide, in expanding global agricultural production, processing, business and trade, to the benefit of aid recipient countries and of the United States;'';

(D) in subparagraph (C) (as redesignated), to read as follows:

''(C) that, in a world of growing populations with rising expectations, increased food production and improved distribution, storage, and marketing in the developing countries is necessary not only to prevent hunger and ensure human health and child survival, but to build the basis for economic growth and trade, and the social security in which democracy and a market economy can thrive, and moreover, that the greatest potential for increasing world food supplies and incomes to purchase food is in the developing countries where the gap between food need and food supply is the greatest and current incomes are lowest;'';

(E) by striking subparagraphs (E) and (G) (as redesignated);

(F) by striking ''and'' at the end of subparagraph (F) (as redesignated);

(G) by redesignating subparagraph (F) as subparagraph (G); and

(H) by inserting after subparagraph (D) the following:

''(E) that, with expanding global markets and increasing imports into many countries, including the United States, food safety and quality, as well as secure supply, have emerged as mutual concerns of all countries;

''(F) that research, teaching, and extension activities, and appropriate institutional and policy development therefore are prime factors in improving agricultural production, food distribution, processing, storage, and marketing abroad (as well as in the United States);'';

(I) in subparagraph (G) (as redesignated), by striking ''in the United States'' and inserting ''and the broader economy of the United States''; and

(J) by adding at the end the following:

''(H) that there is a need to responsibly manage the world's natural resources for sustained productivity, health and resilience to climate variability; and

''(I) that universities and public and private partners of universities need a dependable source of funding in order to increase the impact of their own investments and those of their State governments and constituencies, in order to continue and expand their efforts to advance agricultural development in cooperating countries, to translate development into economic growth and trade for the United States and cooperating countries, and to prepare future teachers, researchers, extension specialists, entrepreneurs, managers, and decisionmakers for the world economy.''.

(b) ADDITIONAL DECLARATIONS OF POLICY.—Section 296(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(b)) is amended to read as follows:

''(b) Accordingly, the Congress declares that, in order to prevent famine and establish freedom from hunger, the following components must be brought together in a coordinated program to increase world food and fiber production, agricultural trade, and responsible management of natural resources, including—

''(1) continued efforts by the international agricultural research centers and other international research entities to provide a global network, including United States universities, for international scientific collaboration on crops, livestock, forests, fisheries, farming resources, and food systems of worldwide importance;

''(2) contract research and the implementation of collaborative research support programs and other research collaboration led by United States universities, and involving research systems in other countries focused on crops, livestock, forests, fisheries, farming resources, and food systems, with benefits to the United States and partner countries;

''(3) broadly disseminating the benefits of global agricultural research and development including increased benefits for United States agriculturally related industries through establishment of development and trade information and service centers, for rural as well as urban communities, through extension, cooperatively with, and supportive of, existing public and private trade and development related organizations;

''(4) facilitation of participation by universities and public and private partners of universities in programs of multilateral banks and agencies which receive United States funds;

''(5) expanding learning opportunities about global agriculture for students, teachers, community leaders, entrepreneurs, and the general public through international internships and exchanges, graduate assistantships, faculty positions, and other means of education and extension through long-term recurring Federal funds matched by State funds; and

''(6) competitive grants through universities to United States agriculturalists and public and private partners of universities from other countries for research, institution and policy development, extension, training, and other programs for global agricultural development, trade, and responsible management of natural resources.''.

(c) SENSE OF THE CONGRESS.—Section 296(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(c)) is amended—

(1) in paragraph (1), by striking ''each component'' and inserting ''each of the program components described in paragraphs (1) through (6) of subsection (b)'';

(2) in paragraph (2)—

(A) by inserting ''and public and private partners of universities'' after ''for the universities''; and

(B) by striking ''and'' at the end;

(3) in paragraph (3)—

(A) by inserting ''and public and private partners of universities'' after ''such universities'';

(B) in subparagraph (A), by striking '', and'' and inserting a semicolon;

(C) in subparagraph (B), by striking the comma at the end and inserting a semicolon;

(D) by striking the matter following subparagraph (B); and

(E) by adding at the end the following:

''(C) multilateral banks and agencies receiving United States funds;

''(D) development agencies of other countries; and

''(E) United States Government foreign assistance and economic cooperation programs;''; and

(4) by adding at the end the following:

''(4) generally engage the United States university community more extensively in the agricultural research, trade, and development initiatives undertaken outside the United States, with the objectives of strengthening its capacity to carry out research, teaching, and extension activities for solving problems in food production, processing, marketing, and consumption in agriculturally developing nations, and for transforming progress in global agricultural research and development into economic growth, trade, and trade benefits for aid recipient countries and United States communities and industries, and for the wise use of natural resources; and

''(5) ensure that all federally funded support to universities and public and private partners of universities relating to the goals of this title is periodically reviewed for its performance.''.

(d) DEFINITION OF UNIVERSITIES.—Section 296(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(d)) is amended—

(1) by inserting after ''sea-grant colleges;'' the following: ''Native American land-grant colleges as authorized under the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note);''; and

(2) in paragraph (1), by striking ''extension'' and inserting ''extension (including outreach)''.

(e) DEFINITION OF ADMINISTRATOR.—Section 296(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a(e)) is amended by inserting ''United States'' before ''Agency''.

(f) DEFINITION OF PUBLIC AND PRIVATE PARTNERS OF UNIVERSITIES.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

''(f) As used in this title, the term 'public and private partners of universities' includes entities that have cooperative or contractual agreements with universities, which may include formal or informal associations of universities, other education institutions, United States Government and State agencies, private voluntary organizations, nongovernmental organizations, firms operated for profit, nonprofit organizations, multinational banks, and, as designated by the Administrator, any organization, institution, or agency incorporated in other countries.''.

(g) DEFINITION OF AGRICULTURE.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

''(g) As used in this title, the term 'agriculture' includes the science and practice of activity related to food, feed, and fiber production, processing, marketing, distribution, utilization, and trade, and also includes family and consumer sciences, nutrition, food science and engineering, agricultural economics and other social sciences, forestry, wildlife, fisheries, aquaculture, floraculture, veterinary medicine, and other environmental and natural resources sciences.''.

(h) DEFINITION OF AGRICULTURISTS.—Section 296 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220a) is amended by adding at the end the following:

''(h) As used in this title, the term 'agriculturists' includes farmers, herders, and livestock producers, individuals who fish and others employed in cultivating and harvesting food resources from salt and fresh waters, individuals who cultivate trees and shrubs and harvest nontimber forest products, as well as the processors, managers, teachers, extension specialists, researchers, policymakers, and others who are engaged in the food, feed, and fiber system and its relationships to natural resources.''.

SEC. 3. GENERAL AUTHORITY.

(a) AUTHORIZATION OF ASSISTANCE.—Section 297(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(a)) is amended—

(1) in paragraph (1), to read as follows:

''(1) to implement program components through United States universities as authorized by paragraphs (2) through (5) of this subsection;'';

(2) in paragraph (3), to read as follows:

''(3) to provide long-term program support for United States university global agricultural and related environmental collaborative research and learning opportunities for students, teachers, extension specialists, researchers, and the general public;''; and

(3) in paragraph (4)—

(A) by inserting ''United States'' before ''universities'';

(B) by inserting ''agricultural'' before ''research centers''; and

(C) by striking ''and the institutions of agriculturally developing nations'' and inserting ''multilateral banks, the institutions of agriculturally developing nations, and United States and foreign nongovernmental organizations supporting extension and other productivity-enhancing programs''.

(b) REQUIREMENTS.—Section 297(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(b)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''universities'' and inserting ''United States universities with public and private partners of universities''; and

(B) in subparagraph (C)—

(i) by inserting '', environment,'' before ''and related''; and

(ii) by striking ''farmers and farm families'' and inserting ''agriculturalists'';

(2) in paragraph (2), by inserting '', including resources of the private sector,'' after ''Federal or State resources''; and

(3) in paragraph (3), by striking ''and the United States Department of Agriculture'' and all that follows and inserting '', the Department of Agriculture, State agricultural agencies, the Department of Commerce, the Department of the Interior, the Environmental Protection Agency, the Office of the United States Trade Representative, the Food and Drug Administration, other appropriate Federal agencies, and appropriate nongovernmental and business organizations.''.

(c) FURTHER REQUIREMENTS.—Section 297(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b(c)) is amended—

(1) in paragraph (2), to read as follows:

''(2) focus primarily on the needs of agricultural producers, rural families, processors, traders, consumers, and natural resources managers;''; and

(2) in paragraph (4), to read as follows:

''(4) be carried out within the developing countries and transition countries comprising newly emerging democracies and newly liberalized economies; and''.

(d) SPECIAL PROGRAMS.—Section 297 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220b) is amended by adding at the end the following new subsection:

''(e) The Administrator shall establish and carry out special programs under this title as part of ongoing programs for child survival, democratization, development of free enterprise, environmental and natural resource management, and other related programs.''.

SEC. 4. BOARD FOR INTERNATIONAL FOOD AND AGRICULTURAL DEVELOPMENT.

(a) ESTABLISHMENT.—Section 298(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(a)) is amended in the third sentence, by inserting at the end before the period the following: ''on a case-by-case basis''.

(b) GENERAL AREAS OF RESPONSIBILITY OF THE BOARD.—Section 298(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(b)) is amended to read as follows:

''(b) The Board's general areas of responsibility shall include participating in the planning, development, and implementation of, initiating recommendations for, and monitoring, the activities described in section 297 of this title.''.

(c) DUTIES OF THE BOARD.—Section 298(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(c)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''increase food production'' and all that follows and inserting the following: ''improve agricultural production, trade, and natural resource management in developing countries, and with private organizations seeking to increase agricultural production and trade, natural resources management, and household food security in developing and transition countries;''; and

(B) in subparagraph (B), by inserting before ''sciences'' the following: '', environmental, and related social'';

(2) in paragraph (4), after ''Administrator and universities'' insert ''and their partners'';

(3) in paragraph (5), after ''universities'' insert ''and public and private partners of universities'';

(4) in paragraph (6), by striking ''and'' at the end;

(5) in paragraph (7), by striking ''in the developing nations.'' and inserting ''and natural resource issues in the developing nations, assuring efficiency in use of Federal resources, including in accordance with the Governmental Performance and Results Act of 1993 (Public Law 103–62; 107 Stat. 285), and the amendments made by that Act;''; and

(6) by adding at the end the following:

''(8) developing information exchanges and consulting regularly with nongovernmental organizations, consumer groups, producers, agribusinesses and associations, agricultural cooperatives and commodity groups, State departments of agriculture, State agricultural research and extension agencies, and academic institutions;

''(9) investigating and resolving issues concerning implementation of this title as requested by universities; and

''(10) advising the Administrator on any and all issues as requested.''.

(d) SUBORDINATE UNITS.—Section 298(d) of the Foreign Assistance Act of 1961 (22 U.S.C. 2220c(d)) is amended—

(1) in paragraph (1)—

(A) by striking ''Research'' and insert ''Policy'';

(B) by striking ''administration'' and inserting ''design''; and

(C) by striking ''section 297(a)(3) of this title'' and inserting ''section 297''; and

(2) in paragraph (2)—

(A) by striking ''Joint Committee on Country Programs'' and inserting ''Joint Operations Committee''; and

(B) by striking ''which shall assist'' and all that follows and inserting ''which shall assist in and advise on the mechanisms and processes for implementation of activities described in section 297.''.

SEC. 5. ANNUAL REPORT.

Section 300 of the Foreign Assistance Act of 1961 (22 U.S.C. 2220e) is amended by striking ''April 1'' and inserting ''September 1''.●

● Mr. BIDEN. Mr. President, I am pleased to join my good friend Senator HAGEL in introducing the Famine Prevention and Freedom from Hunger Improvement Act of 2000.

The challenge facing developing nations whose people live in hunger today is no longer just how to increase food production. As we enter the new millennium, those countries must also confront the problems of inadequate income, lack of access to markets for both producers and consumers, and unsustainable natural resource management practices.

One of the keys to all these issues must be a new, more productive relationship between educational institutions—here in the U.S. and in the affected countries—and their private partners involved in agricultural development. In short, they must become part of the new, higher-tech, international agricultural economy. This bill, an amendment to the Foreign Assistance Authorization Act, is designed to move us in that direction.

Mr. President, when delegates from around the world gathered in Rome in 1996 for the World Food Summit, they pledged to reduce by half the number of people suffering from hunger by the year 2015. At that time the number of hungry people was estimated to be between 830 and 840 million. Now, four years later, the Food and Agriculture Organization of the United Nations estimates that there are 790 million people in the developing world who do not get enough the eat each day. This is positive news, but it is painfully evident that more needs to be done.

Title XII of the FAA, Famine Prevention and Freedom from Hunger, was written in 1975, at a time when there was a significant level of famine and hunger in the world. Its aim was to involve U.S. universities in the fight to increase food production. Mr. President, that mission has achieved a large degree of success. It is time to go beyond the basic issue of production, to take on the further challenges of increasing access to markets, improving shipping and storage, promoting environmentally sustainable agriculture, and turning farming in developing nations from a subsistence activity into a source of income.

The U.S. Action Plan on Food Security was developed to fulfill America's part of the 1996 commitment to cut in half the number of hungry persons by 2015. This plan includes several key priority areas, including strengthened research and educational capacity, increased liberalization of trade and investment, and greater attention to natural resource management and environmental degradation. This legislation furthers U.S. efforts by amending title XII of the Foreign Assistance Act to reflect these priorities.

As a donor country, our task is to channel assistance into the areas in which it is most needed, and to use the most effective means to do so. American land and sea grant colleges have been engaged in agricultural research for years and, increasingly in the past decade, have partnered with private research institutions. In my own state of Delaware, Mr. President, both the University of Delaware and Delaware State University are engaged in just the kind of research that could benefit from the support this legislation will provide.

I would wager, Mr. President, that most Americans are not aware of the many direct benefits that our country's foreign assistance programs can provide for us right here at home. Our commitment to reduce hunger in developing countries not only benefits those in need: with the changes this bill proposes, we will increase the existing benefits to U.S. universities and research institutions, and our private organizations involved in agricultural development. Our assistance programs, while primarily aimed at helping those abroad, can and should reflect our commitment to involve U.S. universities and businesses, with all of their expertise and experience, in making the world a healthier, more productive, and a safer place.

Mr. President, here in the United States, we are experiencing a period of unprecedented growth. At a time in which we have so much, I believe that we have a moral obligation to share our blessings. This bill helps us to shift our priorities to reflect changing realities so that the generosity of the American people is as effective and targeted as possible.●

Mr. SANTORUM (for himself, Mr. HUTCHINSON, and Mr. FITZGERALD:)

S. 3127. A bill to protect infants who are born alive; to the Committee on the Judiciary.

BORN ALIVE INFANTS PROTECTION ACT OF 2000

● Mr. SANTORUM. Mr. President, I rise today to introduce the Born Alive Infants Protection Act. I would like to thank Senator HUTCHINSON and Senator FITZGERALD for joining me as original sponsors. This bill is the Senate companion to H.R. 4292, which the House of Representatives passed by a vote of 380–15.

When I came to the Senate six years ago, I never imagined that the bill I am offering today would be necessary. Simply stated, this measure gives legal status to a fully born living infant regardless of the circumstances of his or her birth. I am deeply saddened that we must clarify federal law to specify that a living newborn baby is, in fact, a person.

One could ask, ''Why do you need federal legislation to state the obvious? What else could a living baby be, except a person?'' I will begin my explanation with events in 1995, when the Senate began its attempts to outlaw a horrifying, inhumane, and barbaric abortion procedure: partial birth abortion. In this particular abortion method, a living baby is killed when he or she is only inches from being fully born. Twice, the House and Senate have stood united in sending a bill to President Clinton to ban this procedure. Twice, the President has vetoed the bill. And twice, the House courageously voted to override the veto. Although support in the Senate grew each time the ban came to a vote, the Senate fell a few votes shy of overriding the veto.

The Supreme Court's ruling in Stenberg v. Carhart, as well as subsequent rulings in lower courts, are disturbing on a number of levels. First, the Supreme Court struck down Nebraska's attempt to ban a grotesque procedure the American Medical Association has called ''bad medicine,'' and thousands of physicians who specialize in high risk pregnancies have called ''never medically necessary.'' Further, the Court said it did not matter that the baby is killed when it is almost totally outside the mother's body in this abortion method. In other known abortion methods, the baby is killed in utero. Finally, the U.S. Supreme Court, and the Third Circuit Court have stated it does not matter when the baby is positioned when it is aborted. This assertion, to me, is the most horrifying of all.

In the five years worth of debates on partial birth abortion, I have asked Senators a very simple question: ''If a partial birth abortion was being performed on a baby, and for some reason the head slipped out and the baby was delivered, would the doctor and the mother have the right to kill that baby?'' In five years, not one Senator who defended the procedure has provided a straightforward ''yes'' or ''no'' response. They would not answer my question. So last year, I revised it. In an effort to try to define when a child may be protected by the Constitution, I asked whether it would be alright to kill a baby whose foot is still inside the mother's body, or what if only a toe is inside? Again, I did not receive an answer.

Unfortunately, evidence uncovered at a recent hearing before the House Judiciary Subcommittee on the Constitution suggests my questions were not so hypothetical. In fact, two nurses testified to seeing babies who were born alive as a result of induced labor abortions being left to die in soiled utility rooms. Furthermore, the intellectual framework for legalization of killing unwanted babies is being constructed by a prominent bioethics professor at Princeton University. Professor Peter Singer has advocated allowing parents a 28 waiting period to decide whether

to kill a disabled or unhealthy newborn. In his widely disseminated book, Practical Ethics, he asserts, ''killing a disabled infant is not morally equivalent to killing a person. Very often it is not wrong at all.''

In response to these events, the Born Alive Infants Protection Act grants protection under federal law to newborns that are fully outside of the mother. Specifically, it states that federal laws and regulations referring to a ''person,'' ''human being,'' ''child,'' and ''individual'' include ''every infant member of the species homo sapiens who is born alive at any stage of development.'' ''Born alive'' means ''the complete expulsion or extraction from its mother of that member, at any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definitive movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, caesarean section, or induced abortion.'' The definition of ''born alive'' is derived from a World Health Organization definition of ''live birth'' that has been enacted in 30 states and the District of Columbia.

Again, all this bill says is that a living baby who is completely outside of its mother is a person, a human being, a child, and an individual. Similar legislation passed by the House of Representatives received overwhelming bipartisan support from Members on both sides of the general abortion debate. I am hopeful that the Senate and the President can agree that once a baby is completely outside of its mother, it is a person, deserving protections and dignity afforded to all other Americans.

I ask unanimous consent that the text of the Born Alive Infants Protection Act be printed in the RECORD following my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3127

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 ''Born-Alive Infants Protections Act of 2000''.

SEC. 2. DEFINITION OF BORN-ALIVE INFANT.

(a) IN GENERAL.—Chapter 1 of title, 1, United States Code, is amended by adding at the end the following:

''§ 8. 'Person', 'human being', 'child', and 'individual' as including born-alive infant

''(a) In determining the meaning of any Act of Congress, or of any ruling, regulation, or interpretation of the various administration bureaus and agencies of the United States, the words 'person', 'human being', 'child', and 'individual', shall include every infant member of the species home sapiens who is born alive at any stage of development.

''(b) As used in this section, the term 'born alive', with respect to a member of the species homo sapiens, means the complete expulsion or extraction from its mother of that member of any stage of development, who after such expulsion or extraction breathes or has a beating heart, pulsation of the umbilical cord, or definite movement of voluntary muscles, regardless of whether the umbilical cord has been cut, and regardless of whether the expulsion or extraction occurs as a result of natural or induced labor, caesarean section, or induced abortion.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of title 1, United States Code, is amended by adding at the end the following new item:

''8. 'Person', 'human being', 'child', and 'individual' as including born-alive infant.''.

Mr. HUTCHINSON. Mr. President, I rise today in support of the Born-Alive Infants Protection Act. While I am profoundly saddened by the fact that such legislation has become necessary, I am proud to be an original cosponsor and commend Senator SANTORUM for his efforts on behalf of those members of our society who don't yet have a voice.

While the abortion lobby announced its vociferous opposition to this common-sense legislation and will most-certainly denounce this as an attack on Role v. Wade, this is not such an attack. Rather, it is an effort to end the brutal practice of infanticide, and to reaffirm that a child may not be killed once it has been born.

I simply do not know how some of my colleagues will be able to defend the practice of killing children who have been born alive. We are talking about children who have been fully delivered. As I think of the moment I first held my grandson Jackson, I am repelled by the fact that our society has degenerated to the point where some people say that Jackson's life should be able to be taken even after his birth. I truly fear that if this practice is not stopped, some day, when the Peter Singers of the world have their way, the weakest members of our society—babies, the mentally retarded, the terminally ill, and the elderly—will have their lives taken from them against their will after someone has determined that their life is not meaningful.

Accordingly, I ask that my colleagues join me and work to enact this legislation.

Mr. ROTH (for himself, Mr. SARBANES, and Mr. BIDEN):

S.J. Res. 53. A resolution to commemorate fallen firefighters by lowering the American flag to half-staff on the day of the National Fallen Firefighters Memorial Service in Emittsburg, Maryland; to the Committee on the Judiciary.

Mr. ROTH. Mr. President, I ask unanimous consent that the joint resolution be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 53

Whereas 1,200,000 men and women comprise the American fire and emergency services;

Whereas the fire and emergency services is considered one of the most dangerous jobs in the United States;

Whereas fire and emergency services personnel respond to over 16,000,000 emergency calls annually, without reservation and with little regard for their personal safety;

Whereas fire and emergency services personnel are the first to respond to an emergency, whether it involves a fire, medical emergency, spill of hazardous materials, natural disaster, act of terrorism, or transportation accident;

Whereas approximately one-third of all active fire and emergency personnel suffer debilitating injuries annually; and

Whereas approximately 100 fire and emergency services personnel die annually in the line of duty: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That each year, the American flags on all Federal office buildings will be lowered to half-staff on the day of the National Fallen Firefighters Memorial Service in Emittsburg, Maryland.

ADDITIONAL COSPONSORS

S. 622

At the request of Mr. KENNEDY, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 622, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 922

At the request of Mr. ABRAHAM, the names of the Senator from New Jersey (Mr. TORRICELLI), the Senator from Louisiana (Mr. BREAUX), the Senator from North Dakota (Mr. CONRAD), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Minnesota (Mr. WELLSTONE), and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 922, a bill to prohibit the use of the ''Made in the USA'' label on products of the Commonwealth of the Northern Mariana Islands and to deny such products duty-free and quota-free treatment.

S. 1020

At the request of Mr. MACK, his name was added as a cosponsor of S. 1020, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1510

At the request of Mr. MCCAIN, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 1510, a bill to revise the laws of the United States appertaining to United States cruise vessels, and for other purposes.

S. 1536

At the request of Mr. DEWINE, the names of the Senator from Florida (Mr. MACK), the Senator from Georgia (Mr. CLELAND), the Senator from Hawaii (Mr. INOUYE), the Senator from Maryland (Mr. SARBANES), the Senator from Connecticut (Mr. DODD), the Senator from Virginia (Mr. ROBB), and the Senator from Georgia (Mr. MILLER) were added as cosponsors of S. 1536, a bill to amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act, to

modernize programs and services for older individuals, and for other purposes.

S. 1961

At the request of Mr. JOHNSON, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of S. 1961, a bill to amend the Food Security Act of 1985 to expand the number of acres authorized for inclusion in the conservation reserve.

S. 2052

At the request of Mr. CAMPBELL, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2052, a bill to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to community, business, and the economic development of Native American communities.

S. 2265

At the request of Mrs. HUTCHISON, the name of the Senator from Rhode Island (Mr. L. CHAFEE) was added as a cosponsor of S. 2265, a bill to amend the Internal Revenue Code of 1986 to preserve marginal domestic oil and natural gas well production, and for other purposes.

S. 2274

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 2274, a bill to amend title XIX of the Social Security Act to provide families and disabled children with the opportunity to purchase coverage under the medicaid program for such children.

S. 2293

At the request of Mr. SANTORUM, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 2293, a bill to amend the Federal Deposit Insurance Act and the Federal Home Loan Bank Act to provide for the payment of Financing Corporation interest obligations from balances in the deposit insurance funds in excess of an established ratio and, after such obligations are satisfied, to provide for rebates to insured depository institutions of such excess reserves.

S. 2341

At the request of Mr. GREGG, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2341, a bill to authorize appropriations for part B of the Individuals with Disabilities Education Act to achieve full funding for part B of that Act by 2010.

S. 2665

At the request of Mr. KYL, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2665, a bill to establish a streamlined process to enable the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior of individual leases, except leases for exploration, development, or extraction of any mineral resources.

S. 2733

At the request of Mr. SANTORUM, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2733, a bill to provide for the preservation of assisted housing for low income elderly persons, disabled persons, and other families.

S. 2868

At the request of Mr. FRIST, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2868, a bill to amend the Public Health Service Act with respect to children's health.

S. 2887

At the request of Mr. GRASSLEY, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2887, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 2904

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2904, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives to encourage the production and use of efficient energy sources, and for other purposes.

S. 2912

At the request of Mr. KENNEDY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2912, a bill to amend the Immigration and Nationality Act to remove certain limitations on the eligibility of aliens residing in the United States to obtain lawful permanent residency status.

S. 2936

At the request of Mr. ROBB, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 2936, a bill to provide incentives for new markets and community development, and for other purposes.

S. 2986

At the request of Mr. HUTCHINSON, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 2986, a bill to limit the issuance of regulations relating to Federal contractor responsibility, to require the Comptroller General to conduct a review of Federal contractor compliance with applicable laws, and for other purposes.

S. 3002

At the request of Mr. BINGAMAN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 3002, a bill to authorize a coordinated research program to ensure the integrity, safety and reliability of natural gas and hazardous liquids pipelines, and for other purposes.

S. 3020

At the request of Mr. GRAMS, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3020, a bill to require the Federal Communications Commission to revise its regulations authorizing the operation of new, low-power FM radio stations.

S. 3060

At the request of Mr. WELLSTONE, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 3060, a bill to amend the Hmong Veterans' Naturalization Act of 2000 to extend the applicability of that Act to certain former spouses of deceased Hmong veterans.

S. 3071

At the request of Mr. MACK, his name was added as a cosponsor of S. 3071, a bill to provide for the appointment of additional Federal circuit and district judges, and for other purposes.

S. 3073

At the request of Mr. DURBIN, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 3073, a bill to amend titles V, XVIII, and XIX of the Social Security Act to promote smoking cessation under the medicare program, the medicaid program, and the maternal and child health program.

S. 3105

At the request of Mr. BREAUX, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3105, a bill to amend the Internal Revenue Code of 1986 to clarify the allowance of the child credit, the deduction for personal exemptions, and the earned income credit in the case of missing children, and for other purposes.

S. 3112

At the request of Mr. ABRAHAM, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3112, a bill to amend title XVIII of the Social Security Act to ensure access to digital mammography through adequate payment under the medicare system.

S. RES. 292

At the request of Mr. CLELAND, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. Res. 292, a resolution recognizing the 20th century as the ''Century of Women in the United States.''

S. RES. 339

At the request of Mr. REID, the names of the Senator from Michigan (Mr. LEVIN), the Senator from Rhode Island (Mr. REED), the Senator from Connecticut (Mr. DODD), the Senator from Massachusetts (Mr. KERRY), the Senator from North Carolina (Mr. HELMS), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mr. SCHUMER), the Senator from North Dakota (Mr. DORGAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. Res. 339, a resolution

designating November 18, 2000, as ''National Survivors of Suicide Day.''

S. RES. 340

At the request of Mr. REID, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Wyoming (Mr. ENZI), the Senator from Alaska (Mr. MURKOWSKI), the Senator from Massachusetts (Mr. KERRY), the Senator from Michigan (Mr. LEVIN), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of S. Res. 340, a resolution designating December 10, 2000, as ''National Children's Memorial Day.''

S. RES. 343

At the request of Mr. FITZGERALD, the names of the Senator from Rhode Island (Mr. L. CHAFEE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 343, a resolution expressing the sense of the Senate that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society with its emblem, the Red Shield of David.

S. RES. 359

At the request of Mr. SCHUMER, the names of the Senator from Virginia (Mr. ROBB), the Senator from Maryland (Ms. MIKULSKI), and the Senator from New York (Mr. MOYNIHAN) were added as cosponsors of S. Res. 359, a resolution designating October 16, 2000, to October 20, 2000 as ''National Teach For America Week.''

AMENDMENTS SUBMITTED

[Due to transmission difficulties, today's amendments were not available for printing. They will appear in the next issue of the RECORD.]

NOTICE OF HEARING

SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, PRODUCTION AND REGULATION

Mr. NICKLES. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy Research, Development, Production and Regulation.

The hearing will take place on, Thursday, October 5, 2000 at 9:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on the electricity challenges facing the Northwest.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Energy Research, Development, Production and Regulation, Committee on Energy and Natural Resources, United States Senate, 364 Dirksen Senate Office Building, Washington, D.C. 20510–6150.

For further information, please call Trici Heninger at (202) 224–7875.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 27, 2000, at 9:30 a.m., in open session to receive testimony on the status of U.S. military readiness.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, September 27, 2000, at 9:30 a.m. on motion picture CEO's.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, September 27, 2000 to mark up H.R. 4844, the Railroad Retirement and Survivors' Improvement Act of 2000 and the Community Renewal and New Markets Act of 2000.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, September 27, 2000 at 2:30 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Wednesday, September 27, 2000 at 9:30 a.m. for a business meeting to consider pending Committee business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, September 27, 2000 at 9:30 a.m. in room 485 of the Russell Senate Building to conduct a hearing on S. 2052, the Indian Tribal Development Consolidated Funding Act of 2000, to be followed immediately by a business meeting to markup S. 1840, the California Indian Land Transfer Act; S. 2665, to establish a streamlined process to enable the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior of individual leases, except leases for exploration, development, or extraction of any mineral resources; S. 2917, the Santo Domingo Pueblo Claims Settlement Act of 2000, H.R. 4643, the Torrez-Martinez Desert Cahuilla Indian Claims Settlement Act; S. 2688, the Native American Languages Act Amendments Act of 2000; S. 2580, the Indian School Construction Act; S. 3031, to make certain technical corrections in laws relating to Native Americans; S. 2920, the Indian Gaming Regulatory Improvement Act of 2000; S. 2526, to amend the Indian Health Care Improvement Act to revise and extend such Act; and H.R. 1460, to amend the Ysleta Sur and Alabama and Coushatta Indian tribes of Texas restoration Act, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. THOMAS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, September 27, 2000 at 2:30 p.m. to hold a closed hearing on intelligence matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Administrative Oversight and the Courts be authorized to meet to conduct a hearing on Wednesday, September 27, 2000, at 9:30 a.m. The hearing will take place in Dirksen Room 226.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR, WETLANDS, PRIVATE PROPERTY, AND NUCLEAR SAFETY

Mr. THOMAS. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety be authorized to meet Wednesday, September 27, at 2:15 p.m., Hearing Room (SD–406), to receive testimony from State and local governments on the reauthorization of the Clean Air Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON RESEARCH, NUTRITION AND GENERAL LEGISLATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry Subcommittee on Research, Nutrition and General Legislation be authorized to meet during the session of the Senate on Wednesday, September 27, 2000. The purpose of this hearing will be to review U.S. Department of Agriculture Financial Management issues.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that the congressional fellow in my office, Miss Terri Ceravolo, be granted privileges of the floor during duration of this debate on S. 2045.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 3041

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to Calendar No. 800, S. 3041, the D.C. appropriations bill, and following the reporting of the bill by the clerk, the bill be advanced to third reading, and the Senate then proceed to Calendar No. 805, H.R. 4942, the House companion bill.

I further ask unanimous consent that the Senate text be considered offered and agreed to as original text, also including a series of managers' changes sponsored by the two managers which are at the desk, that the House bill then be advanced to third reading, and passage occur, all without intervening action or debate.

I further ask unanimous consent that the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate, which will be the entire Subcommittee on the District of Columbia, including the chairman of the full committee and Senator INOUYE.

I further ask unanimous consent that the Senate bill then be placed back on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2001

The PRESIDING OFFICER. Under the previous order, the clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3041) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, and for other purposes.

The Senate proceeded to consider the bill.

The amendment (No. 4271) was agreed to.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

The bill (S. 3041), as amended, was read the third time.

The bill (H.R. 4942), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

DISTRICT OF COLUMBIA APPROPRIATIONS BILL

Mr. BYRD. Mr. President, I want to thank the chairman and the ranking member of the Appropriations Subcommittee for the District of Columbia, Senators KAY BAILEY HUTCHISON and RICHARD DURBIN, for the very fine work they have done to bring forward the District of Columbia appropriations bill for fiscal year 2001.

Even though this bill is neither the largest nor the most complex of the appropriations bills, it is not an easy bill to resolve. Senators HUTCHISON and DURBIN are to be commended for working together and bringing this bill before the Senate. We have followed the regular order with this bill. The Senate has an opportunity to work its will on this measure.

With the passage of this bill, we have brought all but three fiscal year 2001 appropriations bills to the Senate floor. I call upon my colleagues to finish the Senate's work on these final three measures.

The PRESIDING OFFICER (Mr. VOINOVICH) appointed Mrs. HUTCHISON, Mr. KYL, Mr. DURBIN, Mr. STEVENS, and Mr. INOUYE conferees on the part of the Senate.

WATER RIGHTS OF AK-CHIN INDIAN COMMUNITY

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 813, H.R. 2647.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2647) to amend the Act entitled ''An Act relating to the water rights of the Ak-Chin Indian Community'' to clarify certain provisions concerning the leasing of such water rights, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2647) was read the third time and passed.

COASTAL BARRIER RESOURCES REAUTHORIZATION ACT OF 1999

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 483, S. 1752.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1752) to reauthorize and amend the Coastal Barrier Resources Act.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public works with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 1752

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 ''Coastal Barrier Resources Reauthorization Act of 1999''.

SEC. 2. DEFINITIONS.

Section 3 of the Coastal Barrier Resources Act (16 U.S.C. 3502) is amended—

(1) by striking ''For purposes of'' and all that follows through the end of paragraph (1) and inserting the following:

''In this Act:

''(1) UNDEVELOPED COASTAL BARRIER.—

''(A) IN GENERAL.—The term 'undeveloped coastal barrier' means—

''(i) a geologic feature (such as a bay barrier, tombolo, barrier spit, or barrier island) that—

''(I) is subject to wave, tidal, and wind energies; and

''(II) protects landward aquatic habitats from direct wave attack; and

''(ii) all associated aquatic habitats, including the adjacent wetlands, marshes, estuaries, inlets, and nearshore waters.

''(B) EXCLUSIONS.—The term 'undeveloped coastal barrier' excludes a feature or habitat described in subparagraph (A) if, as of the date on which the feature or habitat is added to the System—

''(i) the density for the unit in which the feature or habitat is located is equal to or greater than 1 structure per 5 acres of land above the mean high tide, which structure—

''(I) is a walled and roofed building (other than a gas or liquid storage tank) that is principally above ground and affixed to a permanent site, including a manufactured home on a permanent foundation; and

''(II) covers at least 200 square feet; or

''(ii) the feature or habitat contains infrastructure consisting of—

''(I) a road, to each lot or building site, that is under the jurisdiction of, and maintained by, a public authority and is open to the public;

''(II) a wastewater disposal system for each lot or building site;

''(III) electric service for each lot or building site; and

''(IV) availability of a fresh water supply for each lot or building site.'';

(2) in paragraph (2), by striking ''refers to the Committee on Merchant Marine and Fisheries'' and inserting ''means the Committee on Resources''; and

(3) in paragraph (3), by striking the second sentence.

[SEC. 3. VOLUNTARY ADDITIONS TO COASTAL BARRIER RESOURCES SYSTEM.]

SEC. 3. VOLUNTARY ADDITIONS TO JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—Section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503) is amended by adding at the end the following:

''(d) ADDITIONS TO SYSTEM.—

''(1) IN GENERAL.—The Secretary may add a parcel of real property to the System, if—

''(A) the owner of the parcel requests, in writing, that the Secretary add the parcel to the System; and

''(B) the parcel is a feature or habitat covered by section 3(1).

''(2) MAPS.—The Secretary shall—

''(A) keep a map showing the location of each parcel of real property added to the System under paragraph (1) on file and available for public inspection in the Office of the Director of the United States Fish and Wildlife Service and in such other offices of the Service as the Director considers appropriate;

''(B) provide a copy of the map to—

''(i) the State in which the property is located;

''(ii) the Committees; and

''(iii) the Federal Emergency Management Agency; and

''(C) revise the maps referred to in subsection (a) to reflect each addition of real property to the System under paragraph (1), after publishing in the Federal Register a notice of any such proposed revision.''.

(b) CONFORMING AMENDMENT.—Section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) is amended by striking ''which shall consist of'' and all that follows and inserting the following: ''which shall consist of those undeveloped coastal barriers and other areas located on the coasts of the United States that are identified and generally depicted on the maps on file with the Secretary entitled 'Coastal Barrier Resources System', dated October 24, 1990, as those maps may be modified, revised, or corrected under—

''(1) subsection (c) or (d);

''(2) section 4 of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note; Public Law 101–591); or

''(3) any other provision of law enacted on or after November 16, 1990, that specifically authorizes the modification, revision, or correction.''.

SEC. 4. TECHNICAL AMENDMENTS.

(a) IN GENERAL.—Sections 10 and 11 of the Coastal Barrier Resources Act (16 U.S.C. 3509, 96 Stat. 1658) are repealed.

(b) EFFECT ON PRIOR AMENDMENTS.—Nothing in subsection (a) or the amendments made by subsection (a) affects the amendments made by section 11 of the Coastal Barrier Resources Act (96 Stat. 1658), as in effect on the day before the date of enactment of this Act.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

The Coastal Barrier Resources Act is amended by striking section 12 (16 U.S.C. 3510) and inserting the following:

''SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Secretary to carry out this Act $2,000,000 for each of fiscal years 2001 through 2004 and $3,000,000 for each of fiscal years 2005 through 2007.''.

SEC. 6. DIGITAL MAPPING PILOT PROJECT.

(a) IN GENERAL.—

(1) PROJECT.—The Secretary of the Interior (referred to in this section as the ''Secretary'') shall carry out a pilot project to determine the feasibility and cost of creating digital versions of the [Coastal Barrier Resources System] *John H. Chafee Coastal Barrier Resources System* maps referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) (as amended by section 3(b)).

(2) MINIMUM NUMBER OF UNITS.—The pilot project shall consist of the creation of digital maps for at least 75 units of the [Coastal Barrier Resources System] *John H. Chafee Coastal Barrier Resources System* (referred to in this section as the ''System''), 25 of which shall be otherwise protected areas (as defined in section 12 of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note; Public Law 101–591)).

(b) DATA.—

(1) USE OF EXISTING DATA.—To the maximum extent practicable, in carrying out the pilot project under this section, the Secretary shall use—

(A) digital spatial data (including digital orthophotos) in existence at the time at which the project is carried out;

(B) shoreline, elevation, and bathymetric data; and

(C) electronic navigational charts in the possession of other Federal agencies, including the United States Geological Survey and the National Oceanic and Atmospheric Administration.

(2) PROVISION OF DATA BY OTHER AGENCIES.—The head of a Federal agency that possesses data or a chart referred to in paragraph (1) shall, upon request of the Secretary, promptly provide the data or chart to the Secretary at no cost.

(3) ADDITIONAL DATA.—If the Secretary determines that data or a chart necessary to carry out the pilot project under this section does not exist, the Secretary shall enter into an agreement with the Director of the United States Geological Survey under which the Director shall obtain, in cooperation with other Federal agencies, as appropriate, and provide to the Secretary the data or chart required to carry out this section.

(4) DATA STANDARDS.—All data and charts used or created to carry out this section shall comply with—

(A) the National Spatial Data Infrastructure established by Executive Order 12906 (59 Fed. Reg. 17671 (1994)); and

(B) any other standards established by the Federal Geographic Data Committee established by the Office of Management and Budget Circular A–16.

(c) DIGITAL MAPS NOT CONTROLLING.—Any determination as to whether a location is inside or outside the System shall be made without regard to the digital maps created under this section.

(d) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report that describes the results of the pilot project and the feasibility, data needs, and costs of completing digital maps for the entire System.

(2) CONTENTS.—The report shall include a description of—

(A) the cooperative agreements that would be necessary to complete digital mapping of the entire System;

(B) the extent to which the data necessary to complete digital mapping of the entire System are available;

(C) the need for additional data to complete digital mapping of the entire System;

(D) the extent to which the boundary lines on the digital maps differ from the boundary lines of the original maps; and

(E) the amount of funding necessary to complete digital mapping of the entire System.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $500,000 for each of fiscal years 2001 through 2003.

[SEC. 7. ECONOMIC ASSESSMENT OF COASTAL BARRIER RESOURCES SYSTEM.]

SEC. 7. ECONOMIC ASSESSMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives an economic assessment of the [Coastal Barrier Resources System] *John H. Chafee Coastal Barrier Resources System*.

(b) REQUIRED ELEMENTS.—The assessment shall consider the past and estimated future savings of Federal expenditures attributable to the Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.), including the savings resulting from avoidance of Federal expenditures for—

(1) disaster relief under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(2) the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.); and

(3) development assistance for roads, potable water supplies, and wastewater infrastructure.

Mr. LOTT. Mr. President, I ask unanimous consent that the committee amendments be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

AMENDMENT NO. 4272

Mr. LOTT. Mr. President, Senator BOB SMITH has a substitute amendment at the desk and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. SMITH of New Hampshire, proposes an amendment numbered 4272.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. LOTT. I ask unanimous consent that the substitute be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4272) was agreed to.

Mr. SMITH of New Hampshire. Mr. President, I rise today to encourage my colleagues to support final passage of S. 1752, a bill to reauthorize the Coastal Barrier Resources Act, CBRA. I am offering a manager's amendment in the nature of a substitute that makes several important changes to the bill that was reported by the Committee on Environment and Public Works. These changes have been negotiated with the House Committee on Natural Resources. I believe that in adopting these changes, we will not only improve the bill, but will also ensure that this important legislation is signed into law this year.

Most people do not realize that coastal barriers are the first line of defense protecting the mainland from major storms and hurricanes. This extremely vulnerable area is under increasing pressure from development. From 1960 to 1990, the population of coastal areas increased from 80 to 110 million, and is projected to reach over 160 million by 2015. Continued development on and around coastal barriers place people, property and the environment at risk.

To address this problem Congress passed CBRA in 1982. This extremely important legislation prohibits the Federal Government from subsidizing flood insurance, and providing other financial assistance, such as beach replenishment, within the Coastal Barrier Resources System, System. Nothing in CBRA prohibits development on coastal barriers; it just gets the Federal Government out of the business of subsidizing risky development.

The law proved to be so successful that Congress expanded the Coastal Barrier System in 1990, with the support of the National Taxpayers Union, the American Red Cross, Coast Alliance and Tax Payers for Common Sense, to name just a few. The 1990 act doubled the size of the System to include coastal barriers in Puerto Rico, the U.S. Virgin Islands, the Great Lakes, and additional areas along the Atlantic and Gulf coasts. Congress also allowed the inclusion of areas that are

already protected for conservation purposes, such as parks and refuges. Currently the system is comprised of 3 million acres and 2,500 shoreline miles.

Development of coastal barriers decreases their ability to absorb the force of storms and buffer the mainland. The devastating floods of Hurricane Floyd are a reminder of the susceptibility of coastal development to the power of nature. The Federal Emergency Management Agency reports that 10 major disaster declarations were issued for this hurricane, more than for any other single hurricane or natural disaster. In fact, 1999 sets a record for major disaster declarations—a total of 14 in that year alone. As the number of disaster declarations has crept up steadily since the 1980's, so has the cost to taxpayers. Congress has approved on average $3.7 billion a year in supplemental disaster aid in the 1990's, compared to less than $1 billion a year in the previous decade.

Homeowners know the risk of building in these highly threatened areas. Despite this, taxpayers are continually being asked to rebuild homes and businesses in flood-prone areas. The National Wildlife Federation published a study that found that over 40 percent of the damage payments from the National Flood Insurance Program go to people who have had at least one previous claim. A New Jersey auto repair shop made 31 damage claims in 15 years.

At a time when climatologists believe that we are entering a period of turbulent hurricane activity after three decades of relative calm, the safety concerns associated with continued development of coastal barrier regions must also be considered. As roadway systems have not kept up with population growth, it will become increasingly difficult to evacuate coastal areas in the face of a major storm.

Beyond the economic and safety issues, another compelling reason to support the Coastal Barrier Resources Act is that it contributes to the protection of our Nation's coastal resources. Coastal barriers protect and maintain the wetlands and estuaries essential to the survival of innumerable species of fish and wildlife. Large populations of waterfowl and other migratory birds depend on the habitat protected by coastal barriers for wintering areas. Undeveloped coastal barriers also provide unique recreational opportunities, and deserve protection for present and future public enjoyment.

S. 1752, would reauthorize the act for 5 years and make some necessary changes to improve implementation. Due to the complexity of the coastal barrier maps, Congress periodically authorizes changes to the map, primarily to correct errors. In this process, we always ask the administration to determine whether or not a modification to the coastal barrier maps is ''technical'' in nature. This provision would require the Secretary of the Interior to use a set of criteria when making this determination. The criteria that we included in the bill is based on a rule that the administration proposed in 1982, and on guidance published in 1985.

This provision would require the Secretary to determine whether the area in question, at the time of its inclusion into the system, has more than one structure per 5 acres and a ''complete set of infrastructure.'' Infrastructure, for the purposes of this bill, is described as a road with a reinforced roadbed, wastewater disposal system, electric service, and fresh water to each lot or building site. If the area, at the time of its inclusion into the system, does not meet all of the criteria, the Secretary is required to find that the area is undeveloped and therefore should remain in the system.

I strongly believe this criteria is necessary because some recommendations recently made by the administration have concerned me. For example, the administration claimed in one instance that a golf cart path should be considered a road. By requiring in law that a road must contain a reinforced roadbed, Congress is indicating that we mean real roads-roads where construction work has been done by a public or private entity to ensure that the road includes surfaces, shoulders, roadsides, structures, and any traffic control devices as are necessary for safe use. This definition will preclude future golfcart paths and trails from being considered legitimate roads.

S. 1752 will also require the Secretary of the Interior to complete a pilot project to determine the feasibility of creating digital versions of the coastal barrier system maps. Digital maps would improve the accuracy of the older coastal barriers maps, and make it easier for the Department of Interior and homeowners to determine where a structure is located. Eventually, we hope that the entire system can be accessed by the Internet.

I believe that Congress should make every effort to conserve barrier islands and beaches. This legislation offers an opportunity to increase protection of coastal barriers, and at the same time, save taxpayers money. I urge my colleagues to support S. 1752.

Mr. LOTT. Mr. President, I ask unanimous consent the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1752), as amended, was read the third time and passed, as follows:

S. 1752

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 ''Coastal Barrier Resources Reauthorization Act of 2000''.

SEC. 2. GUIDELINES FOR CERTAIN RECOMMENDATIONS AND DETERMINATIONS.

Section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503), as otherwise amended by this Act, is further amended by adding at the end the following:

''(g) GUIDELINES FOR CERTAIN RECOMMENDATIONS AND DETERMINATIONS.—

''(1) IN GENERAL.—In making any recommendation to the Congress regarding the addition of any area to the System or in determining whether, at the time of the inclusion of a System unit within the System, a coastal barrier is undeveloped, the Secretary shall consider whether within the area—

''(A) the density of development is less than 1 structure per 5 acres of land above mean high tide; and

''(B) there is existing infrastructure consisting of—

''(i) a road, with a reinforced road bed, to each lot or building site in the area;

''(ii) a wastewater disposal system sufficient to serve each lot or building site in the area;

''(iii) electric service for each lot or building site in the area; and

''(iv) a fresh water supply for each lot or building site in the area.

''(2) STRUCTURE DEFINED.—In paragraph (1), the term 'structure' means a walled and roofed building, other than a gas or liquid storage tank, that—

''(A) is principally above ground and affixed to a permanent site, including a manufactured home on a permanent foundation; and

''(B) covers an area of at least 200 square feet.

''(3) SAVINGS CLAUSE.—Nothing in this subsection supersedes the official maps referred to in subsection (a).''.

SEC. 3. VOLUNTARY ADDITIONS TO JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—Section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503) is amended by inserting after subsection (c) the following:

''(d) ADDITIONS TO SYSTEM.—The Secretary may add a parcel of real property to the System, if—

''(1) the owner of the parcel requests, in writing, that the Secretary add the parcel to the System; and

''(2) the parcel is an undeveloped coastal barrier.''.

(b) TECHNICAL AMENDMENTS RELATING TO ADDITIONS OF EXCESS PROPERTY.—

(1) IN GENERAL.—Section 4(d) of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note; Public Law 101–591)—

(A) is redesignated and moved so as to appear as subsection (e) of section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503); and

(B) is amended—

(i) in paragraph (1)—

(I) by striking ''one hundred and eighty'' and inserting ''180''; and

(II) in subparagraph (B), by striking ''shall''; and

(ii) in paragraph (2), by striking ''subsection (d)(1)(B)'' and inserting ''paragraph (1)(B)''; and

(iii) by striking paragraph (3).

(2) CONFORMING AMENDMENTS.—Section 4 of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note; Public Law 101–591) is amended—

(A) in subsection (b)(2), by striking ''subsection (d) of this section'' and inserting ''section 4(e) of the Coastal Barrier Resources Act (16 U.S.C. 3503(e))''; and

(B) by striking subsection (f).

(c) ADDITIONS TO SYSTEM.—Section 4 of the Coastal Barrier Resources Act (16 U.S.C. 3503) is further amended by inserting after subsection (e) (as added by subsection (b)(1)) the following:

''(f) MAPS.—The Secretary shall—

''(1) keep a map showing the location of each boundary modification made under subsection (c) and of each parcel of real property added to the System under subsection (d) or (e) on file and available for public inspection in the Office of the Director of the United States Fish and Wildlife Service and in such other offices of the Service as the Director considers appropriate;

''(2) provide a copy of the map to—

''(A) the State and unit of local government in which the property is located;

''(B) the Committees; and

''(C) the Federal Emergency Management Agency; and

''(3) revise the maps referred to in subsection (a) to reflect each boundary modification under subsection (c) and each addition of real property to the System under subsection (d) or (e), after publishing in the Federal Register a notice of any such proposed revision.''.

(d) CONFORMING AMENDMENT.—Section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) is amended by striking ''which shall consist of'' and all that follows and inserting the following: ''which shall consist of those undeveloped coastal barriers and other areas located on the coasts of the United States that are identified and generally depicted on the maps on file with the Secretary entitled 'Coastal Barrier Resources System', dated October 24, 1990, as those maps may be modified, revised, or corrected under—

''(1) subsection (f)(3);

''(2) section 4 of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note; Public Law 101–591); or

''(3) any other provision of law enacted on or after November 16, 1990, that specifically authorizes the modification, revision, or correction.''.

SEC. 4. CLERICAL AMENDMENTS.

(a) COASTAL BARRIER RESOURCES ACT.—The Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.) is amended—

(1) in section 3(2) (16 U.S.C. 3502(2)), by striking ''refers to the Committee on Merchant Marine and Fisheries'' and inserting ''means the Committee on Resources'';

(2) in section 3(3) (16 U.S.C. 3502(3)), in the matter following subparagraph (D), by striking ''Effective October 1, 1983, such'' and inserting ''Such''; and

(3) by repealing section 10 (16 U.S.C. 3509).

(b) COASTAL BARRIER IMPROVEMENT ACT OF 1990.—Section 8 of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note; Public Law 101–591) is repealed.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 12 of the Coastal Barrier Resources Act (16 U.S.C. 3510) is redesignated as section 10, moved to appear after section 9, and amended to read as follows:

''SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to the Secretary to carry out this Act $2,000,000 for each of fiscal years 2001, 2002, 2003, 2004, and 2005.''.

SEC. 6. DIGITAL MAPPING PILOT PROJECT.

(a) IN GENERAL.—

(1) PROJECT.—The Secretary of the Interior (referred to in this section as the ''Secretary''), in consultation with the Director of the Federal Emergency Management Agency, shall carry out a pilot project to determine the feasibility and cost of creating digital versions of the John H. Chafee Coastal Barrier Resources System maps referred to in section 4(a) of the Coastal Barrier Resources Act (16 U.S.C. 3503(a)) (as amended by section 3(d)).

(2) NUMBER OF UNITS.—The pilot project shall consist of the creation of digital maps for no more than 75 units and no fewer than 50 units of the John H. Chafee Coastal Barrier Resources System (referred to in this section as the ''System''), 1/3 of which shall be otherwise protected areas (as defined in section 12 of the Coastal Barrier Improvement Act of 1990 (16 U.S.C. 3503 note; Public Law 101–591)).

(b) DATA.—

(1) USE OF EXISTING DATA.—To the maximum extent practicable, in carrying out the pilot project under this section, the Secretary shall use digital spatial data in the possession of State, local, and Federal agencies including digital orthophotos, and shoreline, elevation, and bathymetric data.

(2) PROVISION OF DATA BY OTHER AGENCIES.—The head of a Federal agency that possesses data referred to in paragraph (1) shall, upon request of the Secretary, promptly provide the data to the Secretary at no cost.

(3) ADDITIONAL DATA.—If the Secretary determines that data necessary to carry out the pilot project under this section do not exist, the Secretary shall enter into an agreement with the Director of the United States Geological Survey under which the Director shall obtain, in cooperation with other Federal agencies, as appropriate, and provide to the Secretary the data required to carry out this section.

(4) DATA STANDARDS.—All data used or created to carry out this section shall comply with—

(A) the National Spatial Data Infrastructure established by Executive Order 12906 (59 Fed. Reg. 17671 (April 13, 1994)); and

(B) any other standards established by the Federal Geographic Data Committee established by Office of Management and Budget Circular A–16.

(c) DIGITAL MAPS NOT CONTROLLING.—Any determination as to whether a location is inside or outside the System shall be made without regard to the digital maps created under this section.

(d) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives a report that describes the results of the pilot project and the feasibility, data needs, and costs of completing digital maps for the entire System.

(2) CONTENTS.—The report shall include a description of—

(A) the cooperative agreements that would be necessary to complete digital mapping of the entire System;

(B) the extent to which the data necessary to complete digital mapping of the entire System are available;

(C) the need for additional data to complete digital mapping of the entire System;

(D) the extent to which the boundary lines on the digital maps differ from the boundary lines on the original maps; and

(E) the amount of funding necessary to complete digital mapping of the entire System.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $500,000 for each of fiscal years 2002 through 2004.

SEC. 7. ECONOMIC ASSESSMENT OF JOHN H. CHAFEE COASTAL BARRIER RESOURCES SYSTEM.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Interior shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Resources of the House of Representatives an economic assessment of the John H. Chafee Coastal Barrier Resources System.

(b) REQUIRED ELEMENTS.—The assessment shall consider the impact on Federal expenditures of the Coastal Barrier Resources Act (16 U.S.C. 3501 et seq.), including impacts resulting from the avoidance of Federal expenditures for—

(1) disaster relief under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(2) the national flood insurance program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.); and

(3) development assistance for roads, potable water supplies, and wastewater infrastructure.

ORDERS FOR THURSDAY, SEPTEMBER 28, 2000

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until the hour of 9:30 a.m. on Thursday, September 28.

I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin consideration of H.J. Res. 109 under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LOTT. Mr. President, for the information of all Senators, the Senate will begin consideration of the continuing resolution at 9:30 a.m. tomorrow.

Under a previous agreement, there will be 7 hours for debate, with the vote scheduled to occur after the use or yielding back of that time. After adoption of the resolution, the Senate will proceed to a cloture vote with regard to the H–1B visa bill, unless it can be agreed to be vitiated, and a vote on the final passage could occur.

Therefore, Senators can expect at least two votes during tomorrow's afternoon session, and hopefully more. We hope we can possibly have as many as three or four votes. That will depend on further action by the House on conference reports.

ORDER FOR RECESS

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order following the remarks of Senator LAUTENBERG for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT VEHICLE

Mr. REID. Mr. President, before the majority leader leaves, I think what we have heard today has been comforting, except for one thing. I wish we had a vehicle here before us that we could amend. I think we have a number of amendments we would like to offer to this legislation. The leader decided not

to do that. I hope in the next few days we can work on some of the issues that we believe are so important, which we have talked about on many occasions, such as minimum wage, Patients' Bill of Rights, prescription drugs, and education. We understand where we are in a parliamentary situation now that we can't offer any amendments. We look forward to the next week being very productive and our being able to move forward on some of this very important legislation.

Mr. LOTT. Mr. President, in response, I believe the Senate has voted one or more times on all of the issues that Senator REID mentioned. It is my full expectation that before this session is over a minimum wage bill, coupled with a small business tax relief package that we will have to work through the final details on, will be incorporated in some other bill or moved in one way or another and sent to the President. I fully expect that it will be accomplished.

I think maybe the Senator knows there is a Patients' Bill of Rights conference that is still meeting. I think there are meetings, even today, to see if we can come to an agreement to get a bill that truly protects patients, but not just become a bill that provides more opportunities for my brother-in-law to sue people. So I am hopeful on a combination there. In fact, I discussed that with the President directly and said we would still like to see if we couldn't have some sort of a sit-down meeting and a broad, bipartisan, bicameral, ''bi-branch'' of the Government discussion and get an end result. I am still hopeful that can occur.

On education, obviously, when we get to the Labor-HHS-Education appropriations conference report, it is going to have funds for education in it—more funds than was requested by the administration or was in our budget resolution. We will have to come to some agreement about how we help local school districts in terms of flexibility, accountability, school construction, and if the best way to be helpful is a bond or some other program. All of that is under discussion now, and it is occurring between the House and Senate and the administration.

So certainly I understand that there is a desire to perhaps offer other amendments. I am sure the Senator can understand my feeling that we have already voted on all of those issues, and repeated votes don't necessarily render a result. I think what we need to do in this final period of the session is get agreements and work together.

I had a meeting with Senator DASCHLE. We talked about a bill that has broad bipartisan support—actually, a couple of bills. We looked at whether we can consider them on the floor, or if there is another way we can get a result that would be satisfactory to the largest number of Senators without having an extended cloture process, such as we had on H–1B.

I have indicated I would like for us to see if we can find a way to do the railroad retirement bill. But if I bring that up, it probably would have to go through a lot of hurdles, and there is opposition to some aspects of it. Instead of trying to find a way to have a fight, I am trying to find a way to get an agreement and get it done.

I certainly understand Senator REID's position. He has been persistent in that effort, and he has done it without rancor. I appreciate that. As we go into these final few days of the session, hopefully we can keep the channels of communication open and see what we can do to facilitate a conclusion with which most Senators can be satisfied.

Mr. REID. Finally, the majority leader raised the minimum wage issue. I believe we can do something on a bipartisan basis. The three Senators on the floor presently—two Democrats and one Republican—know that one of the tax incentives we have to give small business is a meals tax deduction. We cut that back significantly and it has hurt restaurant businesses all over America. For Mississippi, having a heavy resort industry, along with Atlantic City and Nevada, I think that is something we can do on a bipartisan basis.

I hope we can get the minimum wage issue before us and have decent tax breaks that aren't budget busters and move forward on that.

On the Patients' Bill of Rights, for example, sadly, the structure of the Senate has changed by one. We believe we are entitled to another vote, and that failed by one vote previously. That is an issue we can debate later in some other forum. We have talked enough today on H–1B and matters related thereto. I can say that I am comforted by the fact that we were able to get an early vote on the motion to suspend the rules. I hope that will satisfy everybody because it was an up-or-down vote on the Latino and Immigrant Fairness Act.

I hope we can set that matter aside and schedule an early vote on H–1B.

Mr. LOTT. I would be glad to work with Senator REID and our colleagues to see if we can find a time to do that tomorrow. I ask our staff to see if we can work through that agreement.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I understand that I have 15 minutes based on the unanimous consent agreement that we just concluded.

TRANSPORTATION

Mr. LAUTENBERG. Mr. President, I am getting very close to the end of my Senate career. One of the issues I consider vital in terms of my knowledge and experience in the Senate for these last 18 years is that I have learned, among several other serious problems, of a problem that looms large and is often ignored. That is, how do we establish our transportation system to satisfy the growing needs for travel in this country?

I see a crisis looming in our country because of congestion and because of our inability to move in a timely and reasonably comfortable fashion. We constantly read about delays at airports. As a matter of fact, these days I can almost never travel by air without resigning myself to the fact that I am not going to get there on time. There is a very good chance that I am going to miss my connection. There is a very good chance that a flight may be canceled. There is a very good chance that it is going to be a stressful, tough trip.

I was fortunate enough to be a grandparent for the eighth time. My son lives in Colorado. I am, as everyone knows, I hope, from New Jersey. My son and his wife just had their first child, my number eight grandchild. The oldest is six years old. They are little kids. They are an awful lot of fun. I would like to see more of them if I could do it and still make sure I perform the duties necessary to represent the people of New Jersey and the people of this country.

The trip I made consisted of two legs: one to Denver, CO, and the next one a short trip outside of Denver. It was on a Saturday. It wasn't on a busy weekday. It left an hour late from Newark. We were told that we should plan on a refueling stop in Wichita, KS. I have nothing against Kansas. I just didn't want to stop there if I didn't have to, because I was in such a hurry to get out and see my newest granddaughter. Her name is Hannah Lautenberg. I wanted to see her in the worst way. We stopped in Wichita long enough, about 40 minutes, to add more fuel.

Why did we leave the Newark airport to start on a trip knowing full well that we weren't going to have enough fuel to make the trip? They said, based on the passenger load, the baggage load, and the severe headwinds that we were going to run into, we had to provide for circling over Denver Airport in case that was necessary. We managed to take on the fuel. We didn't have to circle over Denver. The weather was reasonable. But it was enough for me to miss my next flight.

I called ahead and tried to reserve the second flight 2 hours later and was told that it was canceled and that the one 2 hours after that was full. Normally I would have exploded. But nobody would have cared. The worst thing is that you kind of resign yourself to saying, ''Oh, well, that is what I expected.'' Instead of getting a 30-minute airplane ride, I took a 2½ hour van ride bouncing along the pavement and trying to figure out what to do to keep myself amused during that period of time. It was hard to read.

I got to see that beautiful grandchild. Boy, was I happy, too. She was as glorious as my daughter-in-law and my son described her. I thought she looked a lot like me. They said no. But it was a pleasant experience.

I stayed overnight and planned to take a 1:30 flight out because I had only come in 5 o'clock the night before to Denver, CO from New Jersey. But I was told that the short flight was canceled and that I have to go back in the van. I have nothing against the van, the company, or the driver. It was just a lot of time to spend together with a stranger. That is what I did.

I got back having missed two legs of the flight for which I paid in advance. I am not blaming that particular airline.

It is terrible what we have adjusted to. We have adjusted to poor performance. We have adjusted to discomfort. We have adjusted to not having services that we paid for. That is the kind of society we created.

I have all kind of friends. I come out of the corporate world, as the distinguished occupant of the Chair knows, and am accustomed to business travel. In the days before I came to the Senate, you would have a reservation and arrive kind of at the last minute, get on the plane, arrive on time, do your business, and get on your way. It is not so anymore at all.

Again, it is not simply because the airlines are neglectful or that the airlines aren't trying. They simply can't carry the load.

We have to face up to it. If you have bad weather in Denver, CO, you can bet your boots that you will be held up by aviation travel throughout the country. If you have bad weather, as we do even in Washington, DC, where sometimes they say the weather is always sunny—it is hard to believe that—you get stuck, and you feel it all over the country.

We had a meeting at the Newark airport. I sat down with people from the FAA, the Secretary of Transportation, people from the controllers operation, people who manage the airports, and people from the Air Transport Committee who operate the airlines.

I asked one question: Is the sky a finite place or can we say it is infinite and just put every airplane that you can get in the sky up there without feeling the impact? I don't think they were surprised. I was. The answer was no. It is crowded up there.

I went to a place in central southern New Jersey just about two-thirds of the way down where a couple of weeks ago we had an airplane crash. Two airplanes with a total of 11 people collided in the sky on a bright, sunny day. All 11 people died. It was a miracle that more people on the ground were not killed. I don't want to get too grizzly. But part of the airplane fell through a house roof with people in it. It was a stark reminder about how this system is overloaded.

I fly a lot in the second seat in the airplane, listen to the radio, and do some of the observing that one has to do in an airplane cockpit.

I hear over the collision warning system ''traffic,'' ''traffic,'' ''traffic.'' That means that there are airplanes close enough to you that you had better be careful.

I point these out because we have our heads in the sand. We are not facing up to the problem. There is no more room in the sky.

I can tell you this: There are no communities that I have seen begging for more airplanes to come into their airports. I have not seen anybody that says, let's not build more highways. I don't care if the cars pass underneath my window making noise all night. I don't care if my kids read that excessive carbon monoxide and other emissions come out of automobiles and diesel trucks. I don't know of anybody saying that. They are saying, help us get around more effectively. There is one way to do that, Mr. President; that is, get this country into the 21st century transportation mode.

Not too long ago, I was on a trip to NATO and went from Brussels, Belgium, to Paris, France, a distance of 200 miles in about an hour and 25 minutes. We are 250 miles from New York. Sometimes I make it in a cool 4 hours by air, because I have to get on the plane. One time they told me: Get on the plane, Senator. I want you to know that we are moving away from the gate but we are going to wait 3 hours because of the line-up of traffic before we can take off. But we have to pull away from the gate. So please make the adjustment.

In 1987 I had the good fortune to understand the problem and wrote the law that banned smoking in airplanes. It happened right here. It was a tough fight, but we got it through. I thought, my goodness, suppose we had to sit in an airplane 3 hours before we took off today with the people who are accustomed to smoking in airplanes saying to the pilot while banging on the door: Let us smoke. It would have been awful, and people across the country would have been in rebellion if they had to do that. So there is a solution: Get on with an investment in high-speed rail.

I have heard debate on this floor that distresses me, from intelligent people, from people who say: No, we don't want to spend any more on Amtrak, we have spent enough. This is a cash guzzler.

The fact of the matter is, we haven't done the job that we planned or that we thought we should have. We have spent $23 billion, approximately, since Amtrak—as we know it now—was developed in the early 1970s. It sounds like a lot of money, but it isn't a lot of money, not when we consider what we put into aviation, what we put into airports over the same period of time. I repeat, $23 billion since 1971.

Since that period of time, we have spent $160 billion on aviation programs, $380 billion on highways. Yes, we do collect a highway tax, and I am not saying we haven't done a pretty good job in building highways and airports. I am glad to see things being updated and upgraded. The fact of the matter is, when it is compared to $23 billion in Federal subsidies for high-speed rail, it is a drop in the bucket. Germany is going to spend $70 billion in a decade upgrading its high-speed rail system. We ought to learn from that.

To say just because a State doesn't have active rail service they don't want it to happen is crazy. Everybody doesn't have the same kind of aviation airline service we have in Chicago or New York or Los Angeles or Dallas, TX. But we help the system perform. We pay funds into FAA and build control towers and build a flight service network. Why? Because it is good for the country. And so is high-speed rail, even if it doesn't touch your neighborhood.

As a matter of fact, we have a bunch of locations that are going to be beneficiaries of high-speed rail. They are included in 14 of the most congested urban areas that are designated high-speed corridors, including Chicago, Los Angeles, Seattle, Atlanta, GA, Houston, TX, Washington, DC, and Portland, OR, just to name a few of the places that are going to benefit by investments in high-speed rail. However, we have a problem convincing people from those States that it is good for them, that we ought to be spending more money on getting this system up to snuff.

I proposed a piece of legislation that calls for $10 billion worth of capital investment by Amtrak over the next 10 years to try to bring the system up to grade for the 21st century. That is on top of other subsidies for which we appropriate funds. It gives them the ability to sell $10 billion worth of bonds. The Federal Government does have to take some cost for providing a tax credit for bondholders.

The benefits are enormous. Within 2 weeks, we will see the first high-speed rail train set come into Washington. It will be there just as a showpiece to tell us what is coming. Very soon thereafter, within 4 or 5 weeks, we will be seeing high-speed rail service or modified high-speed rail service in this corridor, between Washington and New York. We started in New York, the New York to Boston route. It is not truly high-speed rail; it is modified high-speed. It took an hour and a half off a 5½-hour trip, and the trains are loaded. It is as if people were standing on the platform for weeks waiting to find a train ride that would get them to their destinations, depending on weather, overcrowded skies, congestion all over the place, getting in your car and sitting there with all of the toxic emissions, all of the pollution, waiting for the traffic to move along. It was indeed a blessing, recognized by the public.

When we get the system in the New York to Washington area, it will be considerably less than a 3-hour trip. That competes very effectively with aviation and the shuttle flights. We have approximately 100 flights a day. I don't want to deprive the airlines of revenue. That is not my mission. My mission is to help the American public

get to their destinations on time, not miss connections, and to feel more comfortable, and lift the spirit of people who have to travel for a living, or recreationally, for family reunions or all kinds of reasons—to make it easier. That is the mission we are on.

We have endorsements from many organizations. I know the occupant of the Chair was a member of the National Governors' Association when he was the Governor of Ohio. They endorse high-speed speed rail. National Conference of State Legislatures; U.S. Conference of Mayors; we have environmentalists; the American Road and Transportation Association; the AFL-CIO, Rail Labor Division; all people who have an interest in seeing high-speed rail. And newspapers that think about these things and whether or not they are going to be affected by this: The New York Times, the Houston Chronicle, the Philadelphia Inquirer, the Chicago Sun-Times, the Tampa Tribune, Minneapolis Star Tribune, and other newspapers support this investment in high speed rail.

I think we ought to get on with it. I plead with my colleagues, don't let this be a last-ditch stand to try to uproot the possibilities of getting these trains underway, getting this track underway, getting the signal systems underway. It will make a difference in lives all across this country. Some of those whose States are serviced or will be serviced by this high-speed rail connection have to recognize what it means to them directly and step up to the plate and say this will be a national asset, even if it doesn't touch any of the cities in my State.

Recognizing time is precious and not wanting to hold the present occupant of the chair to a stricter schedule than he would like, I am feeling very generous and sympathetic because I know I am going to be able to call on the occupant of the chair to help us with the high-speed rail situation. I thank the chair for the courtesy of permitting me to make these comments. This is a milestone for America. It is a very important point in how we see ourselves getting from here to there.

I hope my colleagues will support this with enthusiasm, knowing very well this is going to be the mode of transportation that is essential to continue to carry out our responsibilities.

I thank the Chair.

I yield the floor.

RECESS UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 9:30 a.m., Thursday, September 28, 2000.

Thereupon, the Senate, at 6:19 p.m., recessed until Thursday, September 28, 2000, at 9:30 a.m.

EXTENSIONS OF REMARKS

LEES-McRAE COLLEGE CELEBRATES ITS 100TH ANNIVERSARY

HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. HASTERT. Mr. Speaker, today, September 26, 2000 marks the one-hundredth anniversary of Lees-McRae College in Banner Elk, North Carolina. This is a significant day, not just for the college, but for the entire region and, indeed, for the country. Located in the Blue Ridge Mountains, Lees-McRae has its roots in the desire of the Reverend Edgar Tufts, its founder, to bring literacy to the area. The history of Lees-McRae is a century of service to the educational and spiritual needs of the region. The college's commitment to being an integral part of the larger community is summed up in its motto, ''In the mountains, of the mountain, for the mountains.''

Because of its hundred-year commitment to values-centered education, and a century of success in preparing young people for lives of leadership and service, Lees-McRae College has made a significant contribution to the Nation. Its graduates are in all walks of life, putting into practice the values and lessons they learned at Lees-McRae.

Lees-McRae College is an institution of which the entire United States can be proud. We honor its centennial as it celebrates the vision and accomplishments of its founder, the Reverend Edgar Tufts. With pride and gratitude we wish the college a second century of success.

PAYING TRIBUTE TO MARY JEAN LeTENDRE

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. GOODLING. Mr. Speaker, I would like to take this opportunity to pay tribute to Mary Jean LeTendre, Director of Compensatory Programs at the U.S. Department of Education. I recently learned that Mary Jean plans to retire in January 2001. Her departure will be a great loss for the Department of Education and for those programs that have benefited from her guidance during her years of service.

For the past 15 years, Mary Jean has been the director of the $8.5 billion Title I program. Managing this program is an enormous task for anyone, but Mary Jean has worked against overwhelming odds to ensure the program actually does help close the achievement gap that currently exists in our nation's schools. She has been particularly instrumental in ensuring that early childhood services are provided to disadvantaged at-risk youngsters in an effort to make sure they are ''reading ready'' when they reach first grade. When this happens, many of these children excel, enjoy learning, and do not fall behind.

Mary Jean's most important concern was first and always helping disadvantaged children get a piece of the American dream. She has also been a true advocate for some of our country's most at-risk children, including homeless children and those in facilities for neglected and delinquent children and youth.

But, Mr. Speaker, Mary Jean's greatest accomplishments have been in the area of family literacy. In 1988, Congress enacted the Even Start Family Literacy Program, based on legislation I introduced in the House of Representatives.

My greatest concern was that Even Start would not work if it was not properly administered and someone was not there ensuring that program requirements were met at the local level. But I should not have worried. Mary Jean was there every step of the way to make sure that each and every program included all of the core components: adult education, age appropriate education for participating children, parent and child together time, and assistance to help parents become their child's first and most important teacher.

As a result, Even Start has helped thousands of families to end cycles of illiteracy and become productive members of society. With Mary Jean's hard work and guidance, my dream of a literate society may yet become a reality. Her legacy will be the numerous children and families who have benefited from her efforts to ensure that participants receive a high quality education.

Mr. Speaker, I have never met a more dedicated and knowledgeable career government official than Mary Jean LeTendre. Our nation's children have benefited greatly under her care. She will truly be missed.

TRIBUTE TO SENATOR DANIEL PATRICK MOYNIHAN

SPEECH OF

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 2000

Mr. SENSENBRENNER. Mr. Speaker, I rise today to pay tribute to a faithful and dedicated public servant, the distinguished senior Senator from New York, Senator DANIEL PATRICK MOYNIHAN. Senator MOYNIHAN has served the people of New York in the United States Senate for nearly a quarter century. However, his long list of achievements in public service began over 50 years ago.

In those 50 plus years, Senator MOYNIHAN has been both soldier and ambassador, author and teacher, and legislator and diplomat. Very few Americans serve their country and their fellow citizens with the range of knowledge and experience Senator MOYNIHAN has demonstrated. We in Congress are privileged to call him our colleague.

Among Senator MOYNIHAN's most important roles has been that of advocate for peace in Northern Ireland. Drawing on his extensive foreign policy experience as both ambassador to India and United States Representative to the United Nations, Senator MOYNIHAN called for a peaceful resolution of tensions in Northern Ireland and helped guide the negotiations that have today resulted in decreased bloodshed, decreased violence, and greater understanding there.

Senator MOYNIHAN has also earned the distinction of being the only American in history to serve in the Executive Branch in four successive administrations, both Republican and Democrat. He has dedicated his service not to partisanship, but to people; not to party, but to peace. The people of New York recognize him for fighting tirelessly for their rights, including better education and better healthcare. His colleagues recognize him for fighting for his principles.

I join my colleagues in thanking Senator MOYNIHAN for his valuable service. We will not soon forget the example he set.

TRIBUTE TO SENATOR DANIEL PATRICK MOYNIHAN

HON. MICHAEL R. McNULTY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. McNULTY. Mr. Speaker, I regret that I was unable to join with my colleagues from New York last Tuesday in honoring one of the greatest Senators this nation has known, PAT MOYNIHAN. I welcome the opportunity to add my voice to the chorus singing in praise of the Senator and his equally amazing wife, Liz.

PAT, you have enlightened millions as an author, educated thousands as a professor, impressed hundreds of diplomats as a statesman, awed your colleagues as a legislator, counseled four Presidents as a scholar, raised three children as a father, and enjoyed 44 years as husband to Liz. What an extraordinary life.

Thank you for your tireless work to protect the environment, to improve our infrastructure, to make welfare work for the people, to save Social Security for future generations, and to promote peace and democracy throughout the world. You did all of this while managing to evade the crippling grasp of partisanship by using the strength and power of ideas.

Thank you on behalf of the residents of the Capital Region, the people of the State of New York, the citizens of America, and the community of nations.

Enjoy your retirement. It is well deserved. And as all good friends say at particularly grueling moments of departure, ''Promise you'll keep in touch.'' PAT, it's not just that the nation wants to hear from you—it needs to hear from you.

INTRODUCTION OF LEGISLATION TO NAME THE UNITED STATES COURTHOUSE IN SEATTLE, WASHINGTON, IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT PFC. WILLIAM K. NAKAMURA

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. McDERMOTT. Mr. Speaker, today, I introduce legislation to name the United States Courthouse in Seattle, Washington, as the ''William Kenzo Nakamura United States Courthouse'' in honor of Congressional Medal of Honor recipient Pfc. William K. Nakamura.

William K. Nakamura was born and raised in an area of Seattle that used to be known as ''Japantown.'' In 1942, while attending the University of Washington, William K. Nakamura, his family, and 110,000 other Japanese Americans were forcibly relocated to federal internment camps. While living at the Minidoka Relocation Center in Idaho, Nakamura and his brothers chose to prove their patriotism by enlisting in the United States Army. William K. Nakamura was assigned to the serve with the 442nd Regimental Combat Team. The courageous service of this unit during World War II made it one of the most decorated in the history of our nation's military.

William K. Nakamura distinguished himself by extraordinary heroism in action on July 4, 1944, near Castellina, Italy. As Pfc. Nakamura's platoon approached Castellina, it came under heavy enemy fire. Acting on his own initiative, Pfc. Nakamura crawled within 15 yards of the enemy's machine gun nest and used four hand grenades to neutralize the enemy fire which allowed his platoon to continue its advance. Pfc. Nakamura's company was later ordered to withdraw from the crest of a hill. Rather than retreat with his platoon, Pfc. Nakamura took a position to cover the platoon's withdrawal. As his platoon moved toward safety they suddenly became pinned down by machine gun fire. Pfc. Nakamura crawled toward the enemy's position and accurately fired upon the machine gunners, allowing his platoon time to withdraw to safety. It was during this heroic stand that Pfc. Nakamura lost his life to enemy sniper fire.

Pfc. Nakamura's commanding officer nominated him for the Medal of Honor but the racial climate of the time prevented him, as well as other soldiers of color, from receiving the nation's highest honor. In the spring of this year, 56 years after he made the ultimate sacrifice for his country, William Kenzo Nakamura was awarded the Congressional Medal of Honor.

Designating the United States Courthouse in Seattle in Pfc. Nakamura's name is a fitting way to acknowledge the memory of a true American hero, who for so many years was denied the honor he so justly deserved. Mr. Speaker, the legislation I introduce today is broadly supported by veterans' service organizations and elected officials in the Pacific Northwest. I urge speedy passage of this bill.

RECOGNIZING THE FIRST VETERANS DAY OF THE 21ST CENTURY

HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. SWEENEY. Mr. Speaker, today I express the sense that special recognition should be given to the observance of Veterans Day on November 11, 2000, the first Veterans Day of the 21st Century. As we enter this new millennium, it is important to preserve the memory of our Nation's veterans and to teach the next generations of their sacrifices. Our veterans are responsible for securing and preserving the freedom that all Americans now enjoy.

This first Veterans Day of the 21st Century offers all Americans a special chance to recognize the contributions of our veterans in defending freedom and democracy. It is also an appropriate occasion to make a much greater effort to educate our country's children on the contributions of veterans in defending the freedoms the Nation enjoys so that the memory of those contributions will be preserved throughout the 21st Century. I believe children throughout the Nation would benefit from education that places greater emphasis on the Armed Services' role in shaping the history of the United States.

It is extremely important for us to remember the more than 700,000 brave Americans who sacrificed their lives while serving this nation so that America's children may continue to live in a country founded on the principles of freedom, justice, and democracy. Veterans Day also affords us the opportunity to thank the more than 25,000,000 veterans currently living in the United States. It is important for them to know that our country is grateful for their service.

Mr. Speaker, please join me in recognizing the first Veterans Day of the 21st Century. Also, join me in thanking the veterans who sacrificed so much to protect our way of life.

IN RECOGNITION OF THE CONTRIBUTIONS OF MRS. CLARE M. ALBOM

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. GEJDENSON. Mr. Speaker, today I congratulate Mrs. Clare M. Albom upon her retirement as Director of the Senior Center in Vernon, Connecticut. Serving more than 18 years as Director, Mrs. Albom has proven to be a tremendous asset for seniors in Vernon.

Mrs. Albom is a highly regarded member of the community. Since accepting the position as consultant for the Vernon Senior Center 18 years ago, Mrs. Albom has helped build it into one of the top centers for senior citizens in the State of Connecticut. During her tenure, Mrs. Albom supervised a comprehensive physical renovation project to further improve the Center. Mrs. Albom is also responsible for creating a unique and effective organizational structure for the Center with help from part-time staff, volunteers and senior citizens. Mrs. Albom worked to establish important programs to help senior citizens in Vernon with a wide range of issues, including assistance with the ConnPace prescription drug program, Medicare, income taxes, rental assistance and recreation arrangements.

In her time away from the center, Mrs. Albom contributes a weekly column for senior citizens in the Saturday edition of the Journal Inquirer. Mrs. Albom is also a former teacher in the Vernon school system and a devoted wife and mother. Mrs. Albom's biggest influence on the Vernon community has been her solid commitment to the Town as a whole and, more specifically, to the Senior Center to which she has dedicated the past 18 years of her life and, even today, finds difficult to leave.

Mr. Speaker, I join residents from Vernon in commending Mrs. Clare M. Albom on her superb tenure at the Vernon Senior Center. She is a kind, selfless, special person and an example for all.

VIEWPOINTS OF WALKER F. RUCKER

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. COBLE. Mr. Speaker, Walker F. Rucker of Greensboro, North Carolina, is a veteran of the Second World War, a lay historian, and a man unafraid to speak his mind. Along with 38 other veterans from the Greensboro area, Mr. Rucker wishes to have his thoughts on the conduct of the President recorded for posterity.

Mr. Rucker has written and spoken eloquently of the sacrifices which his generation has made on behalf of our Republic. In light of their contributions, and those of preceding generations, these men are disturbed by the President's conduct during his two terms in office, which they believe manifests a basic disrespect for the values which they hold in such high regard. They are especially appalled by the events in the White House and elsewhere that led to the President's impeachment; and further object to his fund-raising tactics, his motivations for shaping certain foreign policy scenarios, his posture toward and treatment of our military, and a seeming disinterest in the imperative to adhere to the rule of law.

Mr. Speaker, I have paraphrased Mr. Rucker's views at this point. Anyone who knows him can fully appreciate his passion for a cause, his command of the King's English, and his sense of history. Accordingly, I thought it also appropriate to quote from a petition which he has circulated on this subject. Mr. Rucker notes that historical precedents teach us that external forces do not fell great Republics such as ours; they implode from within. To invoke Mr. Rucker verbatim:

''The Tree of Liberty has never been toppled by an external whirlwind. Rather, in the past it has perished because a vine which grows in its shadow and under its protection eventually smothers it. In nature this is the work of the strangler fig; in Government, this is the work of Corrupt Political Adventurers. Republics are a tenuous form of Government. Their demise does not come about by a single seismic political event, but rather is initiated by an unchallenged violation of its Founding Precepts. Thus the first successful violation of a State's Tenants of

Faith begins the inevitable Decline and Fall of that State. Thus: (1) ''Democratic Athens did not fail because of the annihilation of its fleet in 404 B.C. by Sparta. Rather a generation earlier Alcibides, when summoned to appear in Athens to explain the Syracuse Debacle, deserted first to Sparta and later to Persia. (2) ''Republican Rome fell, not because Julius Caesar crossed the Rubicon, but because a score of years earlier Sulla violated the Roman Constitution by leading seven renegade legions into the defenseless city. (3) ''The First Republic of France succumbed to Bonapartism because a decade earlier the ''Incorruptible'' Assembly was replaced by the Corrupt Directorate.

''Some 162 years ago, a 28-year-old frontiersman who became our 16th President foresaw such a challenge to our nation's foundation and told us how to respond:

At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the ocean and crush us at a blow? Never! All the armies in Europe, Asia, and Africa combined, with all the treasures of the earth (our own excepted) in their military chest; with a Bonaparte for a commander could not by force take a drink from the Ohio, or make a track on the Blue Ridge, in a trial of a thousand years. At what point then is the approach of danger to be expected? I answer, if it ever reaches us, it must spring up amongst us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of free men we must live through all time or die by suicide. The question recurs, ''How shall we fortify against it?'' The answer is simple. Let every American, every lover of liberty, every well wisher of this posterity, swear by the blood of the (American) Revolution never to violate the least particular, the laws of the country, and never tolerate their violation by others.—(Abraham Lincoln, The Perpetuation of Our Political Institution, Springfield Lyceum, January 27, 1838.)''

Mr. Speaker, Mr. Rucker and his colleagues believe that the President should resign prior to January 3, 2001, in deference to their beliefs and reading of American history. I believe that this is an old war that distracted the Congress from its business and the nation from its tranquility. Given the President's transgressions, however, it had to be fought, and as a result the President became the second man to be impeached by the House of Representatives. I do not wish to fight this war again, but I have enough respect for Walker Rucker and like-minded men to submit their views on this unfortunate subject in our nation's history for inclusion in the CONGRESSIONAL RECORD.

TRIBUTE TO MRS. PAULINE F. SMITH

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. NORWOOD. Mr. Speaker, I rise today to honor one of my very special constituents, Mrs. Pauline F. Smith, of Allentown, Georgia as she prepares to celebrate her 78th birthday. It gives me great pleasure to not only wish her a happy birthday, but also to commend her for her outstanding service to her community and country.

Mrs. Smith, a life long Georgian, was born on October 2, 1922 in Tate, Georgia. Although Mrs. Smith's life accomplishments are too vast and rich to fully recount here, highlights demonstrate that Mrs. Smith has enriched and touched the lives of many through her commitment to, and love for, her family, community, and country.

Mrs. Smith was married in 1944 to Mr. Lonnie Smith Jr. and moved to Allentown, Georgia where they raised two children, Sandra and Denise. Beyond her role as loving wife and mother, however, Mrs. Smith has played and continues to play a significant role in her community and in her church, the Allentown Methodist Church.

Mrs. Smith's record of public service is also remarkable, both for its length and quality. In various capacities, from her work in the selective service office to her many years of service at Robins Air Force Base, Mrs. Smith selflessly served her country for 33 years, 3 months, and 3 days.

Therefore, in recognition of her tremendous service and in honor of her birthday, I am happy, Mr. Speaker, to rise today and Join Mrs. Smith's family and friends in wishing her a very happy 78th birthday, and in wishing her many more happy and healthy birthdays ahead.

DEATH OF SETH FOTI

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. GILMAN. Mr. Speaker, the Diplomatic Courier Service, U.S. Department of State, lost one of its own on August 23, 2000. Mr. Seth Foti, age 31, lost his life while serving his nation in the line of duty in the Persian Gulf. Seth was one of 143 passengers aboard the Gulf Air flight that crashed in Bahrain on August 23rd. Our thoughts and prayers go out to the entire Foti family. Seth is survived by his wife Anisha, his father Dominic Foti, his mother Deyann Davis, and step-father Maxwell Davis.

The U.S. Diplomatic Couriers face hardship on a daily basis. Not everyone is qualified for such a highly-sought-after position in public service. Just a few of the challenges with which couriers contend, include constant travel, traversing several time zones, long hours, solitary travel and flight delays. U.S. Diplomatic Couriers are integral in the work of the Foreign Service. These men and women deliver documents and materials that are vital to U.S. interest and foreign policy goals. It can be dangerous.

The tragic loss of Mr. Foti, the sixth courier killed in the service's 82 year history, reminds us all of the bravery and commitment associated with our Diplomatic Couriers.

Seth was one of the new breed of couriers who recently joined the Diplomatic Courier Service in April 1999. He was a young, bright, energetic man who was willing to accept the dangers associated with a career in the U.S. Diplomatic Courier Service. Seth's supervisor, Mike Meeker, stated the following, ''Seth Foti was such a dedicated colleague, professional in every respect. His professionalism was unmatched. He knew how to negotiate his way through the most difficult of airports. Always cheerful, charismatic and well respected by his fellow couriers and those who served with him at our embassy in Bahrain. He loved his parents and step-dad and was so excited about his recent marriage to Anisha.''

As Chairman of the House International Relations Committee, I want to extend my sincere condolences to the Foti family and the U.S. Diplomatic Courier Service family. Seth was a true public servant of the people who gave the ultimate sacrifice in the line of duty. I thank him. The extensive amount of travel is an inherent risk and danger associated with the demanding job of a U.S. Diplomatic Courier. I salute the bravery and commitment that these fine men and woman demonstrate on a daily basis for the U.S. Department of State and the American people.

FREDERICK L. DEWBERRY, JR. POST OFFICE BUILDING

SPEECH OF

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2000

Mr. FATTAH. Mr. Speaker, as the Ranking member of the Subcommittee on the Postal Service, I am pleased to join my Government Reform Committee colleague, Congresswoman JUDY BIGGERT (R–IL) in the consideration of H.R. 4451. H.R. 4451, which designates a United States Post Office after ''Frederick L. Dewberry, Jr.'', was introduced by my good friend and committee colleague, Representative ELIJAH CUMMINGS (D–MD), on May 15, 2000.

Mr. Frederick L. Dewberry, Jr. was born and raised in Baltimore City. He is a graduate of Loyola College and received a law degree from the University of Baltimore. A dedicated and distinguished World War II veteran, Lieutenant Dewberry served in the U.S. Navy, working as a sonar operator on submarines. Returning to Maryland, Mr. Dewberry held the very important post of Chairman of the Baltimore County Council from 1964 to 1966. From 1979 to 1984, Frederick Dewberry was the Deputy Secretary of the Maryland Department of Transportation. He passed 10 years ago, on July 9, 1990.

Mr. Speaker, I urge swift adoption of this measure and commend my colleague, Congressman CUMMINGS for seeking to honor Frederick L. Dewberry—a veteran and true public servant.

REGARDING THE BENEFICIARY IMPROVEMENT AND PROTECTION ACT OF 2000

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. MARKEY. Mr. Speaker, I am pleased to join my colleagues on the Commerce Committee in introducing the Beneficiary Improvement and Protection Act of 2000. 1 want to commend Chairmen BLILEY and BILIRAKIS, as well as Ranking Democratic Members DINGELL and BROWN for putting together a Commerce Committee initiative to repair some of the damage wrought by the Balanced Budget Act of 1997. 1 commend them because Members

of the Commerce Committee were shut out of this process last year and the year before while our Medicare and Medicaid providers were hemorrhaging and Medicare beneficiaries across the country were suffering. The legislation we are introducing today addresses some of the most critical problems with the Balanced Budget Act, but this $21 billion package, like last year's $16 billion package, is woefully inadequate.

I want to thank Chairman BLILEY and Rep. DINGELL for working with me to include a provision of great importance to me, a clarification of the homebound definition for the purpose of permitting people afflicted with Alzheimer's Disease to leave the home in order to receive adult day care. This is an important amendment that will make a real difference in the lives of Alzheimer's patients and their family caregivers. However, we need to do even more to help all people who are homebound. It's not only homebound Alzheimer's patients in need of adult day care. In addition, I believe all Medicare beneficiaries who are classified as homebound should be able to get out of their homes to attend religious services or once-in-a-lifetime events like the wedding of a granddaughter or the graduation of a grandson.

Mr. Speaker, three years ago, Congress passed the so-called ''Balanced Budget Act'' claiming it would cut $115 billion from Medicare and $12 billion from Medicaid. Mr. Speaker, that $115 billion figure has become the Energizer Bunny of Congressional Budget Office (CBO) estimates, it keeps growing and growing and growing. CBOs most recent estimate from July 2000 shows that Medicare cuts now total $230 billion. Medicare spending increased by just 1.5% in FY98, it actually went down 1% in FY99, and it remained flat in FY2000, increasing by just 1.5%

And by some mystery Mr. Speaker, just as the amount cut from the Medicare program keeps growing, so too does the Budget surplus. The people in my district have watched in horror as local institutions—community hospitals and home health agencies—have closed their doors for good—a scene I'm sure has played out in many congressional district around the country.

Hospitals in Massachusetts will lose $1.7 billion because of the BBA. My hometown hospital, the Malden Hospital is now an outpatient surgical center, a far cry from the fall-service hospital of my youth. The nearby Boston Regional Medical Center in Stoneham has closed. The Symmes Hospital in Arlington is closing. Others in my district are on life support. Home health agencies throughout my state have been decimated and devastated. Nursing homes are hurting as well.

Mr. Speaker, in this era of unprecedented surplus, we should be restoring $40-50 billion over the next five years and $80-100 billion over the next ten to the Medicare and Medicaid programs. It would be a refund of the amount we overcharged seniors in the BBA. Congress put a $115 billion price tag on BBA, but when seniors came to the register, they were charged over $200 billion — and we owe them a refund. I don't think that's too much to ask for our seniors, for the men and women who built this country. The surplus we enjoy today has been generated in large part by these Medicare cuts that have harmed seniors. I believe we should give this senior surplus back to the seniors, back to the programs that pay for their health care.

I am pleased that the Commerce Committee has produced a bill that deals with some of the most critical aspects of the BBA cuts. However, I am hopeful that as we move forward in the few remaining weeks of this session, that we will increase the price tag for this giveback package—$21 billion is not going to get the job done.

CONGRATULATING MONTGOMERY COUNTY VETERANS OF THE NORMANDY INVASION

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mrs. MORELLA. Mr. Speaker, I rise to honor and congratulate the Montgomery County, Maryland veterans who participated in the Invasion of Normandy during World War II. Many of the veterans who took part in that courageous assault have never before been recognized for their valor. This evening, I will be handing out medals at American Legion Post #268 in Wheaton, Maryland that symbolize our district and our country's thanks for their heroism on the beaches of Normandy.

Over 56 years ago, the greatest seaborne invasion the world had ever seen commenced on June 6, 1944. The German army had established a strong line of defense, and Allied forces took heavy losses but their determination and valor enabled these soldiers to persevere under the most harrowing conditions. For the next 87 days, soldiers from Montgomery County, Maryland joined forces with our allies to expel the Nazi occupiers and liberate Europe.

Their supreme efforts ultimately destroyed Nazi Germany and paved the way for democracy and freedom to spread throughout Europe and the world. Their success did not come without a price. Over 9,300 men including 33 pairs of brothers and a father and son lost their lives in the Normandy invasion. These soldiers never knew what their service meant to America and the rest of the world. They never saw America become the prosperous country that has championed the notions of liberty, democracy, and equality. They never had the opportunity to see a world that has departed from the factionalism and distrust that marred the 20th century's first fifty years. But their service is not forgotten. The medal that I am presenting today is a reminder that the people who you fought for remember your sacrifice and the sacrifice of those that did not return from Europe.

The citizens of Normandy had this medal struck to commemorate the 50th anniversary of the invasion. The Medal of the Jubilee of Liberty was originally presented to the veterans that were able to return for the 1994 ceremony. Many of the soldiers who fought there were unable to attend, and so the people of Normandy allowed these medals to be given out in an appropriate ceremony. Today, we honor the Montgomery County veterans that were instrumental in securing our freedom. Their actions not only made America the leader of the free world but demonstrated the fortitude of democratic nations in surmounting evil and tyranny and establishing peace throughout the world.

Those being recognized this evening are Nicholas Caime, Mortimer Caplin, George Copley, Norman Creel, Louis Davids, Donald Foor, David Goldberg, Albert Gruber, John D. Fitzgerald, John Hardy, Peter Hayes, Roy Hickman, Robert Higgins, Cornelius Holden, Paul Lamb, Elroy Lovett, Thomas McDermitt, Howard J. Moore, William Perryman, Alvin Reiner, Philip Shepsle, Ira Shoemaker, John Smith, Peter Violante, and Norbert Young.

PERSONAL EXPLANATION

HON. JOHNNY ISAKSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. ISAKSON. Mr. Speaker, I was detained in my district due to inclement weather yesterday and was not able to vote on rollcall No. 487. Had I been present I would have voted ''yes'' on this vote.

VETERANS' FAMILY FARM PRESERVATION ACT

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. EVANS. Mr. Speaker, on September 25, 2000, I introduced H.R. 5271, the ''Veterans' Family Farm Preservation Act'', to make it possible for more wartime veterans and their survivors to qualify for pension benefits from the Department of Veterans Affairs (VA) without being forced to sell their family farms and ranches. This legislation will also benefit low-income veterans who seek to obtain health care from VA.

The productivity of America's family farms is undisputed. Family farms and ranches feed our Nation. Family members and unpaid workers account for 70% of farm labor in the United States. While America's family farmers and ranchers are unmatched in their productivity, they have little or no control over many factors which determine the economic results of their labor.

Veterans who have gone in harm's way and placed their lives on the line by serving our nation in the Armed Forces should not be asked to relinquish their family farm in order to qualify for veterans' benefits. Unfortunately, that is what is occurring today. The Veterans' Family Farm Preservation Act addresses this problem.

Pension benefits administered by the Department of Veterans Affairs (VA) are payable to wartime veterans who are totally and permanently disabled due to a non-service connected medical condition. A small, but important number of these disabled wartime veterans own family farms or ranches, which provide the livelihood for their families. Most family farms in the United States are very small. Over 75% of family farms have less than $50,000 in gross annual sales. After deductions for costs of operating the farm or ranch, the net income of the family farmer is much lower. Farmers receive an average of 20 cents for every dollar of produce sold. In 1995, the average net farm income for very small farms was $510. The average net family income for small farms with gross sales between $50,000 and $250,000 averaged $14,335. Clearly most family farmers have modest annual income.

In determining eligibility for pension benefits, VA is required to consider not only the family income, but also the family's ''net worth.'' Currently, unless VA determines that the land can be sold at ''no substantial sacrifice'', the value of farm and ranch land is included in determining net worth. Some veteran farmers are ''land rich.'' While having little or no liquid assets, the value of their land makes their ''net worth'' appear larger on paper.

On May 25, 2000, Senator GRASSLEY and I wrote to VA's Under Secretary for Benefits, Joseph Thompson, requesting that he recognize the unique nature of a family farm and take immediate steps to address the need for a fair evaluation of the eligibility of our Nation's family farmers for veteran's pension benefits. On June 27, 2000, Mr. Thompson replied indicating that VA viewed a family farm in the same light as interest-producing bank deposits or securities.

Family farms are important not only for the food and fiber they produce, but also for the values they represent. Family farms should not be considered as simply substitutes for liquid bank accounts or other liquid assets.

In good years, family farms and ranches provide an adequate income. In bad times, adverse crop conditions or illness, the income and liquid resources of family farmers and ranchers are quickly depleted. Wartime veterans have made a substantial sacrifice on behalf of our Nation by serving in the Armed Forces. We should not ask them to sacrifice their family farms in order to receive the assistance they have earned by their wartime service.

I believe that an operating family farm can never be liquidated without substantial sacrifice on the part of the veteran. It is never reasonable to require a veteran to sell his or her means of future livelihood in order to obtain pension benefits or VA health care. If the farm is sold, the assets which in future years can be expected to generate income for the veteran and the veteran's dependents, are permanently lost.

The Veterans' Family Farm Preservation Act would exempt farm and ranch land owned by the veteran and the veteran's dependents from being counted in determining net worth. The bill would also exclude land used for similar agricultural purposes, such as timberland, Christmas tree farms, or horticultural purposes.

During the past century, the number of family farms in our country has declined dramatically. When a veteran is required to sell his or her farm in order to receive necessary VA assistance, another family farm may be lost forever. No veteran should be called on to make this additional sacrifice. I urge my colleagues to support H.R. 5271, the Veterans' Family Farm Preservation Act. America's family farmers and ranchers deserve no less.

Mr. Speaker, I request the response which the Honorable Joseph Thompson, Under Secretary for Benefits of the Department of Veterans Affairs, sent to me and Senator GRASSLEY concerning VA's valuation of farm lands be included in the CONGRESSIONAL RECORD at this point.

DEPARTMENT OF VETERANS AFFAIRS,
VETERANS BENEFITS ADMINISTRATION,
Washington, DC, June 27, 2000.

Hon. LANE EVANS,
Ranking Democratic Member, Committee on Veterans' Affairs, U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN EVANS: This is in response to your letter of May 25, 2000, concerning the issue of net worth as it applies to the non service-connected pension program administered by the Department of Veterans Affairs (VA).

In order to qualify for our pension program, a veteran is required to be permanently and totally disabled. Generally, there are relatively few instances where an individual who is operating a working farm meets the basic requirements for pension eligibility. Although there is no such disability requirement for surviving spouse claimants, it is our belief that an individual operating a farm or other business with assets that could be converted to substantial amounts of cash should not qualify for pension. We view the operator of a business in the same light as an individual owning rental property or an owner of interest-producing bank deposits or securities.

VA pension, similar to Supplemental Security Income (SSI), is intended to provide an income supplement for needy individuals and not to allow beneficiaries to build up substantial assets. Although countable income limitations for VA pension are in the same range as those for SSI, our net worth guideline of $50,000 for the preparation of an administrative decision is more generous than SSI's $2,000 for an individual and $3,000 for a couple.

As you pointed out, our procedural manual, M21–1, indicates that a determination of excessive net worth is a question of fact for resolution after the consideration of the facts and circumstances in each case. The $50,000 guideline is not to be interpreted as a strict, mechanical limitation. We will issue clarifying guidance on that point.

We are also conducting an analysis of our recent net worth determinations. Based on these results we will decide whether additional changes to our rules and procedures are appropriate. At that time, we will also consider whether the $50,000 guideline should be increased. You will be apprised of our results.

In April 2000, representatives from the Veterans Health Administration and the Veterans Benefits Administration met with Senator Grassley, members of his staff, farmers and their representatives in Des Moines, Iowa. We understood their concerns and informed them about our efforts to address their concerns.

Our reports show that between December 1997 and December 1999, an average of 213 beneficiaries had their pension benefits terminated for excessive net worth. In FY 1999, there were 131 terminations for excessive net worth. Unfortunately, no data are available on the number of claimants who are disallowed for excessive net worth, or the number of administrative decisions made annually on the issue of net worth or the type of assets involved.

I hope this information is helpful to you. I am providing Senator Grassley a similar response.

Sincerely,

JOSEPH THOMPSON.

PERSONAL EXPLANATION

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. TAYLOR of North Carolina. Mr. Speaker, due to flight delays, I was again unavoidably detained in North Carolina and unable to cast a vote on rollcall vote No. 487. Had I been present, I would have voted ''yea'' on rollcall vote No. 487.

IN HONOR OF DR. MURRAY ITZKOWITZ, AFTER 31 YEARS AS EXECUTIVE DIRECTOR OF THE BRIDGE INC.

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mrs. MALONEY of New York. Mr. Speaker, I rise today to honor Dr. Murray Itzkowitz, of The Bridge Inc., who after 31 years as Executive Director is now the Executive Director Emeritus in charge of research and new program development.

For more than 45 years, The Bridge Inc. has worked with mentally disabled adults as a nonprofit mental health, rehabilitation, and housing agency. The Bridge is a key provider of housing and support services for the chronically mentally ill within New York City. Its Mental Health Clinic provides individual, group, and family psychotherapy with specialities in, among others, bereavement and divorce counseling, substance abuse counseling, and offers treatment to victims of crime.

The Bridge offers health care services provided by a part-time primary care physical and nurse practitioner team and a full-time licensed practical nurse. This service provides comprehensive services such as physicals and follow-up visitations.

Another cornerstone of The Bridge Inc, is its residence assistance program. The Bridge operates more than 300 beds in various settings, such as 24-hour supervised residences and independent apartments. In fact in December 1998, The Bridge Inc, was granted a $1.7 million grant from the US Department of Housing and Urban Development to finance 18 individual apartment units in the South Bronx and Harlem.

Finally, I must mention the vocational and educational programs offered by The Bridge. Among these programs include work training, on-site employment, and job-placement services. The education program includes basic literacy instruction, GED preparation, and college preparatory work.

Through his selfless leadership of this fine organization, Dr. Murray Itzkowitz has demonstrated his desire for a physical and mentally healthy, better educated, and properly housed citizenry of New York City. Exceptional individuals like Dr. Itzkowitz, help improve the quality of life for many of our most needy citizens.

Mr. Speaker, I am proud to have a deeply intelligent and compassionate man like Dr. Murray Itzkowitz working within my district and

I am confident that, as the new Executive Director Emeritus in charge of research and development, Dr. Itzkowitz will continue his rigorous pursuit of the public well being.

PERSONAL EXPLANATION

HON. RONNIE SHOWS

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. SHOWS. Mr. Speaker, because of unanticipated delays in my flight from Jackson, Mississippi, on Monday, September 25, 2000, I was unable to cast a recorded vote on Rollcall 487.

On Rollcall 487, I would have voted ''yea'' on the Motion to Suspend the Rules and Agree to H. Con. Res. 399, recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975.

AMNESTY INTERNATIONAL DENOUNCES ARREST OF WITNESS TO POLICE KIDNAPPING OF HUMAN RIGHTS ACTIVIST JASWANT SINGH KHALRA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. TOWNS. Mr. Speaker, police tyranny in Punjab has reared its ugly head again. Rajiv Singh has been arrested in Amritsar on false charges of robbery and murder. At the time of his arrest, Mr. Randhawa was attempting to hand a petition to Jack Straw, the Home Secretary of the United Kingdom, in front of the holiest shrine of Sikhism, the Golden Temple, which was invaded and desecrated by the Indian military in June 1984. The petition asked for intervention of the British government in the matter of human rights in Punjab.

Mr. Randhawa was arrested once before on false charges. He has been a target of police harassment since he saw the Punjab police kidnap Mr. Khalra, who was General Secretary of the Human Rights Wing (SAD). Mr. Khalra was subsequently murdered in police custody and no one has ever been charged or otherwise held responsible in the Khalra case. In that light, there is reason to believe that Mr. Randhawa's life and his safety may be in danger.

September 6 was the fifth anniversary of the Khalra kidnapping. Mr. Khalra conducted an investigation which proved that the Indian government had kidnapped, tortured, and murdered thousands of Sikhs, then declared their bodies ''unidentified'' and cremated them. No one has been held accountable for these atrocities either.

This is merely the latest action by the police against anyone who speaks up for human rights in Punjab, Khalistan. It is clear from this action that General Narinder Singh, a human-rights leader in Punjab, was right when he said that ''Punjab is a police state.''

Amnesty International has issued a press release and an Urgent Action bulletin denouncing the lawless actions of the police. I will be introducing them at the end of my statement, and I urge my colleagues to read these chilling documents.

Mr. Speaker, the Indian Prime Minister is visiting the United States to meet with the President and address Congress. Our government must press Prime Minister Vajpayee on the Randhawa case, on human-rights violations, on self-determination, on the release of political prisoners, on nuclear proliferation, and on the Indian government's efforts to construct a security alliance ''to stop the U.S.,'' as the Indian Express reported last year. If the responses are not satisfactory, then we must take action to ensure freedom in South Asia. This Congress should put itself on record in support of a free and fair plebiscite in Punjab, Khalistan, in Kashmir, in Nagalim, and everywhere that the people are seeking freedom. We must maintain our sanctions on India and cut off its aid. And we should declare India a terrorist state.

Mr. Speaker, I submit the Amnesty International press release and Urgent Action bulletin that I mentioned before into the RECORD for the information of my colleagues.

[From Amnesty International, Sept. 6, 2000]

URGENT ACTION

A key witness in the trial of police officers accused of abducting a human rights activist has been arrested by Punjab police. Amnesty International fears this is an attempt to prevent him testifying, and is extremely concerned for his safety in police custody.

Rajiv Singh was arrested as he attempted to hand a petition to UK Home Secretary Jack Straw in Amritsar, Punjab, on 5 September. The petition reportedly called on the UK government to persuade the Indian authorities to take action over human rights violations in Punjab.

He was held overnight and brought before a magistrate the next day and reportedly charged with the murder of two people who were killed in a bank robbery in Amritsar. He was remanded in police custody until 8 September.

This is the third time that Rajiv Singh has been arrested by Punjab police and charged with serious offences. Earlier this year the Punjab Human Rights Commission ruled that police had ''concocted'' previous charges to persuade him not to testify against them. He had been accused in July 1998 of setting up an organization to fight for a separate Sikh state of Khalistan, called Tigers of Sikh Land. The Commission recommended that the police officers involved should face criminal charges and that there should be further investigations. Rajiv Singh was awarded compensation for being illegally detained.

Today is the fifth anniversary of the ''disappearance'' of human rights activist Jaswant Singh Khalra, who unearthed evidence that Punjab police had illegally cremated the bodies of hundreds of people who had been arrested and then ''disappeared''. A number of Punjab police are now on trial for his abduction, and Rajiv Singh is a key eyewitness in the case.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English or your own language: expressing grave concern about the arrest and detention of Rajiv Singh on 5 September in Amritsar; expressing concern that since the Punjab police have unlawfully detained and charged Rajiv Singh before, to try to prevent him from testifying in the case of Jaswant Singh Khalra, the current charges against him may be false, and that he is at grave risk of further harassment or torture in police custody; calling for an immediate review of the charges against him by a judicial body; and calling for commitments from the authorities in Punjab to ensure that he will not be ill-treated in custody.

APPEALS TO:

Mr. Prakash Singh Badal, Chief Minister of Punjab, Office of the Chief Minister, Chandigarh, Punjab, India.

Salutation: Dear Chief Minister

Fax: +91 172 740936

Telegrams: Chief Minister, Punjab, India

Mr. S. Sarabjit Singh, Director General of Police, Office of the Director General, Police Headquarters, Punjab, India.

Saluation: Dear Director General

Telegrams: Director General of Police, Punjab, India

COPIES TO:

Mr. L.K. Advani, Minister of Home Affairs, Ministry of Home Affairs, North Block, New Delhi 110 001, India.

Salutation: Dear Minister

Fax +91 11 301 5750

and to diplomatic representatives of India accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 October 2000.

(Amnesty International Press Release Sept. 7, 2000)

INDIA: ARREST OF WITNESS POINTS TO CONTINUING POLICE HARASSMENT

A key eyewitness to the ''disappearance'' of a human rights activist has been arrested in Amritsar, India. Rajiv Singh Randhawa was attempting to hand a petition to UK Home Secretary Jack Straw in front of the Golden Temple when the arrest took place on 5 September. Amnesty International today expressed serious concern for his safety while in police custody.

The petition called on the UK government to intervene with the Indian government on the matter of human rights violations in Punjab.

Rajiv Singh Randhawa has since been charged with robbery and murder as well as offences under the Arms Act in connection with a robbery at a bank in Amritsar in which two people were killed. The magistrate remanded him to police custody until 8 September. Amnesty International has appealed to the authorities in Punjab for assurances that he will not be subjected to torture or ill-treatment while in police custody.

''This case highlights the continuing lawlessness of sections of the police in Punjab. Amnesty International is seriously concerned that these charges against Rajiv Singh Randhawa, like other charges brought in the past, are merely a means of harassing and intimidating him,'' the organization said.

Rajiv Singh Randhawa is a key eyewitness in the case of the ''disappearance'' of human rights activist Jaswant Singh Khalra. Yesterday, 6 September, was the fifth anniversary of the ''disappearance'' of Khalra who unearthed evidence that hundreds of bodies of individuals who had ''disappeared'' after arrest in the 1980s and early 1990s had been illegally cremated by Punjab police. Amnesty International has learned that a hearing in the case was scheduled for 21 September at which evidence, including that of Rajiv Singh, was due to be recorded.

This is the third time that Rajiv Singh Randhawa has been arrested by Punjab police and charged with serious offenses. On the last occasion, he was accused of setting up an organization to fight for a separate Sikh state of Khalistan, the Tigers of Sikh land. In July this year the Punjab Human Rights Commission ruled that those charges against Rajiv Singh were ''concocted'' by police as a means of dissuading him from giving evidence against police in the Khalra

case. The Commission recommended that criminal cases be registered against the police officers and further investigations carried out. Rajiv Singh was awarded compensation for his illegal detention.

Amnesty International believes that the failure by the state to systematically investigate a pattern of grave human rights violations in Punjab during the 1980s and early 1990s has led to a climate of impunity within the police force and continuing illegal actions of police in the state. Attempts by human rights organizations in the state to seek justice for victims of human rights violations have been met with harassment, intimidation and official obstruction to redress.

''The silencing of Rajiv Singh Randhawa in front of a foreign dignitary shows how desperate sections of the Punjab police are to suppress evidence in this case. We call on the international community to intervene in this case,'' Amnesty International said.

INTRODUCTION OF THE ''FEDERAL EMPLOYEES' OVERTIME PAY LIMITATION AMENDMENTS ACT OF 2000''

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. CUMMINGS. Mr. Speaker, this legislation is needed to help address the challenges posed in responding to emergencies and disasters, in particular, the wildfires that besieged our Western States. The effects of our brave Federal wildland firefighters and other disaster relief personnel are being undercut by personnel administration problems relating to compensation for overtime work. The overtime pay rate for employees covered by the Fair Labor Standards Act (FLSA) is equal to one and one-half times their regular hourly rate of pay. For FLSA-exempt Federal employees, however, the overtime rate may not exceed one and one-half times the GS–10 step 1 rate.

This legislation would address this problem in two ways. First, it assures that no Federal employee receives less than his or her normal rate of pay for overtime work. Second, it recognizes the special demands and difficult circumstances involving emergencies that threaten life or property by increasing the hourly overtime pay rate limitation from GS–10, step 1, to GS 12, step 1, for FLSA-exempt employees who perform overtime work in connection with such an emergency. The higher rates of overtime pay resulting from these changes will effectively address the daunting challenges faced by our Federal land management agencies in containing extremely large, and dangerous wildfires. This legislation builds upon and includes changes proposed in H.R. 1770, the ''Federal Employees' Overtime pay Limitation Amendments Act of 1999,'' which I introduced last session to correct longstanding FLSA-exempt overtime pay problems for Federal employees generally.

Please join me by cosponsoring this legislation for federal managers and supervisors, emergency personnel, and their families.

Text of bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the ''Federal Employees' Overtime Pay Limitation Amendments Act of 2000.,''

SEC. 2. (a) Title 5, United States Code is amended—

(1) in section 5542(a)—

(A) by amending paragraph (2) to read as follows:

''(2) For an employee whose basic pay is at a rate which exceeds the minimum rate of basic pay for GS–10 (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law), the overtime hourly rate of pay is an amendment equal to the greater of—

''(A) one and one-half times the minimum hourly rate of basic pay for GS–10 (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law); or

''(B) the hourly rate of basic pay of the employee (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law),

and all that amount is premium pay.''; and

(B) by amending paragraph (4) to read as follows;

''(4) Notwithstanding paragraphs (1) and (2), for any pay period during which an employee is engaged in work in connection with an emergency (including a wildfire emergency) that involves a direct threat to life or property, including work performed in the aftermath of such an emergency, the overtime hourly rate of pay is an amount equal to one and one-half times the hourly rate of basic pay of the employee, except that such overtime hourly rate of pay may not exceed the greater of—

''(A) one and one-half times the minimum hourly rate of basic pay for GS–12 (including any applicable locality-based comparability payment under section 5304 or similar provision of law but excluding any applicable special rate of pay under section 5305 or similar provision of law); or

''(B) the hourly rate of basic pay of the employee (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law),

and all that amount is premium pay. A determination as to the existence and duration of such an emergency and its aftermath, and whether work is connected to it, shall be made at the discretion of the head of the agency (or his or her designee) in consultation with the director of the Office of Management and Budget.''; and

(2) in section 5547—

(A) by amending subsection (a) to read as follows:

''(a) An employee may be paid premium pay under sections 5542, 5545 (a), (b), and (c), 5545a, and 5546 (a) and (b) only to the extent that the payment does not cause the aggregate of basic pay and such premium pay for any pay period for such employee to exceed the greater of—

''(1) the maximum rate of basic pay payable for GS–15 (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law); or

''(2) the rate payable for level V of the Executive Schedule.'';

(B) by amending subsection (b)(1) to read:

''(1) Subject to regulations prescribed by the Office of Personnel Management, the first sentence of subsection (a) shall not apply to an employee who is paid premium pay by reason of work in connection with an emergency as specified under section 5542(a)(4).'';

(C) by amending subsection (b)(2) to read as follows:

''(2) Notwithstanding paragraph (1), no employee referred to in such paragraph may be paid premium pay under the provisions of law cited in the first sentence of subsection (a) if, or to the extent that, the aggregate of the basic pay and premium pay under those provisions for such employee would, in any calendar year, exceed the greater of—

''(A) the maximum rate of basic pay payable for GS–15 in effect at the end of such calendar year (including any applicable locality-based comparability payment under section 5304 or similar provision of law and any applicable special rate of pay under section 5305 or similar provision of law); or

''(B) the rate payable for level V of the Executive Schedule in effect at the end of such calendar year.'';

(D) by amending subsection (c) to read as follows:

''(c) The Office of Personnel Management may prescribe regulations governing the applicability of subsection (b) to employees who are in receipt of annual premium pay for standby duty or administratively uncontrollable overtime work under section 5545(c) or availability pay for criminal investigators under section 5545a.''; and

(E) by adding at the end:

''(d) This section shall not apply to any employee of the Federal Aviation Administration or the Department of Defense who is paid premium pay under section 5546a.''.

(b) The amendments made by subsection (a) shall take effect on the first day of the first pay period beginning on or after 120 days following the date of enactment of this Act.

SECTION-BY-SECTION ANALYSIS

The first section provides the bill's short title, the ''Federal Employees' Overtime Pay Limitation Amendments Act of 2000.''

Section 2 amends sections 5542 and 5547 of title 5, United States Code.

Subsection (a)(1) amends 5 U.S.C. 5542 to provide that an employee whose rate of basic pay exceeds the minimum rate of basic pay for GS–10 (including any applicable locality-based comparability payment under section 5304 or similar provision of law, and any applicable special rate of pay under section 5305 or similar provision of law) will have an overtime hourly rate of pay in an amount equal to the *greater* of (1) one and one-half times the minimum hourly rate of basic pay for GS–10 (including locality pay and special rates), or (2) the employee's hourly rate of basic pay (including locality pay and special rates). All pay under this provision would be premium pay.

Subsection (a)(1) also amends 5 U.S.C. 5542 to provide that during a pay period in which an employee is engaged in work in connection with an emergency that involves a direct threat to life or property, including work performed in the aftermath of such an emergency, the employee will have an overtime hourly rate of pay in an amount equal to one and one-half times the hourly rate of basic pay of the employee, except that such overtime hourly rate of pay may not exceed the greater of (1) one and one-half times the minimum hourly rate of basic pay for GS–12 (including locality pay but excluding special rates) or (2) the hourly rate of basic pay of the employee (including locality pay and

special rates). The head of the agency, in consultation with the Director of the Office of Management and Budget, is authorized to determine the existence and duration of such an emergency and its aftermath, and whether work is connected to it.

Subsection (a)(2) amends 5 U.S.C. 5547 to provide that an employee may be paid premium pay only to the extent that the payment does not cause the employee's aggregate rate of pay for any pay period to exceed the greater of (1) the maximum rate of basic pay payable for GS–15 (including locality pay and special rates) or (2) the rate payable for level V of the Executive Schedule. Under current law, two separate premium pay limitations cover most General Schedule (GS) employees. A GS law enforcement officer under 5 U.S.C. 5547(c) may be paid premium pay up to the lesser of 150 percent of the minimum rate of basic pay payable for GS–15 or the rate payable for level V of the Executive Schedule. In contrast, the premium pay limitation applicable to other GS employees (currently found at 5 U.S.C. 5547(a)) is the maximum rate payable for GS–15 (including locality pay and special rates). This amendment would create a uniform biweekly premium pay limitation. The calendar year premium pay limitation at 5 U.S.C. 5547(b) (for work in connection with an emergency which involves a direct threat to life or property) is similarly amended as well as expanded to cover work in the aftermath of an emergency involving a threat to life or property. Provision is also made for Office of Personnel Management regulations to harmonize the application of overtime provisions with other forms of premium pay.

Subsection (b) would set the effective date of the amendments made by subsection (a). The amendments would take effect in pay periods beginning on and after the 120th day following the date of enactment.

HONORING STEPHEN PETERSBURG

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. McINNIS. Mr. Speaker, it is with great honor that I take this moment to congratulate Stephen Petersburg of Rangely, Colorado, on receiving the National Resource Management Award from the National Park Service. I would like to take this moment to thank Stephen for his diligent work to ensure that Dinosaur National Monument's resources are managed efficiently and effectively. At the same time, I would like to congratulate him on this distinguished award. Stephen's educational background laid the groundwork for what would become a truly accomplished career with the National Park Service, that has spanned almost three decades.

Stephen received his undergraduate degree in Forestry and a graduate degree in Wildlife Biology from Iowa State University. This education prepared him for his career in the National Park Service, which began in 1971 as a Park Ranger at Wind Cave National Park. After working for a little over two years at Wind Cave, Stephen shifted his professional talents to Dinosaur National Monument, where he began his illustrious tenure in 1973.

Stephen is considered a leader in fire management and training and is nationally known for his expertise. This past summer he worked with great care to protect our nation's forests, working on fire-fighting efforts in Colorado, New Mexico and on the Clear Creek Fire in Idaho.

Beyond his work at Dinosaur National Monument, Stephen's desire to help his community is clearly a personal priority. Stephen is an active member of the Kiwanis and serves on the Board of Directors of the Rangely District Hospital. He is also a Deacon in his local church.

Stephen, you have earned the admiration of your friends, peers, neighbors and Nation. On behalf of the State of Colorado and the US Congress, I congratulate you on this prestigious and well-deserved award. Congratulations!

INTRODUCTION OF THE VACCINE INJURY COMPENSATION PROGRAM CORRECTIVE AMENDMENTS OF 2000

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. WELDON of Florida. Mr. Speaker, today I am introducing the Vaccine Injury Compensation Program Corrective Amendments of 2000 (NVICPCA). Over the past year, the Vaccine Injury Compensation Program (VICP) has been subject to several congressional hearings. I have met on several occasions with parents, doctors, and attorneys who have been involved in the current program seeking compensation for injuries that resulted from vaccines.

Vaccine injuries are, thankfully, very rare. However, some children have adverse reactions to vaccines. In a small number of cases these are very debilitating reactions. I am a strong proponent of vaccinations. It is important that children be vaccinated against otherwise devastating diseases. Widespread vaccination has and will continue to spare our nation from the scourge of disease. Our nation benefits from widespread vaccination. Those of us who are healthy are the beneficiaries of national vaccination efforts. As such, I believe very strongly that we as a nation have an obligation to meet the needs of those children who suffer adverse reactions.

I also believe that our federal public health officials should do more to ensure that we are doing all that we can to reduce the number of children who do have adverse reactions. I will continue to aggressively pursue this effort with the leaders of the Centers for Disease Control (CDC) and the National Institutes of Health (NIH).

I was pleased when the Congress and President Reagan established the VICP back in the 1980s. This program was established to ensure that our nation continues to have a strong vaccination program while compensating those families where a child suffers a serious adverse reaction. When this program was approved, there was a real concern that due to lawsuits brought against vaccine manufacturers, some manufacturers would stop making their vaccines available leaving the American public without important vaccines.

The Vaccine Injury Compensation Program Corrective Amendments of 2000 would make a number of substantive and administrative changes to the VICP, in an attempt to restore this program to the user friendly, non-adversarial, remedial, compensation program that it should be and was intended to be. The bill amends the VICP provisions in the Public Health Service Act (PHS Act).

The bill clarifies that this program is to be a remedial, compensation program, which is consistent with the original intent expressed by Congress in the House Report accompanying the National Childhood Vaccine Injury Act of 1986. The program has become too litigious and adversarial in the eyes of many.

The bill also makes changes to the provisions relating to the burden of proof. Currently, the burden of proof is so high on the claimants that some children may not be receiving compensation that is due them. The intent of this program is to provide compensation for all claimants whose injuries may very well have been caused by the vaccine. Strict scientific proof is not always available. Serious side effects of vaccines are rare, and it is often difficult to prove causal relationships with the certainty that science and medicine often expect. Indeed there may be multiple factors that lead to an adverse reaction in some children and the program should recognize this. My bill will ensure that this is taken into account.

This bill will also make it easier to ensure that the costs associated with setting up a trust for the compensation award are permitted. This is important to ensure that these funds are available to provide a lifetime of care for this child. The bill also stops the practice of discounting to ensure that the value of an award for pain and suffering is fully met.

Often, the families of these children need counseling in order to help them deal with and care for a profoundly injured child and siblings. The impact of these injuries go well beyond the child who is injured. This bill will ensure that these expenses are covered.

The bill also ensures the payment of interim fees and costs. Under the current program, families and attorneys are often forced to bear these expenses for years while the claim is heard. Attorneys for the claimants are going to be paid for their fees and costs at the end of a claim, regardless of whether or not they prevail. Thus there is no logical reason why they should not be allowed to petition for interim fees and costs. This provision simply ensures a more fair process for the claimants, by ensuring that the injured child can have good representation while pursuing his or her claim. The current practice may hinder the ability of claimants to put their best case forward. This should not be the case in a program that was established to ensure provision for those children who have been injured.

Finally, the bill makes a number of changes to statutes of limitation. The program should serve the purpose of compensating those who were harmed. Thus, it is important to ensure that it is as inclusive as possible to ensure that injured parties are compensated.

INTRODUCTION OF THE ''TEACHERS FOR TOMORROW'' ACT

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. INSLEE. Mr. Speaker, today I introduce Teachers for Tomorrow, a bill to address the serious teacher shortage in our nation's

schools. We have 54.4 million students in America's schools—the greatest it has ever been. But we lack the most important part of the equation—teachers! Nationwide, we will need an additional 2.2 million teachers in the next ten years. There are particular shortages in specific subject areas such as math, science, bilingual education and special education. For the first time in my district in Washington State, teaching positions have remained vacant.

We cannot afford to allow the current trend to continue where our best and brightest students ignore the teaching profession or leave it altogether. Where the median age of teachers is 42 years old, it is glaring evidence that new graduates are not entering the teaching field. There are a million teachers ready to retire in the next decade, leaving the classroom faster than new teachers are graduating from college. Even more troublesome is that only half of new teachers in urban public schools are still teaching after five years. Moreover, the new teachers who are twice as likely to leave are those with the highest scores on standardized tests. These are serious warning signs of the current teacher shortage and upcoming crisis if we do not act to recruit and retain teachers.

There are everyday heroes in classrooms throughout America. We must face the fact that our teachers are getting older and we are failing to make teaching a viable option for today's students and young professionals. We have to continue to make sure that our top graduates continue to enter the teaching profession. This legislation would do Just that.

We need to empower individuals to make the decision to be a teacher. We need to make it possible for more specialty teachers and more teachers overall to enter our nation's public school system. This legislation would permit every public elementary and secondary school teacher to apply for loan forgiveness. Current law only applies to teachers that teach in certain specific areas or low-income schools. This bill would also increase the incentives to meet specific instruction needs by establishing a three-year program of direct reimbursement for those teachers. All other teachers would be eligible for a five-year program of indirect loan forgiveness. Both programs would forgive 100 percent of the incurred loan debt.

Additionally, this bill grants other incentives for new teachers. Under income tax laws, loan forgiveness would be granted tax-neutral status. This prevents the current problem where loans are treated as additional income that effectively place teachers into an inappropriately high tax bracket.

This is the only loan forgiveness legislation that provides for continuing education. Teachers need to be given the opportunity to continue their professional development. With increased expertise and training, they will be able to impart that much more knowledge into their lessons and students' learning processes.

Furthermore, our teachers deserve to use the benefit of their experience and be able to guide their classrooms and schools with local control. As leaders in the community, teachers and school administrators know how make the best decisions for their students. This legislation only provides federal loan forgiveness where graduates have incurred federal loans. It maintains the ability of local schools to make hiring, firing and other decisions as they see fit. Local school administration is not a business the federal government should be in.

We need to support our teachers. Our teachers deserve our highest accolades for educating our nation's children. We ought to thank them for the meaningful work they do every day. Our students, the future of our country, learn under the hard work and patience of our teachers and they merit our appreciation.

I submit to my colleagues a plan to recruit and retain qualified teachers. We cannot shirk our duty to provide a high quality education to every child. I urge my colleagues to meet this challenge and support this legislation.

CELEBRATING THE 300TH ANNIVERSARY OF THE TOWNSHIP OF WHITPAIN IN MONTGOMERY COUNTY, PA

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. HOEFFEL. Mr. Speaker, I rise today to congratulate the township of Whitpain in Montgomery County, Pennsylvania on its 300th Anniversary. During the years of 1683 and 1686, Richard Whitpain purchased approximately 4500 acres of land that attracted settlers seeking religious freedom and economic opportunities. This land of promise was established as Whitpain Township in 1701 near the center of the county.

Many important historical events took place in Whitpain. During the American Revolution, the Township played an integral role for General George Washington and the Continental Army. Whitpain is home to Dawesfield, George Washington's headquarters, and served as a battleground for skirmishes during the Battle of Germantown.

Early Whitpain Township was primarily a fanning area and later evolved to incorporate the growing industries in the vicinity. As early as 1804, there was a weaving enterprise in Centre Square and a mill on Wissahickon Creek. The Township had quickly become a flourishing community with both prosperity and promise.

As one of the oldest municipalities in Montgomery County, Whitpain Township is now home to more than 17,000 Pennsylvanians, Montgomery County Community College and several high tech firms.

I am proud to represent such an extraordinary town. This anniversary should serve as a long-standing tribute to hard work and dedication for all of those who have made Whitpain Township the wonderful place it is.

HONORING FRANK HODSOLL

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. McINNIS. Mr. Speaker, I would like to take this moment to commend the Honorable Frank Hodsoll on his outstanding service to his community. Frank is stepping down as Ouray County Commissioner after three years of service. Frank is extremely active in his community and his leadership as Commissioner will be greatly missed. As family, friends and the Ouray community thank Frank for his service, I too would like to pay tribute to this distinguished American.

Leadership and public service come naturally to Frank. Over the past several years, he has served both his community and State well in a number of different organizations. He is currently serving as Vice Chair of the National Association of Counties (NACo) Telecommunications & Technology Steering Committee, Chair of the NACo Rural Action Caucus Telecommunications Committee, and has served as Director of both the Colorado River Water Conservation District and the Center of Arts and Culture in Washington, DC.

Beyond his efforts in Ouray, Frank has had a long and illustrious career in government, both at the local and national levels. Before working to improve the community of Ouray County, he worked with a number of the nation's most prominent governmental institutions, like the Departments of State and Commerce. Frank also served as Chairman of the National Endowment for the Arts, Deputy Assistant to President Reagan and Deputy to White House Chief of Staff James Baker.

Frank, you have served your community, State and Nation admirably. On behalf of the State of Colorado and the US Congress, I thank you for your generous and valued service to the Ouray community and to these United States. Best of luck in all of your future endeavors.

GONZALES—''LEXINGTON OF TEXAS''

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. PAUL. Mr. Speaker, in the town of Gonzales, Texas, on October 2, 1835, the first shot for Texas Independence was fired from a cannon by colonists waving a flag which proclaimed ''Come and Take It.'' Gonzales became known as the ''Lexington of Texas. ''

The Little Cannon has been recognized by many as a true and proper memento of our glorious past and has appeared in no less historic sites as the Alamo and the rotunda of the Texas Capitol, and is forever enshrined in The Great Seal of Texas.

Exactly 165 years after the shot was fired, on the afternoon of October 2, 2000, the City of Gonzales will accept the ''Come and Take It Cannon'' from the estate of Dr. Patrick J. Wagner.

The Little Cannon will be an ever-present reminder to the citizens of Gonzales of the courage of those who stood at the ''Lexington of Texas'' and first cried, ''Come and Take It!''

CONGRATULATING PASTOR ALVIN A. JACKSON

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. SAXTON. Mr. Speaker, please join me in congratulating Pastor Alvin A. Jackson of

Cinnaminson, New Jersey on his fiftieth anniversary as pastor of the Saint Paul Baptist Church. Dr. Jackson preached his first sermon on Sunday, January 2, 1950. Since that time he has played a critical role in the Cinnaminson community.

His spiritual guidance and open door policy has irrefutably changed the lives of many constituents in my district. Dr. Jackson was raised by his maternal grandparents in Philadelphia, Pennsylvania. He became a licensed preacher in 1940. Dr. Jackson also served his country in World War II in the European theater of operations. His faith in God and in country are to be applauded.

He was baptized in the family church, First African Baptist, where he could be found practicing his musical talents. Dr. Jackson's aptitude for playing musical instruments is of particular note. His talents on the piano and violin must be appreciated.

Dr. Jackson is well-known throughout the Delaware Valley. He has taken an active interest in the concerns of Cinnaminson Township in general and the East Riverton section in particular. He has served on the Human Relations Council of Cinnaminson Township and the Advisory Council of the New Jersey Water Company.

Mr. Speaker, truly, Dr. Jackson is an inspiring figure in my district and in our nation. Congratulations, Dr. Jackson, on your fiftieth anniversary. May there be many more years of service to come.

HONORING THE SOUTHEAST GUILFORD HIGH SCHOOL OF THE 6TH DISTRICT OF NORTH CAROLINA

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. COBLE. Mr. Speaker, I would like to recognize a high school from the Sixth District of North Carolina that recently won the state lacrosse championship.

Southeast Guilford High School claimed the North Carolina varsity lacrosse title. This is only the second team from the school to ever win a state championship in 33 years. The Falcons had an impressive season with 16 wins and only 3 losses. We congratulate Chris Godfrey, Josh Smith, Jon Murphy, Justin Patteson, Scott Van Hoever, Lucas McCraw, James Aldridge, Mike Wiggins, Ben Doffelmoyer, Chris McVey, John Clark, David Murphy, Chris Collins, Chris Smith, Chad Thompson, Paul Winn, John Batts, Daniel Davenport, David Dunnuck, Jimmy Mullen, and Russell Peele. The team was led by Head Coach Mark Goldsmith and Assistant Coaches Clark Byrnes and Paul Allen. They were ably assisted by head manager Nikki Berger and assistant manager Alicia Reed, along with athletic trainers Eric Stubblefield and Mark White. The team was supported strongly by the school administration including Athletic Director Roy Turner, Principal Dr. Pat Spicer and Assistant Principals Amanda Gane, Randy Shaver and Ron Coleman.

Since winning the state championship in lacrosse, interest has escalated in the school, and they are expecting an influx of players this season. Many of the players are being recruited by colleges and receiving scholarships. Perhaps a dynasty is brewing at Southeast Guilford High School.

The Sixth District of North Carolina is proud of this high school team from Guilford County for its hard work and dedication. Congratulations to the Falcons for a job well done.

HONORING CHIEF GARY KONZAK

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. McINNIS. Mr. Speaker, it is with great sadness that I take this moment to celebrate the life of former Grand Junction Police Chief Gary Konzak. Gary recently passed away after complications resulting from heart surgery. Chief Konzak served the Grand Valley admirably and his leadership and commitment to public safety will be greatly missed. As family, friends, and fellow police officers say goodbye to Gary, I would like to take this time to honor this remarkable human being.

Chief Konzak began his career in law enforcement in 1968 as a cadet in LaGrange, Illinois. Gary's outstanding leadership abilities and drive to succeed propelled him to the rank of Chief in 1987. After serving as Chief for half a decade in LeGrange, he moved to Carol Stream, Illinois, where he again served as Chief of Police. He remained in Carol Stream until 1997, when he redirected his impressive law enforcement abilities toward serving the Grand Junction community.

During Chief Konzak's two and one-half years as Chief of Police, he made an impressive impact upon the law enforcement community in Grand Junction, as well as on the area as a whole. Lt. Stan Hilkey of the Mesa County Sheriff's Department, in a recent article by Zack Barnett of The Daily Sentinel, credited Chief Konzak with helping improve the healthy relationship between the Grand Junction Police Department and the Mesa County Sheriff's Department. His success in fostering this relationship was instrumental in forming the Grand Valley Joint Drug Task Force. Chief Konzak has also been credited with working to improve traffic and drug enforcement, as well as the visibility of police officers within the city of Grand Junction.

Chief Konzak served his community, State and Nation admirably. It is men like Chief Gary Konzak that ensure that the communities of this great nation are safe for all citizens, and for that I thank him.

Mr. Speaker, as a former police officer, I ask that we take this moment to honor this great American and friend of Grand Junction. He was a dedicated public servant who will truly be missed.

HONORING HATTIE LEE WHITE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. TOWNS. Mr. Speaker, I rise today to honor Hattie Lee White, a lifelong resident of Brooklyn, and to celebrate with her today her 75th birthday. I ask my colleagues assembled here today to please join me in acknowledging Mrs. White's remarkable life.

On this day, September 27th, in 1925, J.D. and Rosalie Carter were blessed with the birth of their daughter, Hattie. As a young girl, Hattie possessed excellence, greatness, the favor of God, love and honor, the law of kindness in tongue, morality and character. Hattie married Dennis White, and their union was blessed with seven beautiful children: Vernice, Jonathan, Gloria, Marilyn, Andre, Denise and Iris. These children have honored their parents with 24 grandchildren, and 23 great grandchildren.

All of the amazing blessings bestowed upon Hattie White are the result of a God-centered life, as Mrs. White is a committed member of Zion Shiloh Baptist Church. She also serves as secretary for her neighborhood block association, where she is active in the community in lobbying for issues that affect seniors. In her spare time, she enjoys cooking, gardening and traveling.

Mr. Speaker, Hattie Lee White is more than worthy of receiving our birthday wishes, and I hope that all of my colleagues will join me today in honoring this truly remarkable woman.

PERSONAL EXPLANATION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. BEREUTER. Mr. Speaker, on September 26, 2000, this Member inadvertently missed rollcall No. 495 on final passage of H.R. 4292, the Born-Alive Infants Protection Act, while he was in a room where the bells did not ring announcing the vote. Had this Member been present, he would have voted ''aye.''

REGARDS TO REVEREND CURTIS TURNER, AND PRAYER AT HIGH SCHOOL FOOTBALL GAMES

HON. BOB BARR

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. BARR of Georgia. Mr. Speaker, I rise today in support of Reverend Curtis Turner, the pastor of the New Testament Baptist Church, in Ellenwood, Georgia.

Recently, Rev. Turner led nearly 4,000 high school football fans in the Lord's Prayer, at the Paulding-East Paulding football game, which is the county's largest attended game each year.

Rev. Turner and churches throughout the country, particularly in the South, have engaged in these prayers in protest of the U.S. Supreme Court's June misguided ruling, which concludes that student-led prayers at games and other events sanctioned by public schools are unconstitutional. Rev. Turner is planning on attending and leading the Lord's Prayer at other Friday night high school football games throughout the season. Also, he is gathering one million signatures in support of House Joint Resolution 66 introduced by Congressman ERNEST ISTOOK (R-Okla.). The resolution proposes an amendment to the Constitution of the United States restoring religious freedom.

It is absurd to argue that allowing students voluntarily to say a brief prayer at a football game after school hours violates anyone's rights or is violative of our constitution. The First Amendment was never intended to eradicate religion from public life, and I commend the efforts of Rev. Turner for standing up for the sound values that form the foundation of our nation.

IN HONOR OF MR. HAROLD OSHRY

HON. PETER DEUTSCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. DEUTSCH. Mr. Speaker, I rise today to honor Mr. Harold Oshry, an accomplished entrepreneur, respected civic leader, and generous humanitarian. After graduating Magna Cum Laude from Bowdoin College in 1940, Mr. Oshry dreamed of graduating from law school. His dream was set aside however when he joined the Untied States Army 9th Air Corps. Mr. Oshry served bravely in the Army from 1942–1945. In the years following his military service, Mr. Oshry returned to his native New York City and became a successful businessman and entrepreneur. He founded the Sandgate Corporation, a transportation holding company, and served on the boards of several other New York based businesses including the William Morris Agency and the Universal Auto Group.

Mr Oshry's success in business informs upon his life of community and philanthropic activity. As a leader in the New York United Jewish Associations Federation for over thirty years, Mr. Oshry has helped further the public's understanding of Jewish culture and history. Demonstrating his commitment to education, in 1976 Mr. Oshry endowed the Harry Oshry Scholarship Fund at Bowdoin College in honor of his father. Not only committed to university excellence in America, Mr. Oshry's generous contributions to education stretch across oceans. In 1993, Mr Oshry and his family endowed the Claire and Harold Oshry Chair in Aquatic Microbiology Federations at Ben Gurion University of the Negev in Israel. Continuing his service to cultural education and community outreach, Mr. Oshry currently serves as the President of the Broward County Jewish Senior Center in Tamarac, Florida.

Additionally, Mr. Speaker, I am pleased to announce that Mr. Oshry has achieved the education goal he had to set aside long ago when he joined the Army. On May 22, 1998, Bowdoin College honored Mr. Oshry for his lifelong commitment to excellence in education and awarded him the Degree of Doctor of Law, Honoris Causa. I am pleased to commend Mr. Harold Oshry for his service to his country, for his generous contributions to education, and his ongoing commitment to the enhancement of cultural understanding and community service.

TRIBUTE TO THE JEWISH COMMUNITY OF UKRAINE

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. GEJDENSON. Mr. Speaker, I would like to take this opportunity to extend my congratulations to the Jewish community of Ukraine, and particularly to the Chief Rabbi Schmuel Kaminezki, on the reopening of the Golden Rose Choral Synagogue in the city of Dnepropetrovsk.

This event, which took place on September 20th, is very important, not only for Ukrainian Jews, but for Jewish people around the world. It symbolizes the hard work and dedication that has made the Jewish community in Ukraine one of the most vibrant Jewish communities among the countries comprising the former Soviet Union.

Today in Dnepropetrovsk Jewish orphanages, schools, food centers, community centers, medical centers, centers that provide care for the elderly, and centers for holocaust survivors and victims of communism, are all thriving. More importantly, more than 200 Jewish public organizations are active throughout Ukraine promoting and reviving cultural and religious customs and traditions for all Ukrainian Jews.

While this progress is significant, I want to encourage the Ukrainian government to continue working together with Jewish community leaders to resolve the remaining property restitution issues. Ukraine's record in this area and the Ukrainian government's commitments to future progress will go a long way toward promoting religious tolerance and freedom and ensuring that all Ukrainians have an opportunity to build bright and prosperous futures for themselves and their families.

CONGRATULATING JAMES A. DICK AND THE DICK BROADCASTING COMPANY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. DUNCAN. Mr. Speaker, on Friday, September 29, 2000, a remarkable chapter in the history of East Tennessee will come to an end. At the close of this week, Citadel Communications Group will officially take over Dick Broadcasting Company, located in Knoxville.

Nearly 50 years ago, in December 1952, the FCC granted Mr. James A. Dick a license to build a 1,000-watt, daytime only, AM radio station, and Dick Broadcasting was born. On March 20, 1953, WIVK AM–860 signed on the air.

From it's first studios on North Gay Street, WIVK's early days were filled with programs such as ''The Big Jim and Little Alf Show,'' ''Mull's Singing Congregation,'' ''The Gospel Train,'' ''Archie Campbell's Hillbilly Show,'' and the legendary ''Cas Walker Live Country Music Show.'' Such future stars as the Everly Brothers and Dolly Parton found a home performing on WIVK's airwaves.

Later in the history of this radio station, we saw the beginning of the ''Great Day Show'' with Claude ''The Cat'' Tomlinson, Lester Longmire, and ''Old Man Schultz.'' This show would go on to dominate local ratings and remain virtually unchanged until Claude's retirement in 1992.

The Dick Broadcasting Family has grown from a 1,000 watt AM station to 14 FM and AM stations operating in three states. Now a FM station, WIVK's unique mix of country music, community involvement, personality, and of course, University of Tennessee sports, has made it one of the most-listened to radio stations in America from the late 70's to present day.

For over 45 years now, Dick Broadcasting has sought to provide East Tennessee with the best in music and entertainment, and the most up-to-date news and information. When a severe blizzard hit East Tennessee in 1993, WIVK was the only radio station left on the air.

In 1988, Dick Broadcasting purchased WNOX–AM 990, and donated the old WIVK–AM 860 to the University of Tennessee. The new 990 frequency had the advantage of being a 24-hour. channel. WIVK–AM 990 soon started adding its own programming, and by 1992 had become its own entity as ''NewsTalk 990.''

Mr. Speaker, I know that I join with the citizens of the City of Knoxville in congratulating Jim Dick for his service and devotion to the people of East Tennessee. I am proud to call him a friend, and I wish him well in the years to come. I ask my fellow colleagues and other readers of the RECORD to join me in thanking Jim Dick and Dick Broadcasting Company for their many years of service and contributions to East Tennessee. Our Nation is certainly a better place because of people like Jim Dick and his family.

REGARDING SENATE AMENDMENTS TO H.R. 4365

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I voted against passage of the Senate amendments to H.R. 4365, the Children's Health Act. I would like to take this opportunity to explain the reason for my vote, especially in light of the fact that I voted in favor of the bill when it was first considered by the House on May 9, 2000.

H.R. 4365 reauthorizes and revises a number of children's health and drug abuse prevention and treatment programs. I am particularly pleased that the bill includes several new initiatives to combat asthma in children. The asthma epidemic has been particularly troublesome; national survey data indicate that the number of children with asthma in the nation has more than doubled in the past 15 years and the number of deaths attributed to asthma in children more than tripled between 1977 and 1995.

I also strongly support the bill's provisions to expand efforts to assist children with hearing loss and autism, the provisions providing grants to states to improve the health and safety of children in child care facilities, and the new programs intended to help prevent birth defects.

However, I did not vote in favor of H.R. 4365 because the Senate included provisions

requiring the United States Sentencing Commission to amend the federal sentencing guidelines to provide for mandatory minimum sentences for crimes related to the manufacture, importation, exportation, and trafficking of methamphetamine and ecstasy. While I of course do not condone the manufacture, use, or distribution of these two dangerous and illegal controlled substances, I also strongly believe that sentencing for federal criminal offenses should be left to the discretion of federal judges and that they should be permitted to take into account the facts and circumstances surrounding each individual case.

HONORING THE ROTH LIVING FARM MUSEUM

HON. JOSEPH M. HOEFFEL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. HOEFFEL. Mr. Speaker, I rise today to honor the Roth Living Farm Museum which has been designated a National Historic Site by the U.S. Department of the Interior.

Located in North Wales, Pennsylvania, the Roth Museum was founded in 1993 as a nonprofit organization thanks to a generous donation to the Delaware Valley College by Mrs. Edythe Roth. The museum is an historic farm of 20 acres anchored by a restored 1832 farmhouse and barn to provide visitors with a unique look into the history of U.S. agriculture.

The Roth Living Farm Museum provides an educational experience to all who visit the facility. Visitors to the farm can see sheep shearing, antique farm equipment displays, early-American and farm crafts, and resident draft horses, cattle, sheep, goats, chickens, rabbits, and duck. Homegrown produce, seasonal decorations and firewood are available for sale. In addition, interactive demonstrations are created to provide visitors the opportunity of learning about 19th Century farming.

I am pleased to celebrate this significant honor with the college community and all of Montgomery County. We are fortunate to have the Roth Living Farm Museum in our community and especially honored to have it receive this important designation.

TRIBUTE TO ANDRÉ A. GALIBER, SR., MD

HON. DONNA MC CHRISTENSEN

OF VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mrs. CHRISTENSEN. Mr. Speaker, I rise to pay tribute to Dr. Andre Anthony Galiber, Sr., who passed away this week. Dr. Galiber was a great leader of the medical profession, particularly in the field of Radiology, an ideal family man, an outstanding citizen and a great humanitarian in my district, the community of St. Croix and the entire U.S. Virgin Islands.

Dr. Galiber earned his Medical Doctorate in 1957 and completed a diagnostic and therapeutic radiology residency in 1963. His distinctive medical career began with an internship at the Howard University's Freedmen's Hospital, here in Washington, D.C. He also served as a Captain in the U.S. Medical Corps and was the Chief Radiologist at Fort Benjamin Harrison Army Hospital in Indianapolis, Indiana.

Dr. Galiber opened his private Radiology office in 1967 and became the first full-time, board certified Radiologist, in the Virgin Islands. He was and remained the only regional Fellow of the American College of Radiology. Dr. Galiber became the Director of the Radiology Department at the Charles Harwood Hospital during the 1960's and 1970's, and became the Director of the Radiology Department when the hospital relocated to the new Governor Juan F. Luis Hospital and Medical Center, serving in that capacity until his ''so-called'' retirement in 1984.

Dr. Galiber volunteered as a consultant at the new St. Croix Hospital and provided most of the technical training and professional services during the initial ten year growth period of clinical ultrasound. He performed and interpreted the first echocardiograms on St. Croix and was the first Radiologist licensed in Computer Tomography. He was a FDA accredited mammoradiologist and had been performing mammographys since he opened his practice in 1964.

His untiring dedication to St. Croix was also directed at strengthening and advocating on behalf of the medical community. He was an active member of the Virgin Islands Medical Society for almost forty years, serving as President, Executive Secretary, Treasurer, Delegate to the American Medical Association, as well as Delegate to the National Medical Association.

Dr. Galiber also served as President of the Croix Hospital Medical staff, was an elected officer Virgin Islands Medical Institute and presented, coordinated and monitored seminars for his peers. He was also the principal supporter of advanced diagnostic imaging capabilities at the Governor Juan Luis Hospital. Recently, he drafted legislation that was proposed by the Virgin Islands Medical Institute, to encourage Virgin Islands physicians training in the United States, to become licensed in the Territory. Most notably, he was a mentor and ardent supporter of students pursuing health science careers, of which I was one.

Hurricane Hugo introduced several generations of Virgin Islanders to the devastation a hurricane could inflict. While most of the populace remained stunned in the aftermath, Dr. Galiber salvaged his radiological equipment, established electrical power and a safe habitat for essential medical operations and within nine days after the hurricane had passed, he was essentially ready to provide services to his patients.

Dr. Galiber was a charter member of the St. Croix Power Squadron. He became a trustee for most of the schools on the island of St. Croix including St. Mary's Catholic School, Country Day School, Good Hope School and St. Dunstan's Episcopal School. Dr. Galiber was also the chairperson of the St. Croix Continuing Medical Education Committee which certified all eligible programs to do post-graduate training for physicians, and a member of the Eta Iota Iota Chapter of Omega Psi Phi Fraternity.

As an entrepreneur, Dr. Galiber in 1974 became the Project Development Coordinator/Secretary Treasurer, of the first Medical Office Condominium in the Virgin Islands. He was one of seven owners of Medical offices in Island Medical Center Associates, and supervised the management of the entire complex along with managing and practicing his own radiology office at the same time.

Dr. Galiber was an avid reader of non-fiction and a history buff of World War II, greatly admiring the deeds of Winston Churchill. For recreation he enjoyed golf, tennis, traveling, dancing, and classical music.

He and his wife were Members of Friends of Denmark, an organization that strives to maintain the links established by more than two centuries of Danish rule. He and his wife also joined the Landmark Society, which preserves and promotes the various influences in our unique architecture that has developed over the centuries, and our local cultural traditions. He was also a member of the Virgin Islands Lung Association and the St. George's Botanical Garden.

Dr. and Mrs. Galiber were also collectors of original art by local artists even collaborating in commissioning many of the items he eventually bought. He insisted on authenticity and accuracy, in the depiction of what to us now seems the simpler times of just a few decades ago. One such piece, that was the result of his direction, was selected by the Census Bureau, in its desire to have minority oriented art, as the poster for the Virgin Islands. The painting was a work-in-progress then entitled ''Good Day Ladies'', when first viewed by the Galibers. The new name ''Mr. Collins'', and other items of the painting were changed, to accurately correspond to names and events of the time.

Dr. Galiber was the recipient of many honors, including the Distinguished Physician in 1986 by the Virgin Islands Medical Society and the American Cancer Society's Honoree in 1999.

On June 9th of this year, the Governor Juan F. Luis Hospital and Medical Center conducted a dedication ceremony of the Andre A. Galiber, Sr., FACR, Radiology and Cardiovascular Laboratory Suite. The unit was dedicated in honor of his significant contributions to diagnostic imaging. He was also recognized at that ceremony for implementing the terminal digit filing system that is still used today. Some of his peers recognized that he single-handedly established the Radiology Departments at both the Charles Harwood and Juan Luis Hospitals and that due to him, the hospitals will soon have MRI capabilities. His legendary diagnostic skills were praised and appreciation was shown for the tireless work he performed in other areas of hospitals.

His children consider themselves to be proud ''Virgin Islanders'' and claim that their father taught them to contribute their service to the West Indian community and to work together as a family. He encouraged them to develop their individual talents and actively fostered their personal development. He and his namesake, Andre Junior, won golf tournaments. Two others Dante and Cecile, played tennis at the Pan American Games. Lisa, a world renown fashion model, is multilingual and has a development consulting firm in San Diego. his daughter Cecile, a Banker and licensed realtor, heads the Financial Trust Company in St. Thomas.

His wife of forty-four years, Edith Lewis Galiber, is a retired Director of Pubic Health Nursing in St. Croix. All four of his sons are involved in the field of medicine, one as a cardiologist, two are radiologist and the other is their business manager, and also a trained and registered Technologist in ultrasound.

Dr. Andre Galiber's death on September 24, 2000, ended an illustrious life and work, but the contributions to his community, its culture and the field of Radiology live on.

Mr. Speaker, I salute Dr. Andre A. Galiber for his dedicated service to his country, his profession and the Territory of the U.S. Virgin Islands. I thank his wife Edith, his seven children and fifteen grandchildren, for sharing him with us.

INTRODUCTION OF HEATHER FRENCH HOMELESS VETERANS ASSISTANCE ACT OF 2000, H.R. 5311

HON. LANE EVANS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. EVANS. Mr. Speaker, I am proud and honored today to introduce the Heather French Homeless Veterans Assistance Act of 2000. The homeless veterans of our nation have no better friend, no better advocate than Miss America 2000. During the past year, Heather has given generously of her time, talent, energy and self to challenge this nation to meet the unmet needs of our homeless veterans. The value of her advocacy for our nation's homeless veterans this past year cannot be calculated—it is priceless. From coast to coast and border to border, Heather has taken her message of our national responsibility to provide homeless veterans the assistance they need and deserve. It is an honor for me to, in some small way, recognize what Heather French has done and what she means for our homeless veterans and our nation. The legislation I introduce today is intended to recognize and honor Heather French, but it is not a ceremonial measure.

Nearly four decades ago, President John F. Kennedy challenged our nation to send a man to the moon and return him safely to earth before the end of a decade. He said we would do it not because it was easy, but because it was hard. Our nation spent billions of dollars, some $21.3 billion in 1969 dollars, to meet this challenge. Today, the cost would be an estimated $110 billion. The crew of Apollo 11, Armstrong, Aldrin, and Collins, will always be American heroes. The men and women who have served this nation in uniform and who are now homeless are also American heroes. They are the real survivors.

If we were capable of achieving that goal set by President Kennedy nearly 40 years ago, then we are capable of achieving this goal now—before the end of a decade eliminate homelessness among veterans. We must honor the service of our women and men who have served in uniform by providing the resources and opportunity they need to regain their future and again become productive citizens. This is our challenge. Like generations before us, we can and will succeed.

Let us never forget that every homeless veteran in America today served as a member of our Armed Forces. Today's homeless veterans were the once eager, excited and maybe a little frightened young men and women who came forward to serve our nation in uniform. In real terms, they defended our nation. They were our national defense. They came forward by the tens of thousands to serve our country. It is time for our country to come forward to fully provide the services they now need.

The Heather French Homeless Veterans Assistance Act of 2000 is comprehensive legislation. It contains both innovative and proven programs. It provides, for example; expanding successful grant programs, extending the authority of the Department of Veterans Affairs (VA) to provide dental care, and authorizing individual grants to veterans at risk for homelessness. Mr. Speaker, I ask that a summary explanation of the Heather French Homeless Veterans Assistance Act of 2000 be included in the RECORD following my statement.

Some may question the need for enacting comprehensive homeless veterans legislation. They may ask, ''Don't programs to help homeless veterans already exist?'' The answer is a qualified yes. VA offers a wide array of special programs and initiatives designed to help homeless veterans live as self-sufficiently and independently as possible. VA's specialized homeless veterans treatment programs have grown and developed since first authorized in 1987. In addition, other federal and community based programs exist throughout the nation to offer support and provide assistance to homeless veterans. Homeless veterans are receiving assistance and support from many programs that have demonstrated their effectiveness.

The question then remains, ''Why are veterans still homeless?'' The answer is simple. We have not done enough. The problem is not ineffective programs. The problem is too few programs and too many homeless veterans. If our goal is to end homelessness among veterans, we must do more. Existing programs must be continued and expanded when possible. New programs must be established.

For some, the first question will be, ''How much will this cost?'' The question that should be asked instead is, ''What are the costs of failing to end homelessness among veterans? What are the costs of failing to provide what they need to regain their future and again become productive citizens and members of society?''

I strongly support the specialized programs of the Department of Veterans Affairs intended to meet the needs of homeless veterans. These are worthwhile, effective programs. For fiscal year 2000, the total amount expected to be spent supporting these programs is $152.5 million dollars. This is clearly not pocket change, but neither is it enough funding. In fact, it is far from enough.

Over the course of a year, 345,000 homeless veterans will experience nearly 126 nights of homelessness. To meet the needs of nearly 126 million nights of homelessness among veterans a year, $152.5 million really isn't very much. In fact, the total spending this year for VA's specialized programs for homeless veterans amounts to approximately $1.25 per day, per homeless veteran. No matter how effective or efficient, $1.25 per day, per homeless veteran can't be expected to be enough. On average, this is about $450 per year, per homeless veteran.

The Homeless Veterans Reintegration Program (HVRP), of the Department of Labor, provides even less support. The purpose of HVRP is to assist homeless veterans gain employment and become or move toward self-sufficiency. Again, HVRP is a good program which has demonstrated its effectiveness. But how effective can HVRP be in eliminating homelessness with an annual budget of $10 million? If the homeless veteran population is 345,000, HVRP can spend, at the utmost, less than $30 per year, per veteran, on average.

For some, eliminating homelessness among veterans is simply a question of economics. A formerly homeless veteran who becomes a computer programmer earning $40,000 a year is a contributing member of our society who will repay many times over in taxes the assistance he or she received. It is in our national economic interest to once again use the skills and values learned in military service and to productively use new skills to benefit everyone.

For me, this is not simply a question of economics. Morally, there is no other choice that we can make. We must make use of the full arsenal of programs and tools to help homeless veterans regain their self-worth, their dignity, their pride and their self-sufficiency. We can end homelessness among veterans if we have the will to do so. As the richest nation on earth, we can afford to do no less.

President Reagan once asked, ''If not us, who? If not now, when?'' I ask these same questions today. We cannot afford to wait any longer. More importantly, America's homeless veterans cannot afford to wait any longer.

If we simply maintain the status quo, over the next decade there will be more than one billion nights of homelessness among veterans. Let me repeat that—more than one billion nights of homelessness among veterans over the next decade if we simply maintain our current efforts. If our economy should falter, even slightly, that number of homeless veterans would undoubtedly increase dramatically.

The most recent assessment of the Community Homelessness Assessment, Local Education and Networking Groups (CHALENG) was issued in May 2000 by the Department of Veterans Affairs. That assessment reported that there were an estimated 344,983 homeless veterans during 1999, an increase of 34 percent above the 1998 estimate of 256,872 homeless veterans.

Veterans continue to constitute a significant and disproportionately greater percentage of homeless men than their non-veteran peers. Twenty-three percent of the homeless male population are veterans while thirteen percent of the general male population are veterans.

The CHALENG assessment issued in May 2000, by the Department of Veterans Affairs (VA), also reported there is a need now for more than 110,000 additional beds to meet current needs of homeless veterans. Those additional beds will not be enough, however. Food, clothing, social services, medical services, job training and readiness programs and so much more will also be needed. It can be done and we must do it.

This same assessment of the needs of homeless veterans issued by the Department of Veterans Affairs (VA) reported VA and community partnerships during 1999 were responsible for establishing 4,943 total beds for homeless veterans which included emergency, transitional and permanent beds. If 5,000 additional beds are provided annually to meet the needs of homeless veterans, more than two decades will be required to meet the current need for additional beds to serve homeless veterans. According to an informal cost estimate provided by VA, $1 billion will be required to establish the new beds now needed by homeless veterans.

The Congressional Budget Office forecast a federal budget surplus totaling $268 billion for fiscal year 2001 and a budget surplus of over $4.5 trillion over the next ten years. We are the most powerful and richest nation on earth. Economically, we can afford to end homelessness among veterans. Morally, we must. Morally, there is no other choice that we can make. We must make use of the full arsenal of programs and tools to help homeless veterans regain their self-worth, their dignity, their pride and their self-sufficiency.

I am pleased the Heather French Homeless Veterans Assistance Act of 2000 has already received support from the Veterans Organizations Homeless Council. The members of the Veterans Organizations Homeless Council represent ten major national veteran service organizations. These organizations are The American Legion, AMVETS, Blinded Veterans Association, Disabled American Veterans, Jewish War Veterans, Military Order of the Purple Heart, Non Commissioned Officers Association, Paralyzed Veterans of America, Veterans of Foreign Wars and Vietnam Veterans of America. The Veterans Organizations Homeless Council ''strongly supports the comprehensive recommendations advanced by Congressman LANE EVANS, Illinois, in a legislative proposal that will offer a strategic program to break the vicious cycle of veterans homelessness in cities and towns across this Nation.''

In addition, I am also very pleased this legislation has won the support of Miss America 2000. Heather French has carried a torch of compassion which has shown light on the plight of America's homeless veterans. She has given voice to homeless veterans who have been voiceless and visibility to homeless veterans who have been invisible to society in general. Her efforts have raised the awareness of the American people regarding the struggles and circumstances of the thousands of homeless men and women who have served our nation in uniform.

By her words and deeds Miss America 2000 has demonstrated her steadfast commitment to leaving no homeless veteran behind. From the halls of Congress, to homeless shelters, and to communities across America, Heather French has inspired us to a single goal—ending homelessness among America's veterans. As Miss America 2000, Heather French has well represented the Miss America Organization—the largest provider of scholarship assistance, exclusively for women, in the world. As an advocate for our homeless veterans, Heather French has maintained The Miss America Organization tradition of many decades of empowering American women to achieve their personal and professional goals, while providing a forum in which to express their opinions, talents, and intelligence. Her year of service as Miss America will end next month, but her commitment will not. She will continue to speak for those who are voiceless, seek shelter for those who have none, and remind us of our obligation to those who have served.

Heather French has said, ''homeless veterans want to be able to regain personal pride by taking personal responsibility to remove the barriers that have prevented their transition to productive citizenship.'' ''I applaud this legislation that focuses on a comprehensive package of proposals that will lead to ending homelessness among our nation's veterans so they can once again be proud citizens.''

The National Coalition for Homeless Veterans (NCHV) has also endorsed this legislation. NCHV executive director Linda Boone has said ''this bill will become the platform to address homeless veterans' issues in the 107th Congress and we look forward to a continued active relationship between Ms. French and Mr. EVANS towards the goal of ending homelessness among our nation's veterans.''

I am proud to have the support of Ms. French, major veterans organizations, and community based providers of services to homeless veterans. I urge my colleagues to support and cosponsor H.R. 5311, the Heather French Homeless Veterans Assistance Act of 2000.

HEATHER FRENCH HOMELESS VETERANS ASSISTANCE ACT OF 2000

SUMMARY OF H.R. 5311

1. Findings
2. National Goal to end homelessness among Veterans within a decade
3. Establish the Homeless Veterans Advisory Committee, Department of Veterans Affairs
4. Requires annual meeting for Interagency Council on Homeless
5. Evaluation of homeless programs
6. Changes in veterans equitable resource allocation methodology
7. Grant program for homeless veterans with special needs
8. Coordination of services for veterans at risk of homelessness
9. Centers of Excellence in integrated mental health services delivery
10. Expansion of authority for dental care
11. Programmatic expansions
12. Various Authorities
13. Temporary Assistance Grants
14. Emergency Homeless Grants
15. Technical Assistance Grants
16. Manufactured Housing Loans
17. Increase Homeless Veterans Reintegration Program annual authorization to $50 million

EXPRESSING SENSE OF HOUSE ON PEACE PROCESS IN NORTHERN IRELAND

SPEECH OF

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. PASCRELL. Mr. Speaker, I rise today to express my strong support of House Resolution 547 and I commend my colleague, Congressman Neal, for bringing this important measure to the floor today.

Mr. Speaker, the last 4 years have brought great change to Northern Ireland and we are all hopeful that these changes will eventually yield peace. Unfortunately, the devil is in the details. One of the most glaring of these details is the matter of policing. If there is going to be lasting peace in Northern Ireland, then there must be reform of the Royal Ulster Constabulary [RUC]—Northern Ireland's police force. The RUC is comprised of 92 percent Protestant officers and human rights organizations have historically accused this police force of brutality against Catholics in the region.

Without addressing this contentious and complex problem, it will be impossible for peace to reign in Northern Ireland. I might add that the United States is no stranger to incidents of police brutality. In fact, we have bills pending in Congress which call for reforms of police enforcement practices. We know in the United States that if a community does not have trust in the law enforcement charged with policing them, then chaos and unrest will rule. We must be consistent in our country and when we call for peace in other countries, like Northern Ireland. That is why I urge all of my colleagues to vote in favor of House Resolution 547.

This resolution encourages the British Parliament to follow the recommendations of the Patten Report: To give the police force a new name, new badges and symbols free of the British or Irish states; to no longer fly the Union flag at police stations; and, to substantially increase the proportion of Catholic officers to 30 percent of the total force in 10 years.

If the parties involved in the peace agreement can accept these recommendations and implement them in a timely fashion, then I believe that they can achieve lasting peace in Northern Ireland. Mr. Speaker, I urge all my colleagues to support House Resolution 547.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Ms. LEE. Mr. Speaker, on Monday, September 25th, I was unavoidably detained in my district.

On rollcall No. 487, H. Con. Res. 399, recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975, had I been present, I would have voted ''yes''.

STS. CYRIL AND METHODIUS CHURCH CELEBRATES CENTENNIAL

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to the enduring faith of the parishioners of Sts. Cyril and Methodius Church in Edwardsville, Pennsylvania, which will celebrate the centennial anniversary of its founding on October 22, 2000.

The parish has its roots in the immigration of people from Slovakia who began to settle in the Wyoming Valley in the late 1870s and early 1880s. They came to the area upon hearing of the abundant work in the coal mines. At that time, there were no churches specifically for people of Slovak descent, so they attended churches where most of the members' first language was English.

Around 1885, a Slovak parish, St. Stephen's Church, was founded in Plymouth and many people from the Edwardsville area traveled there on foot for services on Sundays and other holy days. However, this travel was difficult, especially in the winter months, and so the Slovak people of Edwardsville joined together and began work to build their own church.

In September 1900, Bishop Michael J. Hoban officiated at the dedication of Sts. Cyril and Methodius Church on Grove Street in Edwardsville. Until the winter of 1901, the pastor of St. Stephen's Church in Plymouth also served as their pastor, when the arrival of Father John Jedlicka gave the parishioners of Sts. Cyril and Methodius Church their own clergyman.

Father Jedlicka oversaw several modifications to the church structure, including the tower and much of the interior, at a cost of $1,400, quite a sum at the time. During his tenure, the parish also purchased land on Pringle Hill for a cemetery and started a four-classroom school in the church basement.

In 1904, Father Jedlicka was replaced by a newly ordained priest, who had to leave because he could not find a place to live. The parishioners borrowed $3,000 to build a rectory, which was completed in 1905, and Father Jedlicka returned. That building still stands today on the corner of Grove and Hurbane streets in Edwardsville.

The following year, the parish tragically lost its church building, dedicated only six years before, in a fire. The current church on Zerbey Avenue was built in 1907 to replace it.

In 1921, Father Jedlicka died and was replaced by Father Edward Bellas, who served the parish for about eight years. He in turn was replaced by Father Stephen Gurcik, who was pastor until 1943, guiding the parish during the difficult years of the Great Depression. Many events were held to raise money, notably parish picnics, and finances began to improve in the 1940s. Father Gurcik loved the outdoors and often took the alter servers camping. During his tenure, the parish also sponsored a baseball team.

Father Joseph Podskoch served as pastor from 1943 until his death in 1949. He held bingo and other events to reduce the church's still-considerable debt. He was well-known in Edwardsville and would often walk up and down the streets to meet the people.

Father Michael Harvan, who became pastor in 1949, instituted a ''day's wage'' collection. During his pastorate, a few parishioners made sizable donations to the parish, and many improvements to the church were made. It also became possible to pay all existing debts. While pastor at Sts. Cyril and Methodius, Father Harvan was honored by becoming a Monsignor, or Prelate of Honor to the Pope. Upon his retirement in 1985, he left the parish with a sizable amount in its savings account.

In 1985, Sts. Cyril and Methodius Church was joined with St. Anthony of Padua Church in Larksville, and both shared the same pastor, Father Joseph Ziobro. Since Father Ziobro lived at St. Anthony's Rectory, the one at St. Cyril and Methodius was sold at that time. Father Ziobro worked hard to bring the two churches together as one parish family.

In 1990, Father Ziobro was transferred and Father Andrew Strish became pastor of the two churches until he was transferred in 1996. Father Bernard Evanofski then became pastor of the two churches. Upon his arrival, it was obvious that Sts. Cyril and Methodius Church was in need of a new roof and other repairs. Through a capital fund campaign and the generosity of the parishioners, all needed repairs were made, including a new roof.

Mr. Speaker, the people of Sts. Cyril and Methodius church continue to be active and strongly supportive of all parish functions as they celebrate both the centennial of the church's founding and the Great Jubilee of the Year 2000. I salute them on the occasion of this milestone anniversary, and I am pleased to call their faith and service to the attention of the House of Representatives.

PRESCRIPTION DRUG RELIEF

HON. RUBEN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. HINOJOSA. Mr. Speaker, time is running out. We are coming down the home stretch of the 106th Congress. Shortly we will be returning home to our respective congressional districts to report to our constituents what we have accomplished these past 2 years. I would like to be able to say that we've done something about the sky rocketing prices of prescription drugs.

This has certainly been a priority for me. This has defiantly been a priority for Democrats. Sadly, there are some for whom this is not a priority—and just who is going to pay the price for this indifference. The answer is America's seniors. The one issue that I have heard more about from senior citizens as well as their sons and daughters, these past 2 years than any other, is the outrageous cost of prescription drugs. I can't even begin to count the number of letters I have received, the phone calls I have had and the people that have come up to me when I am at home in my district, all imploring me to pass prescription drug legislation now.

The voices of seniors must be heard—Now. I urge my colleagues in the House—lets pass a prescription drug bill before we adjourn in October of this congress. The Nation's seniors deserve more than rhetoric—they deserve action.

PERSONAL EXPLANATION

HON. JAMES E. ROGAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. ROGAN. Mr. Speaker, I was unavoidably detained on the afternoon and evening of September 26, 2000 and, therefore, was unable to attend any votes held during the period. Had I been present, I would have voted in the affirmative on every recorded vote. These votes include: H.R. 1248—the Violence Against Women Act; H.R. 2572—the Apollo Exploration Award Act; H.R. 5117—the Missing Children Tax Fairness Act; H.J. Res. 109—making continuing appropriations for the fiscal year 2001; H.R. 5175—the Small Business Liability Relief Act; and H.R. 4292—the Born Alive Infants Protection Act.

PEACE THROUGH NEGOTIATIONS ACT OF 2000

SPEECH OF

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 26, 2000

Mr. BONIOR. Mr. Speaker, like all Members of this body I share the hope that Israel and its neighbors—including the Palestinians—will negotiate a comprehensive and lasting peace.

In fact, recent news suggests that Palestinian and Israeli negotiators may soon resume their formal discussions.

Does America have a role to play in helping the two sides reach a final settlement?

Of course we do.

As President Clinton has shown us—time and again—American leadership makes the difference.

But, as any mediator will tell you, there is a difference between leading—and interfering.

The measure before us is interfering.

It will have only one effect: to polarize a complex situation even further, and undermine America's ability to help the two sides come together.

That doesn't help the Israelis.

That doesn't help the Palestinians.

And it certainly doesn't help the cause of peace.

In his recent speech before the United Nations, Prime Minister Barak said: ''We are standing at the Rubicon and neither of us can cross it alone.''

Mr. Speaker, I for one believe America has to be prepared to cross that Rubicon with them.

But being a partner in helping to win peace, does not give us the authority to dictate its terms.

ANTI-SEMITIC NEWSPAPER ARTICLE IN RUSSIA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. SMITH of New Jersey. Mr. Speaker, the fall of the Soviet Union saw the emergence of open anti-Semitism in Russia. While the government was abandoning its official policy of discrimination against Jews, anti-Semitism was being resurrected by certain political and social elements within Russian society, or ''privatized,'' as one observer put it.

Not that anti-Semitism is a distinctly Russian phenomenon. Our own history has shown that at times of economic difficulties or societal challenge extremist figures and groups peddling anti-Semitic or other hate philosophies may arise within our midst.

Nevertheless, I was surprised and disturbed when the Union of Councils for Soviet Jews called my attention to a recent article in the Russian newspaper Nezavisimaya Gazeta entitled ''Strategy of 'Globallization Leadership' For Russia. First Priority Indirect Strategic Actions To Ensure National Security.'' This article was penned by a Mr. Alexandr Ignatov, the director of a think tank under the jurisdiction of the Presidential Administration of Russia. In his lengthy opus, the author asserts that the activities of a ''world government'' are a key influence on globalization processes, and that a ''Hasidic-paramasonic group'' has usurped power within this world government. Moreover, this ''Hasidic-paramasonic group'' has allegedly decided that Russia should be excluded from leadership in the globalization process and be viewed exclusively as a source of raw materials for the ''New World Order.''

This ''usurpation of power in the world government by the Hasidic-paramasonic group requires immediate correction,'' says Mr.

Ignatov, which should include such initiatives as establishing Orthodox and Islam as state religions and imposing a departure tax on persons of childbearing age and ''trained specialists.''

Mr. Speaker, what can we say? Do Mr. Putin and others in the Russian Government take seriously the advice of people who prattle on about ''Hasidic-paramasonic'' groups usurping power in a so-called ''world government''? The Ignatov article is, at best, a vacuous ramble about the ''New World Order and world government, and, at worst, a vicious piece of anti-Semitism reflecting the mind set of the Protocols of the Elders of Zion. To wrap fish in it would be to insult fish.

For the record, the Russian Orthodox Church, for all its claims as the historic Christian faith in Russia, has rejected the idea of becoming the state church. Even the Soviet government backed down from the departure tax idea back in the early 1980s.

In my opinion, this article is unworthy of Nezavisimaya Gazeta, a widely read newspaper of a generally ''centrist'' orientation. I don't deny their right to print whatever they want, but I find it hard to believe that the editors of Nezavisimaya Gazeta want their publication to resemble some of the many anti-Semitic rags that have emerged in post-Soviet Russia.

In any event, I would certainly hope that the leadership of the Russian Government disavows the article, the author and certainly the policy prescriptions suggested.

PERSONAL EXPLANATION

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mrs. MYRICK. Mr. Speaker, due to weather delays, I was unable to participate in the following vote. If I had been present, I would have voted as follows:

September 25, 2000, rollcall vote 478, on recognizing the 25th anniversary of the enactment of the Education for All Handicapped Children Act of 1975, I would have voted ''yea.''

SERBIA DEMOCRATIZATION ACT OF 2000

SPEECH OF

HON. MARSHALL ''MARK'' SANFORD

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2000

Mr. SANFORD. Mr. Speaker, I rise to support of H.R. 1064, The Serbia Montenegro Democracy Act of 1999. In April of last year, I offered a bill containing many of the same provisions of Mr. Smith's bill with the belief that we needed to come up with some alternative strategy, in dealing with Milosevic and the situation in the Balkans.

In wake of the alleged fraud during yesterday's election, I believe it is as important now as it was last April that we begin focusing on what we are doing in the former Yugoslavia. What this bill attempts to do is look towards the future of the region, and I believe begs a larger point of what are we doing in that part of the world.

For starters, look at the cost of our military operations in Kosovo, such as Noble Anvil, Joint Guardian, Balkan Call, Eagle Eye, Sustained Hope, Task Force Hawk thus far these programs have totaled over $5 billion. Then add in the cost in Bosnia, roughly $8.95 billion. Lastly, add in other missions in the Balkans and the total amount of United States taxpayers money spent in the region since 1991 comes to $15.7 billion. I have to ask the question, where does it end?

We still have troops in Bosnia and Kosovo, despite promises to bring them home. If we have not begun to find some kind of alternative to our current strategy in Montenegro, history will repeat itself. The U.S. has already made commitment after commitment in the Balkans and a break away Montenegro would probably be no different.

So I would applaud Mr. Smith's leadership for incorporating my bill into today's legislation. I would hope that this and future administrations come up with some kind of strategy other than sending troops and bombs through the sky with the Balkans, because that seems to be our current strategy. I think that this bill is a more effective and efficient alternative.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber on Monday, July 25, 2000 when rollcall vote No. 487 was cast and on Tuesday, July 26, 2000 when rollcall vote No. 493 was cast. Had I been present in this Chamber at the time these votes were cast, I would have voted ''yes'' on each of them.

IN HONOR OF ADAM VENESKI, PRESIDENT OF THE PEOPLE'S FIREHOUSE OF WILLIAMSBURG, BROOKLYN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mrs. MALONEY of New York. Mr. Speaker, I rise today with my colleague NYDIA VELAZQUEZ, to pay special tribute to Adam Veneski, the President of The People's Firehouse and a pillar of the Northern Brooklyn community, who recently passed away.

Mr. Veneski, who in early 1975 was a well-liked neighborhood grocer in Williamsburg, Brooklyn, suddenly became a passionate political activist after his neighborhood firehouse, Engine 212, was closed as a result of the Mayor Abe Beame's financial cutbacks. Disillusioned by the excessive number of firehouse closings and concerned for the safety of his neighbors, Mr. Veneski organized a campaign against the city government aimed at changing the Mayor's mind. Mr. Veneski, using every resource he had, however limited, strove towards achieving a single, meaningful goal—to save Engine 212.

Conceiving one of New York City's most memorable acts of civil disobedience, Mr. Veneski encouraged neighbors to sleep in the firehouse on round-the-clock shifts for nearly eighteen months while holding the fire truck hostage as a direct message to the city to keep North Brooklyn's firehouse open. When the Mayor ordered his opposition removed, a deputy fire chief said, ''We're not going to remove them, it's the people's firehouse.'' The name has stuck around since—and so has Adam Veneski.

Mr. Veneski's goal was not only achieved through his public protests, but it was also realized as a result of his relentless research into facts that exhibited the necessity of preserving Engine 212. Mr. Veneski became an expert on fire-related injuries in his neighborhood, pointing out that eight fire-related deaths had occurred during the eighteen months Engine 212 was closed. As a result of the valiant efforts of Mr. Veneski and his neighbors, Engine 212, now known as the People's Firehouse, was reopened and the alarming increase in fire deaths in Williamsburg strongly reduced.

Mr. Veneski, fresh from his triumphal success as a community activist and invigorated by his role in helping the community, continued to serve his North Brooklyn neighborhood. After Engine 212 was reopened as a fully operational fire station, Mr. Veneski and his united neighbors formed a community assistance program, the People's Firehouse, Inc. (PFI). PFI provides legal outreach and mediation services, language education specialists, and housing development assistance to the residents of North Brooklyn. The People's Firehouse is celebrating its twenty-fifth year of public service this year and owes it success to a kind and personable grocer from Williamsburg Brooklyn—Adam Veneski.

From simple beginnings and with few resources, Mr. Veneski pioneered a movement that not only assisted in the improvement of the lives of those in his community, but through the preservation of the People's Firehouse and his dogged determination, saved many of those lives as well. North Brooklyn lost a tenacious advocate with the death of Adam Veneski. He will be sorely missed.

HONORING GEORGE H. WELDON, SR.

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. RANGEL. Mr. Speaker, I rise today to honor and congratulate a long-time constituent of the 15th Congressional District of New York and certainly a very dear friend, George H. Weldon, Sr.

On September 28, 2000, George Weldon will receive the Tenth Annual Samuel DeWitt Proctor Phoenix Award from the Abyssinian Development Corporation which is a comprehensive community development and human services organization serving the Harlem community.

George Weldon is one of Harlem's leading businessmen. He has operated the George H. Weldon Funeral Home, Inc., a well-respected family owned funeral business located in Harlem, for over forty years.

A committed civic and business leader, Mr. Weldon is currently a member of various boards including Empire State Funeral Directors Association, Metropolitan Funeral Directors Association, Harlem Junior Tennis League, and Vice President of LaGuardia Memorial House. He also serves as the Secretary of the Board of the Business Resource and Investment Service Center (BRISC) of the Upper Manhattan Empowerment Zone.

Active in the Harlem Business Alliance since 1987, he later served two terms as President. It was during those terms, that he led the organization into the forefront of economic development in Harlem and throughout New York City.

In 1995, I appointed George Weldon to the Uptown Partnership where he currently serves as its Chairman. The Partnership was convened to bring together the diverse business communities in the Upper Manhattan Empowerment Zone. He also serves on the Mayor's Harlem Task Force for Conflict Resolution.

A native of Harlem, Mr. Weldon served in the U.S. Army and is an Honorable Discharged veteran of World War II and the Korean Conflict. Upon leaving the Army, he attended the American Academy of Mortuary Science College where he graduated as a Licensed Funeral Director.

George Weldon has received numerous awards and citations for his service and commitment to the community including the Education Alumni Group of City College of New York (Business Educator of the Year), the Metropolitan Civic League (Martin Luther King, Jr. Award), and the New York Urban League (Building Brick Award).

Mr. Weldon is married and is the father of two children, both of whom have followed in his footsteps as Funeral Directors. He is also the grandfather of five.

In his own words: ''Let's not only leave our children a legacy of love, but a legacy of economic empowerment.''

THE INTRODUCTION OF ''THE MEDICARE, MEDICAID AND SCHIP BALANCED BUDGET REFINEMENT ACT OF 2000''

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 27, 2000

Mr. MARKEY. Mr. Speaker, I am pleased to join with my friend and colleague, the Gentleman from Massachusetts, Mr. FRANK, the entire Massachusetts delegation in the House, and many of my other colleagues in the House in introducing the ''Medicare, Medicaid, SCHIP Balanced Budget Refinement Act of 2000.''

Mr. Speaker, in this era of unprecedented surplus, we must ask the question, ''Who's surplus is it?'' The answer is, ''it's the seniors' surplus.'' The legislation we are introducing today is closely modeled after legislation (S. 3077) recently introduced in the Senate, and will provide $40 to $50 billion over five years in additional Medicare and Medicaid payments to health care providers adversely affected by the cuts in the 1997 law, including hospitals, home health agencies, managed care plans, and nursing homes.

In 1997, seniors in our country were told that the price tag for Balanced Budget Act was going to be $115 billion. Even then, the Gentleman from Massachusetts (Mr. FRANK) and I thought that price was too high, and that was one of the principal reasons we voted against the bill. But today, we find ourselves in a situation where the actual cost of the BBA is turning out to be over $200 billion. In addition to the cost of the BBA doubling, Medicare spending is down sharply, increasing by just 1.5 percent in FY98, decreasing by 1.0 percent in FY99, and increasing just 1.5 percent in FY2000—well below the predicted growth rates for the program.

Mr. Speaker, we owe our seniors a refund. That's not too much to ask for the men and women who built this country. The 1997 Medicare cuts have harmed seniors, and I believe we should give this senior surplus back to the seniors to pay for their health care programs.

Congress is working on a package of Medicare givebacks this year to deal with the most critical aspects of the BBA cuts, a package that will cost about $21 billion. However, I am hopeful that as we move forward in the few remaining weeks of this session, that we will increase the price tag for this package. $21 billion is not going to be enough to get the job done.

Mr. Speaker, the following is a summary of the legislation, outlining specific areas of relief, such as community and teaching hospitals, skilled nursing facilities, home health care facilities, and Medicare HMOs, which I submit into the RECORD.

THE MEDICARE, MEDICAID AND SCHIP BALANCED BUDGET REFINEMENT ACT OF 2000

We believe strong that Congress, in light of the projected budget surplus for the next five years, should provide substantial relief to health care providers hurt by the 1997 Balanced Budget Act. Today, we are introducing the House companion bill to S. 3077, the Balanced Budget Refinement Act of 2000.

THE FOLLOWING IS A SUMMARY OF THE KEY PROVISIONS OF THE LEGISLATION:

Hospitals: Significant portions of the BBA spending reductions have impacted hospitals. According to the Medicare Payment Advisory Commission (MedPAC), ''Hospitals' financial status deteriorated significantly in 1998 and 1999,'' the years following enactment of BBA. BBRA–2000 would address the most pressing problems facing hospitals by:

Fully restoring, for fiscal years '01 and '02, inpatient market basket payments to keep up with increases in hospital costs, an improvement that will help all hospitals.

Preventing implementation of further reductions in (IME) payment rates for vital teaching hospitals—which are on the cutting edge of medical research and provide essential care to a large proportion of indigent patients. Support for medical training and research at independent children's hospitals is also included in the Democratic proposal.

Targeting additional relief to rural hospitals (Critical Access Hospitals, Medicare Dependent Hospitals, and Sole Community Hospitals) and making it easier for them to qualify for disproportionate share payments under Medicare.

Providing additional support for hospitals with a disproportionate share of indigent patients, including elimination of scheduled reductions in Medicare and Medicaid disproportionate share (DSH) payments, and extending Medicaid to legal immigrant children and pregnant women, as well as providing State Children's health Insurance Program (SCHIP) coverage to these children.

Establishing a grant program to assist hospitals in their transition to a more data intensive care-delivery model.

Providing Puerto Rico hospitals with a more favorable payment rate (specifically, the inpatient operating blend rate) as MedPAC data suggests is warranted.

Home Health. The BBA hit home health agencies particularly hard. Home health spending dropped 45 percent between 1997 and 1999, while the number of home health agencies declined by more than 2000 over that period. MedPAC has cautioned against implementing next year the scheduled 15 percent reduction in payments. BBRA–2000 would:

Repeal the scheduled 15 percent cut in the home health payments, remove medical supplies in the home health prospective payment system (PPS), provide a 10-percent upward adjustment in rural home health payments to address the special needs of rural home health agencies in the transition to PPS. Security costs for high crime areas are also covered in this legislation.

Provides $500 million to care for ''outlier'', or the sickest and most costly, patients.

Clarifies the ''homebound'' definition allowing Medicare beneficiaries to attend adult day care, religious services or important family events while continuing to receive home health benefits.

Allows home health agencies to list telemedical services on their cost reports and orders HCFA to study whether these services should be reimbursable under Medicare.

Provide full update payments (inflation) for medical equipment, oxygen, and other suppliers.

Skilled Nursing Facilities (SNFs). The BBA was expected to reduce payments to skilled nursing facilities by about $9.5 billion. The actual reduction in payments to SNFs over the period is estimated to be significantly larger. BBRA–2000 would:

Allow nursing home payments to keep up with increases in costs through a full market basket update for SNFs for FY 2001 and FY 2002, and market basket plus two percent for additional payments.

Further delay caps on the amount of physical/speech therapy and occupational therapy a patient can receive while the Secretary completes a scheduled study on this issue.

Rural. Rural providers typically serve a larger proportion of Medicare beneficiaries and are more adversely affected by reductions in Medicare payments. In addition to the rural relief measures noted above (under ''hospitals''), BBRA–2000 addresses the unique situation faced in rural areas through a number of measures, including: a permanent ''hold-harmless'' exemption for small rural hospitals from the Medicare Outpatient PPS; assistance for rural home health agencies; a capital loan fund to improve infrastructure of small rural facilities; assistance to develop technology related to new prospective payment systems; bonus payments for providers who serve independent hospitals; ensuring rural facilities can continue to offer quality lab services to beneficiaries; and specific provisions to assist Rural Health Clinics.

Hospice. Payments to hospices have not kept up with the cost of providing care because of the cost of prescription drugs, the therapies now in end-of-life care, as well as decreasing lengths of stay. Hospice base rates have not been increased since 1989. BBRA–2000 would provide significant additional funding for hospice services to account for their increasing costs, including full market basket updates for fiscal years '01 and '02 and a 10-percent upward adjustment in the underlying hospice rates.

Medicare+Choice. This legislation would ensure that appropriate payments are made

to Medicare+Choice (M+C) plans. Expenditures by Medicare for its fee-for-service providers included in BBRA–2000 indirectly benefit M+C plans to a significant extent. Moreover, the legislation includes an increase in the M+C growth percentage for fiscal years '01 and '02, permitting plans to move to the 50:50 blended payment one year earlier, and allowing plans which have decided to withdraw to reconsider by November 2000.

Physicians. Congress understands the pressures that physicians face to deliver high-quality care while still complying with payment and other regulatory obligations. BBRA–2000 provides for comprehensive studies of issues important to physicians, including: the practice expense component of the Resource-Based Relative Value Scale (RBRVS) physician payment system, post-payment audits, and regulatory burdens. BBRA–2000 would provide relief to physicians in training, whose debt can often be crushing, by lowering the threshold for loan deferment from $72,000 to $48,000.

Beneficiary Improvements. House Democrats continue to believe that passage of a universal, affordable, voluntary, and meaningful Medicare prescription drug benefit is the highest priority for beneficiaries. In addition, BBRA–2000 would directly assist beneficiaries in the following ways:

Coinsurance: BBRA–2000 would lower beneficiary coinsurance to achieve a true 20 percent beneficiary copayment for all hospital outpatient services within 20 years.

Preventive Benefits: The bill would provide for significant advances in preventive medicine for Medicare beneficiaries, including waiver of deductibles and cost-sharing, glaucoma screening, counseling for smoking cessation, and nutrition therapy.

Immunosuppressive Drugs: The bill would remove current restrictions on payment for immunosuppressive drugs for organ transplant patients.

ALS: The bill would waive the 24-month waiting period for Medicare disability coverage for individuals diagnosed with amyotrophic lateral sclerosis (ALS).

M+C Transition: For beneficiaries who have lost Medicare+Choice plans in their area, BBRA-2000 includes provisions that would strengthen fee-for-service Medicare and assist beneficiaries in the period immediately following loss of service.

Return-to-home: The bill would allow beneficiaries to return to the same nursing home or other appropriate site-of-care after a hospital stay.

Part B penalty: The bill would limit the penalty for late enrollment in Medicare Part B.

Vision Services: The bill would allow beneficiaries to access vision rehabilitation services provided by Orientation and Mobility Specialists, Low Vision Therapists, and Rehabilitation Teachers.

Other Provisions. BBRA–2000 would address other high priority issues, including: improved payment for dialysis in fee-for-service and M+C to assure access to quality care for end stage renal disease (ESRD) patients; increased market basket updates for ambulance providers in fiscal years '01 and '02; an immediate opt-in to the new ambulance fee schedule for affected providers; and enhanced training opportunities for geriatricians and clinical psychologists. BBRA–2000 also The Act in addition includes important modifications to the Community Nursing Organization (CNO) demonstration project, and additional funding for the Ricky Ray Hemophilia program.

Medicaid and SCHIP. The growing number of uninsured individuals and declining enrollment in the Medicaid program are issues that also must be addressed. To improve access to health care for the uninsured and ensure that services available through the Medicaid and SCHIP programs are reaching those eligible for assistance, BBRA–2000 includes the following provisions:

Improve eligibility and enrollment processes in SCHIP and Medicaid.

Extend and improve the Transitional Medical Assistance program for people who leave welfare for work.

Improve access to Medicare cost-sharing assistance for low-income beneficiaries.

Give states grants to develop home and community based services for beneficiaries who would otherwise be in nursing homes.

Create a new prospective payment system (PPS) for Community Health Centers to ensure they remain a strong, viable component of our health care safety net.

Extend Medicaid coverage of breast and cervical cancer treatment to women diagnosed through the federally-funded early detection program.

Permit nurse practitioners and clinical nurse specialists to bill independently under State Medicaid plans, regardless of whether or not a physician or other health care provider is supervising.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 28, 2000 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 3

9:30 a.m.

Environment and Public Works

To hold oversight hearings on the use of comparative risk assesment in setting priorities and on the Science Advisory Board's Residual Risk Report.

SD–406

Judiciary

Administrative Oversight and the Courts Subcommittee

To continue oversight hearings on the Wen Ho Lee case.

SD–226

Health, Education, Labor, and Pensions

To hold hearings to examine the impact of high fuel cost on low-income families.

SD–430

Judiciary

Youth Violence Subcommittee

To hold oversight hearings to examine Office of Justice programs, focusing on drug courts.

Room to be announced

Commerce, Science, and Transportation

To hold hearings on internet privacy issues.

SR–253

10 a.m.

Intelligence

Closed business meeting to consider pending intelligence matters.

SH–219

OCTOBER 4

9:30 a.m.

Small Business

To hold hearings on U.S. Forest Service issues relating to small business.

SR–428A

Health, Education, Labor, and Pensions

To hold hearings to examine health care coverage issues.

SD–430

Commerce, Science, and Transportation

To hold oversight hearings on seaport security.

SR–253

10:30 a.m.

Intelligence

To hold closed hearings on pending intelligence matters.

SH–219

OCTOBER 5

9:30 a.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings to examine the status of Gulf War illnesses.

SD–124

Commerce, Science, and Transportation

To hold hearings on tobacco related issues.

SR–253

Energy and Natural Resources

Energy Research, Development, Production and Regulation Subcommittee

To hold hearings to examine the electricity challenges facing the Northwest.

SD–366

Daily Digest

HIGHLIGHTS

Senate passed District of Columbia Appropriations bill.

Senate

Chamber Action

Routine Proceedings, pages S9331–S9403

Measures Introduced: Eleven bills and one resolution were introduced, as follows: S. 3117–3127, and S.J. Res. 53. **Page S9381**

Measures Reported:

S. 3121, to reauthorize programs to assist small business concerns. (S. Rept. No. 106–422)

S. 3059, to amend title 49, United States Code, to require motor vehicle manufacturers and motor vehicle equipment manufacturers to obtain information and maintain records about potential safety defects in their foreign products that may affect the safety of vehicles and equipment in the United States, with an amendment in the nature of a substitute. (S. Rept. No. 106–423)

S. 2899, to express the policy of the United States regarding the United States' relationship with Native Hawaiians, with an amendment in the nature of a substitute. (S. Rept. No. 106–424)

H.R. 4868, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, to make other technical amendments to the trade laws, with an amendment in the nature of a substitute. **Page S9381**

Measures Passed:

District of Columbia Appropriations: Senate passed H.R. 4942, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2001, after striking all after the enacting clause and inserting in lieu thereof the text of S. 3041, Senate companion measure, with the following amendment proposed thereto: **Page S9397**

Lott (for Hutchison/Durbin) Amendment No. 4271, to provide certain technical and conforming language. **Page S9397**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Hutchison, Kyl, Stevens, Durbin, and Inouye. **Page S9397**

Subsequently, S. 3041 was placed back on the Senate calendar. **Page S9397**

Indian Water Rights: Senate passed H.R. 2647, to amend the Act entitled "an Act relating to the water rights of the Ak-Chin Indian Community" to clarify certain provisions concerning the leasing of such water rights, clearing the measure for the President. **Page S9397**

Coastal Barrier Resources Act Authorization: Senate passed S. 1752, to reauthorize and amend the Coastal Barrier Resources Act, after agreeing to committee amendments, and the following amendment proposed thereto: **Pages S9397–S9400**

Lott (for Smith of N.H.) Amendment No. 4272, in the nature of a substitute. **Page S9398**

H–1B Nonimmigrant Visa: Senate continued consideration of S. 2045, to amend the Immigration and Nationality Act with respect to H–1B nonimmigrant aliens, taking action on the following amendments proposed thereto: **Pages S9337–76**

Adopted:

Lott Amendment No. 4201 (to Amendment No. 4183), in the nature of a substitute. **Page S9337**

Lott (for Conrad) Amendment No. 4183 (to the text of the bill proposed to be stricken), to exclude certain "J" nonimmigrants from numerical limitations applicable to "H–1B" nonimmigrants. **Page S9337**

By 96 yeas to 2 nays (Vote No. 258), Lott Amendment No. 4178 (to Amendment No. 4177), of a perfecting nature. **Pages S9337, S9375**

Pending:

Lott (for Abraham) Amendment No. 4177 (to the committee substitute), of a perfecting nature. **Page S9337**

Lott Amendment No. 4214 (to Amendment No. 4177), of a perfecting nature. **Page S9375**

Lott Amendment No. 4216 (to the language proposed to be stricken), of a perfecting nature. **Page S9375**

Lott Amendment No. 4217 (to Amendment No. 4216), of a perfecting nature. **Page S9375**

Lott motion to recommit the bill to the Committee on the Judiciary with instructions to report back forthwith. **Page S9375**

Lott Amendment No. 4269 (to the instructions of the motion to recommit the bill), of a perfecting nature. **Pages S9375–76**

Lott Amendment No. 4270 (to Amendment No. 4269), of a perfecting nature. **Page S9376**

During consideration of this measure today, Senate also took the following action:

By 43 yeas to 55 nays (Vote No. 257), two-thirds of those Senators duly chosen and sworn, not having voted in the affirmative, Senate failed to agree to the motion to suspend Rule XXII to permit the consideration of Amendment No. 4184. **Pages S9338–75**

National Energy Security Act: Senate withdrew the motion to proceed to consideration of S. 2557, to protect the energy security of the United States and decrease America's dependency on foreign oil sources to 50 percent by the Year 2010 by enhancing the use of renewable energy resources, conserving energy resources, improving energy efficiencies, and increasing domestic energy supplies, mitigating the effect of increases in energy prices on the American consumer, including the poor and the elderly. **Page S9375**

Subsequently, Senate began consideration of the motion to proceed to consideration of the bill. **Page S9376**

Messages From the House: **Page S9380**

Measures Referred: **Page S9381**

Measures Placed on Calendar: **Page S9381**

Statements on Introduced Bills: **Pages S9381–94**

Additional Cosponsors: **Pages S9394–96**

Amendments Submitted: **Page S9396**

Notices of Hearings: **Page S9396**

Authority for Committees: **Page S9396**

Additional Statements: **Page S9380**

Privileges of the Floor: **Page S9396**

Record Votes: Two record votes were taken today. (Total—258) **Page S9375**

Recess: Senate convened at 9:32 a.m., and recessed at 6:19 p.m., until 9:30 a.m., on Thursday, September 28, 2000. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S9400.)

Committee Meetings

(Committees not listed did not meet)

DEPARTMENT OF AGRICULTURE FINANCIAL MANAGEMENT

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Research, Nutrition, and General Legislation concluded hearings to examine the Department of Agriculture financial management issues, focusing on challenges in achieving financial accountability and complying with key financial management laws and regulations, after receiving testimony from Sally Thompson, Chief Financial Officer, and Roger C. Viadero, Inspector General, both of the Department of Agriculture; Linda M. Calbom, Director, Accounting and Information Management Division, General Accounting Office; Thomas A. Schatz, Citizens Against Government Waste, Washington, D.C.; and Maurice P. McTigue, George Mason University, Arlington, Virginia.

MILITARY READINESS

Committee on Armed Services: Committee concluded hearings to examine the status of United States military readiness and its ability to execute our national military strategy, after receiving testimony from Gen. Henry H. Shelton, USA, Chairman, Joint Chiefs of Staff; Gen. Eric K. Shinseki, USA, Chief of Staff, United States Army; Adm. Vernon E. Clark, USN, Chief of Naval Operations; Gen. James L. Jones, Jr., USMC, Commandant of the Marine Corps; and Gen. Michael E. Ryan, USAF, Chief of Staff, United States Air Force.

MARKETING VIOLENCE TO CHILDREN

Committee on Commerce, Science, and Transportation: Committee concluded hearings to examine the Federal Trade Commission report which examines the marketing of violence in movies, television, music, and video games to children, and recommendations to curtail their exposure, including entertainment industry self-regulation, the need for legislative oversight, enforcement of rating guidelines, and parental involvement and responsibility, after receiving testimony from Rob Friedman, Paramount Pictures' Motion Picture Group, and Jim Gianopulos, Fox Filmed Entertainment, both of Los Angeles, California; Mel Harris, Sony Pictures Entertainment, Culver City, California; Alan Horn, Warner Bros., Burbank, California; Robert Iger, Walt Disney Company, New York, New York; Chris McGurk, Metro-Goldwyn-Mayer Inc. (MGM), Santa Monica, California; and Walter Parkes, DreamWorks SKG, and Stacey

Snider, Universal Pictures, both of Universal City, California.

AUTHORIZATION—CLEAN AIR ACT

Committee on Environment and Public Works: Subcommittee on Clean Air, Wetlands, Private Property, and Nuclear Safety concluded hearings on proposed legislation authorizing funds for programs of the Clean Air Act, after receiving testimony from Mayor Richard P. Homrighausen, Dover, Ohio; Karen Studders, Minnesota Pollution Control Agency, St. Paul; Jeffrey A. Saitas, Texas Natural Resource Conservation Commission, Austin; Dennis Hemmer, Wyoming Department of Environmental Quality, Cheyenne; John E. Terrill, Jr., Oklahoma Department of Environmental Quality, and Zach D. Taylor, Association of Central Oklahoma Governments, both of Oklahoma City; Kenneth A. Colburn, New Hampshire Department of Environmental Services, Concord; Ron Methier, Georgia Environmental Protection Division, Atlanta; and Marcia Willhite, Lincoln-Lancaster County Health Department, Lincoln, Nebraska.

BUSINESS MEETING

Committee on Foreign Relations: Committee order favorably reported the following business items:

S. 2621, to continue the current prohibition of military cooperation with the armed forces of the Republic of Indonesia until the President determines and certifies to the Congress that certain conditions are being met, with an amendment in the nature of a substitute;

H.R. 4002, to amend the Foreign Assistance Act of 1961 to revise and improve provisions relating to famine prevention and freedom from hunger, with an amendment in the nature of a substitute;

S. 3072, to assist in the enhancement of the development of expansion of international economic assistance programs that utilize cooperatives and credit unions;

S. 3076, to establish an undergraduate grant program of the Department of State to assist students of limited financial means from the United States to pursue studies abroad;

S. Res. 343, expressing the sense of the Senate that the International Red Cross and Red Crescent Movement should recognize and admit to full membership Israel's Magen David Adom Society with its emblem, the Red Shield of David;

The nominations of Barry Edward Carter, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development, Brian Dean Curran, of Florida, to be Ambassador to the Republic of Haiti, Rust Macpherson Deming, of Maryland, to be Ambassador to the Republic of Tunisia, Howard Franklin Jeter, of South Carolina, to be Ambassador to the Federal Republic of Nigeria, Ronald D. Godard, of Texas, to be Ambassador to the Co-operative Republic of Guyana, Douglas Alan Hartwick, of Washington, to be Ambassador to the Lao People's Democratic Republic, Margrethe Lundsager, of Virginia, to be United States Alternate Executive Director of the International Monetary Fund, Robert Mays Lyford, of Arkansas, to be a Member of the Board of Directors of the Overseas Private Investment Corporation, Lawrence George Rossin, of California, to be Ambassador to the Republic of Croatia, Michael J. Senko, of the District of Columbia, to be Ambassador to the Republic of the Marshall Islands, and Ambassador to the Republic of Kiribati, and certain Foreign Service Officer promotion lists; and

The Treaty with Ukraine on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–16), with 1 understanding, 1 declaration, 2 provisos; Treaty with France on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–17), with 1 understanding, 1 declaration, 2 provisos; Treaty with Greece on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–18), with 1 understanding, 1 declaration, 2 provisos; Treaty with Egypt on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–19), with 1 understanding, 1 declaration, 2 provisos; Treaty with Romania on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–20), with 1 understanding, 1 declaration, 2 provisos; Inter-American Convention on Mutual Assistance in Criminal Matters with Related Optional Protocol (Treaty Doc. 105–25), with 3 understandings, 1 declaration, 1 proviso; Treaty with Nigeria on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 102–26), with 1 understanding, 1 declaration, 2 provisos; Treaty with Cyprus on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–35), with 1 understanding, 1 declaration, 2 provisos; Treaty with South Africa on Mutual Legal Assistance in Criminal Matters (Treaty Doc. 106–36), with 1 understanding, 1 declaration, 2 provisos; Extradition Treaty with Paraguay (Treaty Doc. 106–4), with 1 understanding, 1 declaration, 1 proviso; Extradition Treaty With South Africa (Treaty Doc. 106–24), with 1 understanding, 1 declaration, 1 proviso; Extradition Treaty with Sri Lanka (Treaty Doc. 106–34), with 1 understanding, 1 declaration, 1 proviso; Extradition Treaty with Belize (Treaty Doc. 106–38), with 1 understanding, 1 declaration, 1 proviso; Treaty with Belize for the Return of Stolen Vehicles (Treaty Doc. 105–54), with 1 declaration, 1 proviso; Treaty with Guatemala for the Return of Stolen, Robbed, Embezzled or Appropriated Vehicles and Aircraft (Treaty Doc. 105–58), with 1 declaration, 1 proviso; Treaty with Dominican Republic for

the Return of Stolen or Embezzled Vehicles (Treaty Doc. 106–7), with 1 declaration, 1 proviso; Treaty with Costa Rica on Return of Vehicles and Aircraft (Treaty Doc. 106–40), with 1 declaration, 1 proviso; Treaty with Panama on Return of Vehicles and Aircraft (Treaty Doc. 106–44), with 1 declaration, 1 proviso; Inter-American Convention on Serving Criminal Sentences Abroad (Treaty Doc. 104–35), with 4 conditions; Protocol Amending the 1950 Consular Convention with Ireland (Treaty Doc. 106–43), with 1 declaration, 1 proviso; Investment Treaty with Uzbekistan (Treaty Doc. 104–25), with 1 declaration, 1 proviso; Investment Treaty with Bahrain (Treaty Doc. 106–25), with 1 declaration, 1 proviso; Investment Treaty with Bolivia (Treaty Doc. 106–26), with 1 declaration, 1 proviso; Investment Treaty with Honduras (Treaty Doc. 106–27), with 1 declaration, 1 proviso; Investment Treaty with El Salvador (Treaty Doc. 106–28), with 1 declaration, 1 proviso; Investment Treaty with Croatia (Treaty Doc. 106–29), with 1 declaration, 1 proviso; Investment Treaty with Jordan (Treaty Doc. 106–30), with 1 declaration, 1 proviso; Investment Treaty with Mozambique (Treaty Doc. 106–31), with 1 declaration, 1 proviso; Investment Treaty with Lithuania (Treaty Doc. 106–42), 1 understanding, 1 declaration, 1 proviso; Protocol Amending Investment Treaty with Panama (Treaty Doc. 106–46), Investment Treaty with Azerbaijan (Treaty Doc. 106–47), with 1 declaration, 1 proviso; Treaty with Mexico on Delimitation of Continental Shelf (Treaty Doc. 106–39), with 1 declaration, 1 proviso; United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought, Particularly in Africa, with Annexes (Treaty Doc. 104–29), 5 understandings, 3 declarations, 2 provisos; and International Plant Protection Convention (IPPC) (Treaty Doc. 106–23), 3 understandings, 1 declaration, 2 provisos.

BUSINESS MEETING

Committee on Governmental Affairs: Committee ordered favorably reported the following business items:

S. 2686, to amend chapter 36 of title 39, United States Code, to modify rates relating to reduced rate mail matter;

H.R. 3069, to authorize the Administrator of General Services to provide for redevelopment of the Southeast Federal Center in the District of Columbia, with an amendment;

S. 870, to amend the Inspector General Act of 1978 (5 U.S.C. App.) to increase the efficiency and accountability of Offices of Inspector General within Federal departments, with an amendment in the nature of a substitute;

An original bill, to amend the Inspector General Act of 1978, (5 U.S.C. App.) to establish police powers for certain Inspector General agents engaged in official duties and provide an oversight mechanism for the exercise of those powers;

S. 3030, to amend title 31, United States Code, to provide for executive agencies to conduct annual recovery audits and recovery activities;

H.R. 4110, to amend title 44, United States Code, to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 2002 through 2005;

S. 1688, to amend chapter 89 of title 5, United States Code, relating to the Federal Employees Health Benefits Program, to enable the Federal Government to enroll an employee and the family of the employee in the program when a State court orders the employee to provide health insurance coverage for a child of the employee, but the employee fails to provide the coverage;

H.R. 3995, to establish procedures governing the responsibilities of court-appointed receivers who administer departments, offices, and agencies of the District of Columbia government;

S. 3062, to modify the date on which the Mayor of the District of Columbia submits a performance accountability plan to Congress;

S. 2303, to designate the facility of the United States Postal Service located at 14900 Southwest 30th Street in Miramar City, Florida, as the ''Vicki Coceano Post Office Building'';

H.R. 3985, to designate the facility of the United States Postal Service located at 14900 Southwest 30th Street in Miramar City, Florida, as the ''Vicki Coceano Post Office Building'';

S. 2620, to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building'';

H.R. 4169, to designate the facility of the United States Postal Service located at 2000 Vassar Street in Reno, Nevada, as the ''Barbara F. Vucanovich Post Office Building'';

S. 2629, to designate the facility of the United States Postal Service located at 114 Ridge Street in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building'';

H.R. 4534, to designate the facility of the United States Postal Service located at 114 Ridge Street in Lenoir, North Carolina, as the ''James T. Broyhill Post Office Building'';

S. 2804, to designate the facility of the United States Postal Service located at 424 South Michigan Street in South Bend, Indiana, as the ''John Brademas Post Office'';

S. 2893, to designate the facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, as the ''Matthew F. McHugh Post Office'';

H.R. 3030, to designate the facility of the United States Postal Service located at 757 Warren Road in Ithaca, New York, as the ''Matthew F. McHugh Post Office'';

S. 2895, to redesignate the facility of the United States Postal Service located at 3030 Meredith Avenue in Omaha, Nebraska, as the ''Reverend J.C. Wade Post Office'';

H.R. 4615, to redesignate the facility of the United States Postal Service located at 3030 Meredith Avenue in Omaha, Nebraska, as the ''Reverend J.C. Wade Post Office'';

H.R. 2302, to designate the building of the United States Postal Service located at 307 Main Street in Johnson City, New York, as the ''James W. McCabe, Sr. Post Office Building'';

H.R. 3454, to designate the United States post office located at 451 College Street in Macon, Georgia, as the ''Henry McNeal Turner Post Office'';

H.R. 3909, to designate the facility of the United States Postal Service located at 4601 South Cottage Grove Avenue in Chicago, Illinois, as the ''Henry W. McGee Post Office Building'';

H.R. 4157, to designate the facility of the United States Postal Service located at 600 Lincoln Avenue in Pasadena, California, as the ''Matthew 'Mack' Robinson Post Office Building'';

H.R. 4447, to designate the facility of the United States Postal Service located at 919 West 34th Street in Baltimore, Maryland, as the ''Samuel H. Lacy, Sr. Post Office Building'';

H.R. 4448, to designate the facility of the United States Postal Service located at 3500 Dolfield Avenue in Baltimore, Maryland, as the ''Judge Robert Bernard Watts, Sr. Post Office Building'';

H.R. 4449, to designate the facility of the United States Postal Service located at 1908 North Ellamont Street in Baltimore, Maryland, as the ''Dr. Flossie McClain Dedmond Post Office Building'';

H.R. 4484, to designate the facility of the United States Postal Service located at 500 North Washington Street in Rockville, Maryland, as the ''Everett Alvarez, Jr. Post Office Building'';

H.R. 4517, to designate the facility of the United States Postal Service located at 24 Tsienneto Road in Derry, New Hampshire, as the ''Alan B. Shepard, Jr. Post Office Building'';

H.R. 4554, to redesignate the facility of the United States Postal Service located at 1602 Frankford Avenue in Philadelphia, Pennsylvania, as the ''Joseph F. Smith Post Office Building'';

H.R. 4658, to designate the facility of the United States Postal Service located at 301 Green Street in Fayetteville, North Carolina, as the ''J.L. Dawkins Post Office Building'';

H.R. 4884, to redesignate the facility of the United States Postal Service located at 200 West 2nd Street in Royal Oak, Michigan, as the ''William S. Broomfield Post Office Building''; and

The nominations of Gerald Fisher, and John Ramsey Johnson, both of the District of Columbia, each to be an Associate Judge of the Superior Court of the District of Columbia, and George A. Omas, of Mississippi, to be a Commissioner of the Postal Rate Commission.

WEN HO LEE INVESTIGATION

Committee on the Judiciary: Subcommittee on Administrative Oversight and the Courts resumed oversight hearings to examine certain decisions that were made in the investigation and prosecution of the Wen Ho Lee case, receiving testimony from Edward Curran, Security Chief, Department of Energy; Larry Parkinson, General Counsel, Federal Bureau of Investigation, and James Robinson, Assistant Attorney General, Criminal Division, both of the Department of Justice; and Norman C. Bay, U.S. Attorney for the District of New Mexico.

Hearings continue on Tuesday, October 3, 2000.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

S. 1840, to provide for the transfer of public lands to certain California Indian Tribes;

S. 2665, to establish a streamlined process to enable the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior of individual leases, except leases for exploration, development, or extraction of any mineral resources, with an amendment in the nature of a substitute;

S. 2917, to settle the land claims of the Pueblo of Santo Domingo, with an amendment in the nature of a substitute;

H.R. 4643, to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians;

S. 2688, to amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, with an amendment in the nature of a substitute;

S. 2580, to provide for the issuance of bonds to provide funding for the construction of schools of the Bureau of Indian Affairs of the Department of the Interior, with an amendment in the nature of a substitute;

S. 3031, to make certain technical corrections in laws relating to Native Americans, with an amendment in the nature of a substitute;

S. 2920, to amend the Indian Gaming Regulatory Act, with an amendment in the nature of a substitute;

S. 2526, to amend the Indian Health Care Improvement Act to revise and extend such Act with amendments; and

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, with an amendment in the nature of a substitute.

TRIBAL DEVELOPMENT CONSOLIDATED FUNDING

Committee on Indian Affairs: Committee concluded hearings on S. 2052, to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to community, business, and the economic development of Native American communities, after receiving testimony from Michael J. Anderson, Deputy Assistant Secretary of the Interior for Indian Affairs; Peter Desswood, Kayenta Township Commission, Window Rock, Arizona, on behalf of the Navajo Nation; and Joseph P. Kalt, Harvard University Kennedy School of Government, Cambridge, Massachusetts, on behalf of the Harvard Project on American Indian Economic Development.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Bills Introduced: 19 public bills, H.R.5311–5329; and 4 resolutions, H. Con. Res. 411–412 and H. Res. 596–597, were introduced. **Pages H8405–06**

Reports Filed: Reports were filed today as follows.

H.R. 3575, to prohibit high school and college sports gambling in all States including States where such gambling was permitted prior to 1991 (H. Rept. 106–903);

H.R. 604, to amend the charter of the AMVETS organization, amended (H. Rept. 106–904);

H.R. 5266, a private bill, for the relief of Saeed Rezai (H. Rept. 106–905);

S. 302, a private bill, for the relief of Kerantha Poole-Christian (H. Rept. 106–906);

Conference report on H.R. 4733, making appropriations for energy and water development for the fiscal year ending September 30, 2001 (H. Rept. 106–907); and

H. Res. 598, waiving points of order against the conference report to accompany H.R. 4733, making appropriations for energy and water development for the fiscal year ending September 30, 2001 (H. Rept. 106–908). **Pages H8312–H8403, H8405**

Speaker pro tempore: Read a letter from the Speaker wherein he designated Representative Ose to act as Speaker pro tempore for today. **Page H8203**

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Michael Caridi from Mary, Mother of the Church parish of Charleroi, Pennsylvania. **Page H8203**

Children's Health Act: The House agreed to the Senate amendment to H.R. 4365, to amend the Public Health Service Act with respect to children's health by a yea and nay vote of 394 yeas to 25 nays, Roll No. 496 clearing the measure for the President. **Pages H8209–65**

H. Res. 594, the rule that provided for consideration of the Senate amendment was agreed to by voice vote. **Pages H8206–09**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Opposition to Unilateral Declaration of a Palestinian State: H.R. 5272, amended, to provide for a United States response in the event of a unilateral declaration of a Palestinian state (debated on Sept. 26, passed by a yea and nay vote of 385 yeas to 27 nays with 4 voting "present", Roll No. 497); **Pages H8265–66**

National Institute of Biomedical Imaging and Engineering Establishment: H.R. 1795, amended, to amend the Public Health Service Act to establish the National Institute of Biomedical Imaging and Engineering. Agreed to amend the title; **Pages H8266–69**

Childhood Cancer Awareness, Treatment, and Research: H. Res. 576, supporting efforts to increase childhood cancer awareness, treatment, and research (agreed to by a yea and nay vote of 415 yeas with none voting ''nay'', Roll No. 499);

Pages H8270–72, H8280

Regulations on Use of Citizens Band Radio Equipment: H.R. 2346, to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment;

Pages H8275–77

Technical Corrections to Title X of the Energy Policy Act: H.R. 2641, amended, to make technical corrections to title X of the Energy Policy Act of 1992; and **Pages H8277–78**

Lance Corporal Harold Gomez Post Office, East Chicago, Indiana: S. 1295, to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the ''Lance Corporal Harold Gomez Post Office''—clearing the measure for the President. **Pages H8278–79**

Know Your Caller Act: On the call of the Corrections Calendar, the House passed H.R. 3100, to amend the Communications Act of 1934 to prohibit telemarketers from interfering with the caller identification service of any person to whom a telephone solicitation is made by a yea and nay vote of 420 yeas with none voting ''nay'', Roll No. 498. Earlier, agreed to the amendment offered by the Committee on Commerce. **Pages H8272–75, H8279–80**

Recess: The House recessed at 7 p.m. and reconvened at 10:47 p.m. **Page H8312**

Recess: The House recessed at 10:48 p.m. and reconvened at 11:21 p.m. **Pages H8403–04**

Senate Message: Message received from the Senate appears on page H8203.

Referrals: S. 1865 and S. 2272 were referred to the Committee on the Judiciary; S. 1658 was referred to the Committee on Resources; and S. 1919 was referred to the Committee on Commerce. **Page H8404**

Quorum Calls—Votes: Four yea and nay votes developed during the proceedings of the House today and appears on pages H8264–65, H8265–66, H8279–80, and H8280. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:22 p.m.

Committee Meetings

AGRICULTURAL RISK PROTECTION ACT

Committee on Agriculture: Held a hearing to review the implementation of the Agricultural Risk Protection Act of 2000. Testimony was heard from Dan Glickman, Secretary of Agriculture; and public witnesses.

ARMED SERVICES STATE

Committee on Armed Services: Held a hearing on the state of the Armed Services and future military requirements. Testimony was heard from the following officials of the Department of Defense: Gen. Henry H. Shelton, USA, Chairman, Joint Chiefs of Staff; Gen. Eric K. Shinseki, USA, Chief of Staff, Department of the Army; Adm. Vernon E. Clark, USN, Chief of Naval Operations, and Gen. James L. Jones, USMC, Commandant, Headquarters, both with the Department of the Navy; and Gen. Michael E. Ryan, USAF, Chief of Staff, Department of the Air Force.

TRANSPORTATION INFORMATION RECALL ENHANCEMENT ACT

Committee on Commerce: Subcommittee on Telecommunications, Trade and Consumer Protection approved for full Committee action, as amended, H.R. 5164, Transportation Recall Enhancement, Accountability, and Documentation Act.

INTERACTIVE TV SERVICES MARKETPLACE FUTURE

Committee on Commerce: Subcommittee on Telecommunications, Trade and Consumer Protection held a hearing on the Future of the Interactive Television Services Marketplace: What Should Consumers Expect? Testimony was heard from Steve Case, Chairman and CEO, American Online, Incorporated; and Gerald Levin, Chairman and CEO, Time Warner Incorporated.

MINORITY COMMUNITIES URBAN RENEWAL

Committee on Education and the Workforce: Held a hearing on Urban Renewal in Minority Communities. Testimony was heard from public witnesses.

GULF WAR VETERANS

Committee on Government Reform: Subcommittee on National Security, Veterans' Affairs, and International Relations held a hearing on Gulf War Veterans: Linking Exposures to Illnesses. Testimony was heard from the following officials of the Department of Veterans Affairs: John Feussner, M.D., Chief Research and Development Officer; and Mark Brown,

Director, Environmental Agents Service; and public witnesses.

RUSSIA: HOW VLADIMIR PUTIN ROSE TO POWER

Committee on International Relations: Held a hearing on Russia: How Vladimir Putin Rose to Power and What America Can Expect. Testimony was heard from Madeleine K. Albright, Secretary of State.

AIDS IN AFRICA: STEPS TO PREVENTION

Committee on International Relations: Subcommittee on Africa held a hearing on AIDS in Africa: Steps to Prevention. Testimony was heard from Vivian Lowery Derryck, Assistant Administrator, Africa Bureau, AID, Department of State; Sanford Ungar, Director, Voice of America, USIA; and public witnesses.

ENERGY AND WATER APPROPRIATIONS 2001 CONFERENCE REPORT

Committee on Rules: Grant by voice vote, a rule waiving points of order against the conference report to accompany H.R. 4733, Energy and Water Appropriations 2001, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative Packard.

COMPUTER SECURITY LAPSES

Committee on Science: Held a hearing on Computer Security Lapses: Should FAA Be Grounded? Testimony was heard from the following officials of the Department of Transportation: Jane F. Garvey, Administrator, FAA; and Kenneth M. Mead, Inspector General; and Joel Willemssen, Director, Civil Agencies Information Systems, Accounting and Information Management Division, GAO.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following bills: H.R. 828, as amended, Combined Sewer Overflow Control and Partnership Act of 1999; H.R. 5284, to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the "Owen B. Pickett United States Customhouse"; and H.R. 5267, to designate the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the "Theodore Roosevelt United States Courthouse".

The Committee also approved the GSA's Fiscal Year 2001 Leasing Program.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation approved for full Committee action the following bills: H.R. 5284, to designate the United States customhouse located at 101 East Main Street in Norfolk, Virginia, as the "Owen B. Pickett United States Customhouse"; and H.R. 5267, to designate the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the "Theodore Roosevelt United States Courthouse".

The Subcommittee also approved for full Committee action the GSA's Fiscal Year 2001 Leasing Program.

MILITARY JOB SKILLS FOR CIVILIAN EMPLOYMENT

Committee on Veterans' Affairs: Subcommittee on Benefits held a hearing on licensing and credentialing of military job skills for civilian employment. Testimony was heard from Rear Adm. Fred L. Ames, USCG, Assistant Commandant, Human Resources, U.S. Coast Guard, Department of Transportation; the following officials of the Department of Defense: Lt. Gen. Jack W. Klimp, USMC, Deputy Chief of Staff, Manpower and Reserve Affairs, U.S. Marine Corps; Rear Adm. David L. Brewer, III, USN, Vice Chief, Naval Education and Training, U.S. Navy; Mary Lou Keener, Deputy Assistant Secretary, Manpower, Reserve Affairs, Installations and Environment, U.S. Air Force; and Brig. Gen. Kathryn G. Frost, USA, The Adjutant General, U.S. Army; Espiridion Borrego, Assistant Secretary, Veterans' Employment and Training, Department of Labor; representatives of veterans organizations; and public witnesses.

VETERANS EMPLOYMENT AND TRAINING SERVICE PROGRAM

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on the Veterans Employment and Training Service program effectiveness and strategic planning. Testimony was heard from Sigurd R. Nilsen, Associate Director, Education, Workforce, and Income Security Issues, Health, Education, and Human Services Division, GAO; Kenneth McGill, Associate Commissioner, Employment Support Program, SSA; Espiridion A. Borrego, Assistant Secretary, Veterans Employment and Training, Department of Labor; Raymond Boland, Secretary, Department of Veterans Affairs, State of Wisconsin; and representatives of veterans organizations.

Joint Meetings

STRATEGIC PETROLEUM RESERVE

Joint Economic Committee: Committee concluded hearings to examine the Strategic Petroleum Reserve in

the context of the United States energy policy, focusing on possible methods of tapping the Strategic Petroleum Reserve and whether it would prove effective in the short run and in the long run, after receiving testimony from Robert S. Kripowicz, Acting Assistant Secretary of Energy for Fossil Energy.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D943)*

H.R. 1729, to designate the Federal facility located at 1301 Emmet Street in Charlottesville, Virginia, as the ''Pamela B. Gwin Hall''. Signed September 22, 2000. (P.L. 106–266)

H.R. 1901, to designate the United States border station located in Pharr, Texas, as the ''Kika de la Garza United States Border Station''. Signed September 22, 2000. (P.L. 106–267)

H.R. 1959, to designate the Federal building located at 643 East Durango Boulevard in San Antonio, Texas, as the ''Adrian A. Spears Judicial Training Center''. Signed September 22, 2000. (P.L. 106–268)

H.R. 4608, to designate the United States courthouse located at 220 West Depot Street in Greeneville, Tennessee, as the ''James H. Quillen United States Courthouse''. Signed September 22, 2000. (P.L. 106–269)

S. 1027, to reauthorize the participation of the Bureau of Reclamation in the Deschutes Resources Conservancy. Signed September 22, 2000. (P.L. 106–270)

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. Signed September 22, 2000. (P.L. 106–271)

S. 1374, to authorize the development and maintenance of a multiagency campus project in the town of Jackson, Wyoming. Signed September 22, 2000. (P.L. 106–272)

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. Signed September 22, 2000. (P.L. 106–273)

S. 2869, to protect religious liberty. Signed September 22, 2000. (P.L. 106–274)

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 28, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Special Committee on Aging: to hold hearings to examine nursing home initiatives, 8:30 a.m., SD–562.

Committee on Armed Services: to resume hearings on United States policy towards Iraq, 9:30 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Securities, to hold hearings on the proposal by the Securities and Exchange Commission to promulgate agency regulations that would restrict the types of non-audit services that independent public accountants may provide to their audit clients, 9:30 a.m., SD–538.

Committee on Energy and Natural Resources: to oversight hearings to examine the impacts of the recent United States Federal Circuit Court of Appeals decisions regarding the Federal Government's breach of contract for failure to accept high level nuclear waste by January 1998, 10 a.m., SD–366.

Full Committee, with the Committee on Foreign Relations, to hold joint hearings to examine the status of the Kyoto protocol after three years, 3 p.m., SD–419.

Committee on Environment and Public Works: business meeting to consider pending calendar business, 8:55 a.m., SD–406.

Subcommittee on Transportation and Infrastructure, to hold hearings on H.R. 809, to amend the Act of June 1, 1948, to provide for reform of the Federal Protective Service, 9:30 a.m., SD–406.

Committee on Finance: business meeting to mark up H.R. 4844, to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries; and proposed legislation to amend the Internal Revenue Code of 1986 to provide tax incentives for the renewal of distressed communities, to provide for 9 additional empowerment zones and increased tax incentives for empowerment zone development, to encourage investments in new markets, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine slavery throughout the world, 10:30 a.m., SD–419.

Full Committee, with the Committee on Energy and Natural Resources, to hold joint hearings to examine the status of the Kyoto protocol after three years, 3 p.m., SD–419.

Committee on the Judiciary: business meeting to consider pending calendar business, 10 a.m., SD–226.

Subcommittee on Antitrust, Business Rights, and Competition, to hold hearings to examine agricultural competition, 1:30 p.m., SD–226.

House

Committee on Commerce, Subcommittee on Energy and Power, hearing on Ongoing Energy Concerns for the American Consumer: Natural Gas and Heating Oil, 10 a.m., 2322 Rayburn.

Committee on Education and the Workforce, hearing on the Success of Charter Schools, 9:30 a.m., 2175 Rayburn.

Committee on International Relations, to mark up the following: H. Res. 577, to honor the United Nations High Commissioner for Refugees (UNHCR) for its role as a protector of the world's refugees, to celebrate UNHCR's 50th anniversary, and to praise the High Commissioner Sadako Ogata for her work with UNHCR for the past ten years; H. Con. Res. 397, 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; S. 2682, to authorize the Broadcasting Board of Governors to make available to the Institute for Media Development certain materials of the Voice of America; S. 1453. Sudan Peace Act; and H. Res. 398, United States Training on and Commemoration of the Armenian Genocide Resolution, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Immigration and Claims, hearing on H.R. 5285, Serious Human Rights Abusers Accountability Act of 2000, 10:15 a.m.; and to mark up the following: H.R. 5285; H.R. 5293, to amend the Immigration and Nationality Act to improve provisions relating to inadmissibility and detention of, and cancellation of removal for, aliens who have committed crimes; and to consider INS reports for private relief bills, 11:30 a.m., 2226 Rayburn.

Committee on Resources, Subcommittee on Fisheries Conservation, Wildlife and Oceans, oversight hearing to review the final outcome of proposals and resolutions offered by the U.S. and other countries at the Eleventh Regular Meeting of CITES (COP11), 10 a.m., 1334 Longworth.

Committee on Science, Subcommittee on Space and Aeronautics, hearing on Range Privatization: How Fast, How Soon and How Much? 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Government Programs and Oversight, hearing on the Future of Small Business in America, 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on Airline Delays: The Summer of our Discontent, 9:30 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing on Human Subjects Protections in VA Medical Research, 10 a.m., 334 Cannon.

Committee on Ways and Means, to mark up H.R. 4857, Privacy and Identity Protection Act of 2000, 1:30 p.m., 1100 Longworth.

Subcommittee on Oversight, to continue hearings on the Tax Code and the New Economy, 10 a.m., 1100 Longworth.

Joint Meetings

Conference: meeting of conferees on H.R. 3244, to combat trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions in the United States and countries around the world through prevention, through prosecution and enforcement against traffickers, and through protection and assistance to victims of trafficking, 12:30 p.m., H–139, Capitol. Next Meeting of the Senate 9:30 a.m., Thursday, September 28, 2000.

Next Meeting of the SENATE

9:30 a.m., Thursday, September 28

Senate Chamber

Program for Thursday: Senate will consider H.J. Res. 109, Continuing Appropriations. Also, Senate will continue consideration of S. 2045, H–1B Nonimmigrant Visa, with votes to occur on certain pending cloture motions.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 28

House Chamber

Program for Thursday: Consideration of the conference report on H.R. 4733, Energy and Water Appropriations (rule waiving points of order).

Extensions of Remarks, as inserted in this issue

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