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House of Representatives

The House met at 5 p.m. and was called to order by the Speaker pro tempore (Mr. PEASE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
December 11, 2000.

I hereby appoint the Honorable EDWARD A. PEASE to act as Speaker pro tempore on this day.

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

PRAYER

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

In the time of our testing, prove us, O Lord, Your faith-filled people.

In the day of justice, guide us with restraint and wisdom.

In the end, it is Your judgment of us all and how we react to our circumstances that we must fear.

When we are overwhelmed with confusion or when we are seared by harsh words, calm the soul of this Nation.

Speak to us as once You spoke to Isaiah.

''Who created you and formed you?
''Fear not for I have redeemed you;
''I have called you by name; you are mine.
''When you pass through the water, I will be with you;
''in the rivers you shall not drown.
''When you walk through the fire, you shall not be burned;
''the flames shall not consume you.
''For I am the Lord, your God, the Holy One of Israel, your savior.''

This we believe now and forever.

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 Massachusetts (Mr. MOAKLEY) come forward and lead the House in the Pledge of Allegiance.

Mr. MOAKLEY 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain one-minutes at the end of business today.

PROVIDING FOR CONSIDERATION OF H.J. RES. 129, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2001

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 670 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 670

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 129) making further continuing appropriations for the fiscal year 2001, and for other purposes. The joint resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

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

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

Mr. Speaker, House Resolution 670 is a closed rule providing for consideration of House Joint Resolution 129, which makes further continuing appropriations for fiscal year 2001 through December 15.

H. Res. 670 provides for 1 hour of debate on the joint resolution equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of this joint resolution.

Finally, the rule provides one motion to recommit, as is the right of the minority.

Mr. Speaker, because the President refuses to sign continuing resolutions of any longer duration, the joint resolution covered by this rule simply extends the provisions of our current continuation resolution by 4 days.

Mr. Speaker, after months of hard work, the House has just a few issues left to resolve. Like my Republican colleagues, I am determined to pass fair and fiscally responsible appropriations bills, and I will stay here as long as it takes to achieve this goal for the American people.

Mr. Speaker, I hope the President will join us in our good-faith efforts to negotiate a fair, bipartisan solution to the disagreements still before us. I am hopeful that the fair, clean continuing resolution covered by this rule will give us the time we need to complete the appropriations process in a thoughtful and judicious manner.

The rule was unanimously approved by the Committee on Rules, and I urge

my colleagues to support it so that we may proceed with general debate and consideration of this bill.

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

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

Mr. Speaker, I thank my colleague and my friend the gentleman from Georgia (Mr. LINDER) for yielding me the customary time.

Mr. Speaker, the resolution before us is the 20th continuing resolution this year. That means that 20 times we have had to pass stop-gap spending measures, these measures to keep the Federal Government running, despite my Republican colleagues' inability to finish the appropriations bills on time.

Mr. Speaker, it is about time my Republican colleagues finished.

The fiscal year began October 1, which means that Congress was to have finished the 13 appropriations bills and have them signed into law by that day some 2½ months ago.

Instead, Mr. Speaker, my Republican colleagues continue to make virtually no progress on the unfinished appropriations bills and, instead, pass continuing resolution after continuing resolution.

But it really does not have to be that way, Mr. Speaker. Republican and Democratic appropriators and the President have reached bipartisan agreement. That agreement could have made record increases in educational funding, would have helped local school districts hire 12,000 more teachers to reduce class size, it would have provided money to repair thousands of schools that are falling apart, it would have also expanded after-school programs for nearly one million children, and it would have improved Pell Grants and Head Start.

But the Republican leadership does not want us to continue that agreement at this time. Instead, they want to go back to the drawing board.

But, Mr. Speaker. I have to say that patience is growing short. If this 4-day continuing resolution does not settle the issues once and for all, I suspect that Members will be less likely to agree to another continuing resolution.

So I wish my Republican and Democratic colleagues good luck in the negotiations.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

1715

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.J. Res. 129, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Florida?

There was no objection.

FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2001

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 670, I call up the joint resolution (H.J. Res. 129) making further continuing appropriations for the fiscal year 2001, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 129 is as follows:

H.J. RES. 129

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 106–275, is further amended by striking the date specified in section 106(c) and inserting ''December 15, 2000''.

The SPEAKER pro tempore. Pursuant to House Resolution 670, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.J. Res. 129 extends the continuing resolution that we have been passing on a regular basis until Friday of this week. I come to the floor today with more optimism than I have in quite a while, Mr. Speaker. There was another meeting with the President this afternoon with the bicameral leadership, Republicans and Democrats, and I have reason to believe that much progress was made. I really believe that by Thursday morning, if Members are able to be back by Thursday morning, we will have a package to vote on.

So I hope that we will pass this CR to give us time to accomplish that.

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

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume. This is the 20th time, two-zero, the 20th time that the gentleman from Florida (Mr. YOUNG) and I have been forced to come to the floor and ask the Congress for an extension to keep the Government open while others in this institution and in the other body and folks in the administration decide what the budget ought to eventually look like by considering only macroeconomic numbers. After there is agreement between the leadership and the White House, I assume that we will be asked to work out how that money is allocated.

So, in my view, the House leadership will be able to talk in very bright terms about what they have accomplished in macroeconomic terms, and then we will be asked to make the impossible choices within the dollar limits that are being suggested by the leadership around here. I cannot begin to tell the House how many times I have received letters from Members of this House, including the leadership on both sides of the aisle, asking that we increase funding for AIDS, special education, National Institutes of Health, title VI block grants, LIHEAP, Low-Income Heating Assistance Program. I cannot tell you how many times I have received letters asking us to vote for increases in those programs and demanding that we bring to this floor what they refer to as full funding for some of these programs, while at the same time those same Members vote and those same leaders demand that we provide an overall number for the bill which makes our ability to produce what they ask for at the micro-level an almost impossible act. That in my view is what is happening here.

I am not going to vote for this continuing resolution. Not because the gentleman from Florida (Mr. YOUNG) has not done his job, he and I were here all weekend, but because I believe that the numbers that will be produced in the end will have virtually no room for some of the main priorities which a lot of Members in this body claim that they have. I think that when people put together an agreement about what the overall spending number ought to be in the Labor-Health-Education bill, for instance, that they ought to have some idea what that number will really mean in terms of its impact on low-income heating assistance, its impact on the National Institutes of Health, its impact on Pell grants, its impact on special education, its impact on Head Start, its impact on child care, and its impact on a whole range of programs.

Yet I think the way that this is proceeding, we are going to have a take-it-or-leave-it proposition, where the overall number is going to be agreed to, and then people like the gentleman from Illinois (Mr. PORTER) and the gentleman from Florida (Mr. YOUNG) and I are then going to have to take Members aside one by one and explain to them why we cannot provide the increases for NIH that we promised the country in the campaign we were going to provide, why we cannot provide the increases in the Pell grants that we told people we were going to provide, why we cannot provide the funding for special education that we told people we were going to provide. We have got a winter coming where the Federal contribution to help low-income elderly pay their home heating bills will drop by about 50 percent as a percentage of those folks' income because of the rapidly rising energy costs; and yet this bill is going to be asked to savage that program in the out years.

And this has all come about because we are told by a number of Members on

that side of the aisle that the agreement that was reached before the election is somehow too rich. I want to compare what that agreement would have done with Labor-H, with all the health and education and job programs, what that would have done with what we did in some other bills.

This Congress passed an agriculture bill which was 2 percent above the President's request. This Congress passed an energy and water bill which was almost a billion dollars above the President's request. It passed an Interior appropriations bill which was $2.5 billion above the President's request, 15 percent above the President's request. It passed a transportation bill which is $2.3 billion above the President's request.

And now we are being told that we have committed a mortal sin and we are all going to go to hell because we passed a Labor-Health-Education program that was a few billion dollars above the President's request. I make no apology for that. I make no apology for that. I think that those increases when compared to the increases in the energy and water bill or in the transportation bill are eminently defensible. Yet we are being told now, oh, we don't have enough room. We may add 7 or $800 million in more money for the Middle East; but, no, if we do, we have got to take that money out of education and health and worker protection programs. I have a funny feeling that is not going to go down well with the American people.

I do not have any objection to our meeting our international responsibilities in the Middle East or any other area of the world, but I do think that if that is financed out of reductions in the people's bill for programs here at home, that that action will unnecessarily turn even more people in this country toward an isolationist track. And I think it will encourage more people out of frustration to say, Well, if we have to make those kinds of choices, then I'm not for providing funding for various regions of the world. That is the proposition that we are going to be backed into.

I apologize to the House for taking this time. No, I do not. I do not apologize at all for taking this time. Because we were told that this debate would come up at 6, and instead it has come up at 5, so almost no one is here to discuss it. I really have not had a chance to think through what a more thoughtful response would be if I had an hour to look at what is going on around this town. But I do want to say that I think that this process of extending continuing resolutions time and time and time again has served only one purpose. It has enabled the majority party leadership to avoid voting on education and health until after the election. And having now escaped the election season, it is now free to pursue the cuts that it apparently wants to pursue in those programs. I think that that is unfortunate.

So I will vote against this resolution. I do not expect that there will be many people who will. But I do not think I am going to like the kind of priorities that are going to come out of this shakedown. And this has been a shakedown. This is what it has been. I do not think I am going to like the priorities very much when I see that we are going to be asked to squeeze these programs because we have at an earlier date on other bills provided very large increases in the President's budget, and now people seem to feel that we have to recoup that on this bill. I just do not happen to agree with that.

When I was walking the streets in Wisconsin Rapids or Wausau or Superior, Chippewa Falls or anywhere else, I did not find many people who were asking me to have large increases in military spending, to have large increases in the transportation budget, to have large increases in Interior while we were neglecting our child care needs, our family planning needs, our National Institutes of Health and medical research needs. The gentleman from Florida (Mr. YOUNG) has provided a lot of needed leadership in the defense area, for instance, on the Subcommittee on Defense in providing supplemental funding for health programs, for bone marrow transplant and other programs.

I am simply going to vote against this continuing resolution because I think that it is simply giving people more time to do bad things.

1730

That is not my bag.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I first want to confirm what the gentleman from Wisconsin (Mr. OBEY) said, that he and I were here this weekend. In fact, we communicated with each other throughout the weekend just in the event that we had some agreement between the legislative leadership and the White House so that we could begin to complete the bill.

I have been briefed by my leadership, and I believe that the gentleman from Wisconsin (Mr. OBEY) has been briefed by his leadership. My understanding is that the agreement would be substantially higher than the House passed Labor HHS bill, and that it is higher than the President's actual request. I believe that if we come together in a bipartisan fashion here, that the gentleman from Wisconsin (Mr. OBEY) and I and the gentleman from Illinois (Mr. PORTER), who is the very distinguished chairman of the subcommittee, will be able to fashion a bill within that overall number. We will be able to guarantee that the promise that we made to medical research through NIH can be and will be kept; and that the promise we made in increasing the educational funding can and will be kept.

So we have some work to do between now and hopefully the day that we are going to have the vote on this bill, which we hope will be on Thursday morning. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from Illinois (Mr. PORTER) and I have a lot of work to do and with our counterparts in the other body, but I am satisfied that we can do it. Everybody, I believe, wants to get this job done and we are going to produce a bill here that probably everyone could look at and say, gee, I do not like this or I do not like that; but there will be a lot of good in this bill that I do like.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank my colleague, the gentleman from Florida (Mr. YOUNG), for yielding me this time.

Mr. Speaker, I came to the floor because I want to remind the Members, and I hope to remind the White House, that it is time that we wrap up our business. It is very important that we, as a body, deliver to the executive branch a plan for spending and for funding the priorities of the next year.

I wanted to remind my colleagues that while there is some debate about the exact level, it is a rather minor number of millions and billions that have to be dealt with; that, in fact, in this bill are many, many things that many of us have fought long and hard for. There is a big increase in funding for teacher quality. Now that we know more about the lack of certified teachers in many of our classrooms, the lack of subject matter preparation of many of our teachers, particularly in the inner cities, it is really imperative that we pass a budget that puts that money out there so we can make some of the progress in public education that we know needs to be made.

In this bill is 575 million more dollars for after-school programs, and I would like to say that in my little town of Enfield, the Enfield after-school care program that provides after-school care for only at-risk children has already had 10 of its children referred to DT out of our children family agency for neglect. This will be the security of these children as they move through a difficult time in their families and hopefully be the difference between these children. These are K through 6 kids. These are not high school kids. Six of the kids have already been referred to a juvenile review board only in the first 3 months of the school year. These really are at-risk kids, and this wonderful program has given these kids stability, is helping them improve their school performance and will be their security and their ticket out of juvenile crime, under achievement, low self-esteem and catastrophic consequences.

Also in this legislation is a significant increase in the child care block grant. This body prided itself on passing welfare reform, but if we do not do things like we are doing this year, and this bill is $817 million more for those

very child care certificates that working women coming off of welfare depend upon, if we cannot provide child care subsidies to a woman coming off of welfare into a roughly minimum wage job or just above she is not going to make it; not because she is not trying but because she has such heavy child care costs that she could not possibly make it on those entry level salaries.

So in this bill we are following through on many initiatives in human services, in education, that do, in fact, give our people the support and the opportunity, whether they are children or adults, that frankly this body has striven long and hard to create on a bipartisan basis.

So I would urge my colleagues to remember that in here is fuel assistance, a big increase for fuel assistance, going into a winter when we know things are going to be very tough; health care; education, and it is our responsibility to pass it.

I would also remind my colleagues that it is going to be well over the President's request, over anything this House passed, and so we have the ability to rationally agree on some modest reductions from one agreed-on level and get this bill to the President. I hope that we can get an agreement before he leaves for Ireland so by the time he gets back we will have it passed and his signature on it very promptly. We owe it to those people who work for our government so they can deliver consistent quality service in a knowing, established context of supported funding.

I thank the gentlemen for their hard work on both sides of the aisle, and I ask that we move forward and this be the last CR we be asked to support because I will support it only reluctantly.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Speaker, I thank my friend, the gentleman from Wisconsin (Mr. OBEY) for yielding me this time.

Mr. Speaker, I know there might be some debate between the floor and the parliamentarian's office today and may demand a recount as to how many CRs we have done in this Congress. Is it 19 or is it 20? I hear from the parliamentarian's office it is 19. Regardless if it is 19 or it is 20, that is an all-time record in the history of Congress. That is a record that I do not think there will be a single press release on back in our districts. That is a record that I do not think we are too proud of, and that is a record I do not think future Congresses are going to want to break.

We need in the future to not only come together in this 106th Congress on an agreement on the budget but we need to do it in a bipartisan manner.

The second point I want to make is that when we do reach a bipartisan agreement on some of the most important issues that we handle in the 106th Congress, we should look at how these issues are treated in the waning days of this 106th Congress. How does this budget treat education with Pell grants? As education and the cost of education becomes more important and higher in costs, we want to make sure we get Pell grants to those that need it.

The second issue is how this budget treats the poor. In my home State of Indiana, we have seen natural gas prices go up by 50 percent, and our families are having a tough time, as it is snowing right now back in the Midwest, affording much of this. This budget deals with that. Let us look at how we treat LIHEAP.

Thirdly, the NIH budget, how do we treat research for Alzheimer's, research for Parkinson's, research on cancer? These are three issues that are highly important to me and my constituents and highly important to the country, and I hope we will arrive at a bipartisan solution in this Congress.

Mr. OBEY. Mr. Speaker, I have no other requests to speak on this turkey, and so I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just suggest that, whether we like it or not, we need to vote for this continuing resolution today. As I said earlier, I hold out the hope and I am very optimistic that now that our leadership has arrived at an agreement with the President that the gentleman from Wisconsin (Mr. OBEY), the gentleman from Illinois (Mr. PORTER), and I are going to be able to work out a bipartisan solution that will take care of most of the concerns that we have heard expressed on this bill throughout the season.

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

The SPEAKER pro tempore (Mr. PEASE). All time for debate has expired.

The joint resolution is considered as having been read for amendment.

Pursuant to House Resolution 670, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. GOSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5630) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER pro tempore. The gentleman from Florida (Mr. GOSS) will suspend temporarily while we consult with the minority.

1745

Mr. GOSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 5630) to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Page 3, in the table of contents, strike out ''Sec. 501. Contracting authority for the National Reconnaissance Office.''

Page 3, in the table of contents, strike out ''502'' and insert ''501''.

Page 3, in the table of contents, strike out ''503'' and insert ''502''.

Page 48, strike out lines 4 through 16.

Page 48, line 17, strike out ''502'' and insert ''501''.

Page 49, line 7, strike out ''503'' and insert ''502''.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Florida?

Ms. PELOSI. Mr. Speaker, reserving the right to object, I yield to the gentleman from Florida (Mr. GOSS) so he might explain more fully how the legislation covered by his unanimous consent request differs from the bill sent to the Senate on November 13, 2000.

Mr. GOSS. I thank the gentlewoman for yielding to me, Mr. Speaker. I am very happy to explain to her why on December 11 the House is again considering the Intelligence Authorization Act for Fiscal Year 2001.

As Members will recall, the President vetoed an earlier version of the legislation on November 4. In doing so, the President indicated that his objections were limited to a single section of the bill, the so-called ''leaks provision,'' and he asked Congress to return the same bill to him with the ''leaks provision'' deleted.

It had been my hope to do exactly that. In fact, the day the veto message was received by the House, Mr. DIXON, the gentleman from California (Mr. LEWIS), and I introduced H.R. 5630, a bill identical to the previous conference report, save for the leaks provision, which was removed in its entirety.

The same day the House passed H.R. 5630 and sent it to the Senate for what I had hoped would be speedy consideration, passage, and transmittal to the President for his signature.

I am deeply disappointed that this is not exactly what transpired. The other body did last week pass H.R. 5630, but in doing so removed an additional provision. That provision, which was agreed to in our House-Senate conference and approved by the full House

and Senate, was designed to improve the performance of the National Reconnaissance Office's launch program, and to save millions of taxpayers' dollars in the process.

I hope we will have a chance to hear from our colleague, the gentleman from Delaware (Mr. CASTLE), who is the author of the NRO language in just a moment. But I want to register my disappointment with the process.

In reviewing the record of debate in the other body, there is no rationale given for striking the provision about the National Reconnaissance Office, and it appears to me to be an unjustified and inexplicable action. Under normal circumstances, therefore, I would absolutely refuse to agree to this amendment.

However as a practical matter, there is no real possibility of convening a second conference committee to resolve this problem before time runs out on the 106th Congress. Therefore, noting that the remaining parts of this legislation are still vital to the U.S. intelligence community and will contribute to improving our national security, I am reluctantly asking the House to pass H.R. 5630, which will, finally, send this bill to the President for his signature.

Still, I recognize much time and hard work went into developing the National Reconnaissance Office launch provision, and I do not want to see that work go to waste. I am pledging to the gentleman from Delaware (Mr. CASTLE) and other Members that I am planning to make NRO launch issues, including all aspects of Air Force support for this activity, a top priority for the Permanent Select Committee on Intelligence in the 107th Congress.

Ms. PELOSI. Further reserving the right to object, Mr. Speaker, I yield to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP. I thank the gentlewoman for yielding, Mr. Speaker.

Mr. Speaker, I have concerns about the National Reconnaissance Office contracting issue, but I want to make it clear that nonetheless, the House should pass the bill, as modified by the Senate.

The original conference report included a House provision that would require the National Reconnaissance Office to contract for satellite launch vehicles separately from the Air Force. The committee's action was based on a substantial review of several expensive launch failures involving the loss of very valuable intelligence satellites, as well as Inspector General reports describing significant problems in the NRO's relationship with the Air Force.

I believe that the remedy that was fashioned by my subcommittee chairman and my colleague, the gentleman from Delaware (Mr. CASTLE), was reasonable and would be effective.

The conferees debated this matter, and there were votes taken. The House position prevailed. It is more than a little galling that the Senate committee would undo that agreement by exploiting the procedural and time constraints that were imposed by the President's veto of the original conference report over a completely unrelated matter.

I fully appreciate and share the sense of wrong that is conveyed here today. Nonetheless, I think it is necessary to accept the bill now in the form in which it has been returned to us by the Senate because of the overriding importance of enacting an intelligence authorization measure.

The overall benefits to the Nation's security outweigh, in my opinion, the loss of this particular provision. Instead, the committee should plan to take this issue up again next year as the chairman, (the gentleman from Florida (Mr. GOSS), indicated, and I would pledge to work with and support the efforts of the gentleman from Delaware (Mr. CASTLE) to correct the serious underlying problems in managing the launch of our critical intelligence satellites.

Ms. PELOSI. Mr. Speaker, further reserving the right to object, as the gentleman from Florida (Chairman GOSS) has indicated, the President vetoed an earlier version of this bill because it contained a provision that would have further criminalized the intentional disclosure of classified information.

In my view, the notion that this so-called ''leaks provision'' was carefully crafted and targeted with laser-like precision on a small hole in the criminal code is simply wrong. I believe the provision had the potential to do great harm to civil liberties. I did not sign the intelligence authorization conference report because it contained the leaks provision.

I believe the President was right to veto the measure over this matter. In fact, I commend him for doing that.

The gentleman from Florida (Chairman GOSS) and our late distinguished colleague and friend, JULIAN DIXON, are to be commended for introducing a new bill which does not contain the leaks provision. I am pleased that the actions taken by the Senate on that bill, which is now before the House, did not attempt to add new language on the leaks issue. As the distinguished chairman said, it is entirely out of the bill.

Unauthorized disclosures of classified information can damage national security, and that type of conduct should have consequences. Administrative and criminal sanctions are available currently. The vetoed leaks provision, however, would have placed the full force of Federal criminal law behind a classification system which is based not in statute but in executive order, and therefore, it is changeable at the sole discretion of the President. That would have been a serious mistake, so I am very pleased on that aspect of the bill.

I also want to associate myself with the comments of our distinguished colleague, the gentleman from Georgia (Mr. BISHOP), concerning the provision in the bill of the gentleman from Delaware (Mr. CASTLE), and look forward to working with him in the next Congress.

It is just a strange way that the Congress operates that a provision that could pass the conference committee could be yanked from the bill in the manner it was. I am, however, prepared to accept the decision of the gentleman from Florida (Chairman GOSS) on how best to deal with the changes on the National Reconnaissance Office contracting matter made by the Senate, although this issue was fully debated and I believe resolved by the conferees in October.

In closing, Mr. Speaker, I want to underscore Mr. DIXON's remarks on November 13 when this bill was considered by the House, that the statement of managers on the vetoed conference report should be regarded as the expression of the intent of Congress on how the intelligence programs and activities authorized for fiscal year 2001 are to be conducted.

In referencing Mr. DIXON's remarks, of course, we cannot ignore the fact that our dear colleague is now lying in state. We take every opportunity we can to recognize his tremendous service to this Congress, to this country, and indeed, to this committee. One very high profile challenge we had in this committee was dealing with the labs, and Mr. DIXON was always the voice of reason and balance and fairness in those deliberations, and in fact, in every deliberation he was ever a part of.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. CASTLE. Mr. Speaker, reserving the right to object, I would like to engage the gentleman from Florida (Mr. GOSS), the chairman of the Committee, in a brief colloquy.

I would like to thank first of all the chairman for the wonderful job with this year's intelligence authorization legislation. I congratulate him for it. Obviously, we congratulate Mr. DIXON for it, but his loss is immeasurable to this Congress, as so many people have said. It is sad he cannot be here today.

I will be brief, Mr. Speaker. As the chairman knows, I strongly support the overall bill, but have withheld my final support because of what I view as an egregious action by the chairman of the Senate Intelligence Committee and perhaps others.

As Members are well aware, we worked hard to address the needed reforms to our satellite launch program, as over the last almost 2 years six rocket launch failures have destroyed or made ineffective important military communications and intelligence satellites, risking the national security of the United States and costing taxpayers over $3 billion.

Our provision, approved by the House and Senate conferees and passed by both Houses of Congress, would have

ensured more accountability for the launch program of the National Reconnaissance Office and the Air Force, promoting better acquisition practices.

A series of meetings, hearings, and briefings on the severity of these problems, with the help of the gentleman from Georgia (Mr. SANFORD), has made it obvious that our failures and problems were rooted in the morass of contracts used in the launch program and exacerbated by a tangle of bureaucratic turf concerns.

The Senate's refusal to acknowledge that these reforms are needed is short-sighted and risk more problems in the satellite launch program. Unfortunately, the Senate Intelligence Committee did not see fit to include this provision. It stripped the measure out without debate or justification.

Mr. Speaker, I ask the gentleman, is it his understanding that the National Reconnaissance Office provision would greatly help streamline the satellite launch process, and that the Senate's refusal to acknowledge that these reforms are needed is short-sighted and risks more problems in our satellite launch program?

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

Mr. CASTLE. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, as the gentleman knows, as I stated in conference, as I stated earlier, and as I would state again, I believe the provisions would have improved greatly the management and performance of the NRO's launch program. I, too, am extremely disappointed in the Senate's action, which I also concur is short-sighted.

Mr. CASTLE. Mr. Speaker, I thank the gentleman from Florida (Mr. GOSS). I am glad we agree on this. As the gentleman from Florida is aware, while I am disappointed in the Senate's action on this, I have agreed to let this bill pass today and move the process forward.

Mr. Speaker, can we agree that the committee will, early next year, begin to look into this matter more closely with the National Reconnaissance Office so that we can place good reforms into our launch program and pursue what is best for our national security, let alone our taxpayers' best interests?

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

Mr. CASTLE. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, the gentleman from Delaware has my commitment that, early in the 107th Congress, the committee will study and draft such reforms based upon the good work of the gentleman from Delaware, the gentleman from Georgia (Mr. BISHOP), and others on the committee, which have been reflected in the bill. In fact, we have already done this. We have passed it, as the gentleman has said, both in the House and the Senate. I think we had good product, I think we had good process, and I am sorry we find ourselves in this predicament.

However, I think the best resolution, as has been outlined, is to go forward with the vital bill. The gentleman from Delaware (Mr. CASTLE) has my commitment that we will go back, and perhaps we can improve even more on the improvements the gentleman has already recommended to us.

Mr. CASTLE. Mr. Speaker, I thank the gentleman from Florida. I also would like to thank the gentlewoman from California (Ms. PELOSI) and gentleman from Georgia (Mr. BISHOP), who spoke in favor of this, too. It is a shame we cannot get it done this year, but we do have to move forward.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Florida?

There was no objection.

The motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GOSS. 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. 5630, the bill just considered and passed.

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

There was no objection.

ADJOURNMENT TO WEDNESDAY, DECEMBER 13, 2000

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. December 13, 2000.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

IN MEMORY OF THE HONORABLE JULIAN C. DIXON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. LAHOOD) is recognized for 5 minutes.

Mr. LAHOOD. Mr. Speaker, on Friday, when I had returned to my District, I received word of the death of JULIAN DIXON, and so I called this morning our cloakroom to set aside 5 minutes so I could make a few remarks. I was not here on Friday, and I know a number of Members did take the time to acknowledge the great work of JULIAN. I know that the gentleman from South Carolina (Mr. CLYBURN) subsequently had an hour set aside this evening to do that also.

I really got to know JULIAN when I was a staffer working for Mr. Michel. He did extraordinary work as the chairman of the Committee on Ethics and worked so hard to bring a lot of, I think, civility and order and fairness to a process that was mired in controversy.

Then after having been elected to this House in 1994, I had the great honor serving with JULIAN as the co-chair of one of our seminars at the first bipartisan retreat that was held in Hershey, Pennsylvania. JULIAN attended that bipartisan retreat, and he and I co-chaired or co-hosted a seminar with Members. Again, I got the opportunity to work closely with him.

As I had known before, I realized what an outstanding human being JULIAN DIXON really has been throughout his life, and I also learned of his ability to really bring people together and get people to understand the importance of working together.

Then I had the great opportunity 2 years ago to be appointed to the Permanent Select Committee on Intelligence by the Speaker of the House. JULIAN has been the ranking member of that committee during the 2 years that I have been on, and one of the most distinguished members of the committee, one of the most bipartisan members of the committee. He was a very, very thoughtful individual who cared very much about the importance of having a good intelligence-gathering capability in this country and worked very hard on the committee, worked in a very bipartisan way with the distinguished gentleman from Florida (Chairman GOSS).

So like all Members who have had the chance to work with JULIAN and to know his great talents, his wonderful talents, to know as importantly the fact that he is a marvelous human being, the House will miss him greatly. I know that all Members extend their sympathy to his family and to those who have worked with him, including his staff.

I know that he will be missed greatly, not only on the Permanent Select Committee on Intelligence, but in the whole House, because he is truly someone who brings to this House the importance of working together, of cooperation, of civility, of decency.

So I am delighted to have this chance to pay my special tribute to a tremendous human being, someone who will be greatly missed, always admired, and really missed in the House and on the committee.

So it is with great sadness that I say my fond farewells to JULIAN DIXON. I

intend, along with I know a host of other Members, to attend the service for JULIAN on Wednesday in California and to personally offer my sympathy to his family.

So I appreciate the opportunity to say my farewells to a wonderful human being, a great Member, someone who brought great distinction to this House of Representatives.

CONTINUING RESOLUTIONS SPIRALING BEYOND SCOPE OF COMMON SENSE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, I rise to comment on an issue which has simply spiraled completely beyond the scope of common sense. I am referring to the continuing resolution which we just voice-voted, the 20th continuing resolution since the new fiscal year began October 1, 2000.

Today is the 11th of December. For the last 72 days, we have been unable to negotiate and work out individual spending bills for a number of departments and agencies because of policy differences primarily over ergonomics rules and education funding. From time to time, we were led to believe that agreement had been reached on these issues only to be right back right here today, voting on yet another continuing resolution.

I did support the continuing resolution we voted on today. However, Mr. Speaker, I do not plan to support any more continuing resolutions which are used to fund the Departments of Labor, Health and Human Services and Education through next year.

Certainly there are policy differences. There are always policy differences. That is the very foundation of our democratic system. However, these highly partisan protracted delays have serious and far-reaching consequences for millions of innocent victims. I am referring specifically to the millions of Americans who are dependent upon the National Institutes of Health to find new understanding and ultimate treatment of Alzheimer's disease, other brain illnesses, better treatment of spinal cord injuries and greater knowledge of the causes of cancer, heart disease, diabetes, HIV and AIDS, rheumatoid arthritis, and mental illness. Additionally, the human genome project supported by NIH holds the prospect of far-reaching advances in gene therapy to treat many illnesses.

Until this continuing resolution roller coaster started, the budget of the National Institutes of Health seemed about to experience its third consecutive annual increase of 15 percent following a bipartisan path to doubling the budget over 5 years. Under the scenario we are faced with today, despite strong support from both sides of the aisle and approval by a House-Senate conference committee, this increase appears to be under serious threat.

Funding for the National Institutes of Health is included in the Labor, Health and Human Services conference report, H.R. 4577. Without immediate enactment of this bill, funding increases are in peril. This fiscal year 2001 funding bill must move forward. To delay or to roll NIH funding into another continuing resolution would be a loss of an additional $2.7 billion in medical research and a real setback and a loss of hope to the millions of Americans afflicted with serious diseases. Congress cannot, must not, let progress stall at year 3 on the 5-year plan to double NIH's budget.

Fiscal year 2001 funding is vitally important to allow our Nation's scientists and clinicians to enhance the health of the American people by exploiting the tremendous opportunities offered by the current revolution in biomedical research.

Last year, NIH was able to support 8,900 new research grants at universities across the Nation. Now, with a 15 percent increase, it anticipated supporting up to 9,500 in the current fiscal year. If the budget does not reflect the 15 percent increase and, instead, stays at the level of fiscal year 2000, only 5,000 new grants will be given out. A number of projects will be zero-funded. This could include initiatives in neurodegenerative diseases, including Parkinson's, and clinical trials for new treatments for childhood cancer and diabetes.

Not only would NIH lose its 15 percent increase, the Centers for Disease Control and Prevention would lose a proposed increase of $886 million. That includes an $88 million increase for HIV prevention, $36 million for childhood immunizations, and $85 million for infectious disease control.

Another negative consequence of extending the current level funding in a continuing resolution is that the Center for Information Technology would be significantly restricted from providing necessary support of the NIH scientific and business communities. For example, the Center for Scientific Review would need to defer all purchases of computers and other equipment necessary to utilize the core data systems for the National Institutes of Health.

If our Nation is to sustain the momentum and continue to translate scientific discovery into better health and an improved quality of life for all Americans, then we just have to continue our commitment to double the NIH budget by 2003. Volatility and dramatic fluctuations in funding can be as harmful to the research community as inadequate growth. We risk wasting the investment that has been made for the past 2 years if scientists do not have those resources. So the bottom line is we cannot freeze the budget of the National Institutes of Health.

IN MEMORY OF THE HONORABLE JULIAN C. DIXON

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from South Carolina (Mr. CLYBURN) is recognized for 60 minutes as the designee of the minority leader.

Mr. CLYBURN. Mr. Speaker, the flags on this building are flying at half mast, recognizing the departure of one of this body's most respected and best loved Members. JULIAN DIXON was a kind of gentleman that engendered the kind of respect that all of us would like to have as Members of this august body. So it was no wonder that, when I arrived here 8 years ago, he was one of the first people that I sought out to sit down with.

I had heard of JULIAN DIXON before coming here. I had read a whole lot about him and was particularly impressed with the fact that, at one of this body's most crucial times, JULIAN DIXON was called upon to chair the Committee on Ethics. It was his performance in that chairmanship that I believe maintained the stability that needed to be maintained in order to get the House of Representatives through that particular juncture.

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He was admired for his work there, but also admired for the work he performed as Chair of the Subcommittee on the District of Columbia of the Committee on Appropriations. That is one of the most difficult positions that one could be in because, as all of us know, the District of Columbia has a problem of taxation without representation. And of course that is a subcommittee of the Committee on Appropriations, and the person who chairs that subcommittee has probably more to say about the well-being or the ways and means of the District of Columbia than any other single person. JULIAN's performance on that subcommittee endeared him to all of the people in the District.

And then, of course, at the time of his death he was serving as the ranking member on the Permanent Select Committee on Intelligence. JULIAN DIXON's performance there had to be admirable because, as all of us know, that is a special committee, one that requires a special kind of person. And of course everyone who knew JULIAN knew that he had within him the capacity to do well as ranking member on that committee. Many of us had looked forward to the day when JULIAN would be chair of that committee. But as the omnipotent and omnipresent being willed it, such would not be the case.

JULIAN DIXON was the former chair of the Congressional Black Caucus. As its current chair, it is with great respect that I requested this time this evening so those members of the Congressional Black Caucus who were not here on Friday, when we received news of his death and of course then entered into a spontaneous special tribute to him, so

that they would have an opportunity to come to the floor this evening and pay their respects to the life and legacy of JULIAN DIXON and to impart to his wife, Bettye, and his son, Cary, how much we share in their loss.

Mr. Speaker, I yield the balance of my time to the gentleman from North Carolina (Mr. WATT), who will manage the rest of this time and, hopefully, recognize those Members as they come to the floor.

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy, the time originally allocated to the gentleman from South Carolina (Mr. CLYBURN) will be controlled by the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I want to thank the chairman of the Congressional Black Caucus for reserving the time for those Members who were not able to come to the floor on Friday of last week when we suddenly found out about the death of our good friend and colleague, JULIAN DIXON.

Mr. Speaker, I would now yield to my colleague, the gentlewoman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman for yielding to me, and on this sad and solemn occasion I am reminded of the words of that poignant song ''Gone too soon.'' Last Friday, we lost more than a mentor, a colleague and a friend. Last Friday, we lost a steady hand, a true heart, a penetrating individual.

JULIAN DIXON left this life at a time when he had command of it. As ranking member of the Permanent Select Committee on Intelligence and as an influential member of the Committee on Appropriations, he was in control. That is why, with a heavy heart, I rise to express my condolences to the family of JULIAN DIXON whose untimely passing we mourn. His wife, Bettye, and his son, Cary, should know that while their grief is heavy, comfort may be found in those close to them, friends and family who will gather, and increase their gathering, on Wednesday morning, December 13, to acclaim his life and to celebrate it.

This husband and father was indeed an American hero; the wind beneath the wind of so many of us in Congress. For some 22 years, JULIAN DIXON gave of himself to the people of West Los Angeles. With dedication and determination, he took on the tough task while undertaking his responsibility with concern and compassion. He preceded me by some years as chair of the Congressional Black Caucus Foundation. He was always there to give a steady hand and advice.

He stood firm, never wavering on behalf of the voteless citizens of Washington, D.C. He worked hard to make sure that legislation was passed to give Dr. Martin Luther King his day. And while he was never loud or boisterous, he was always heard and respected.

JULIAN has now been called to rest, to reside in a place of total peace. God's fingers have gently touched him and he now sleeps. I am confident that he has left a lasting impression on those who came to know him, and the principles that guided him now serve as guideposts for those he leaves behind.

I am also certain that throughout his life he remained a caring friend, a devoted and loving family member, and a committed and dedicated father and husband. He shall surely be missed. I feel certain, however, that while our hearts are heavy and our grief is great, he would want all of us to rejoice in his life and the time he spent on this earth among his friends and the citizens of this earth.

Mr. Speaker, I believe it is important to offer a special word to his wife and son. It is my hope that they will be comforted by the fact that God in his infinite wisdom does not make mistakes. ''Your husband and father will live on forever in your hearts and minds through your cherished memories of his life and the time you had with him. Please continue to support one another.''

Let all of us here remember that death is not the end of life; it is the beginning of an eternal sleep. JULIAN DIXON, son of the District of Columbia, quiet soldier, shall sleep on. He lived his life in sacrifice so that millions of us and others could live our life in pride. He has labored long and effectively. He now rests.

Mr. WATT of North Carolina. Mr. Speaker, I yield to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and colleague, the gentleman from North Carolina (Mr. WATT), for yielding to me.

It is with deep sadness that I stand here tonight to pay tribute to our colleague and friend, JULIAN DIXON. It is so painful and it is so very hard and difficult. This country has lost a true friend. The State of California has lost a friend. The city of Washington, the Nation's capital, has lost a true friend.

JULIAN was not just another colleague. He was more than the representative of the 32nd Congressional District of California; he was more than a member of the Congressional Black Caucus; more than a member of the House Committee on Appropriations and the ranking member of the Permanent Select Committee on Intelligence. He was like family to me and to many of us here in the Congress.

JULIAN was a wonderful and kind man. He was a gentleman. Many times in this body we refer to each other as being honorable. This man, this good man, was honorable. He had the ability to calm troubled waters. He had a way of soothing hurt feelings. He was an effective Member of this body who could get things done on both sides of the aisle by mending broken bridges. This man we salute and honor tonight was a builder of bridges, a builder of bridges of understanding and bridges of compassion. JULIAN DIXON was a voice of sanity in the midst of confusion.

Mr. Speaker, as I said before, it is so hard to believe that JULIAN DIXON is gone; that he will not be here voting with us any more. I do believe that his free spirit, his kindness and his good nature, will always remain in our hearts, in our minds, and in this very Chamber. JULIAN cared for his colleagues, his friends, the people who elected him, and even the people he did not know.

As I said, he loved this city, the State of California, and this Nation. He was wonderful to work with. He never sought the limelight. He just did his work. He was just good to be around. He was a dear friend and he was my brother.

Mr. Speaker, for this Member, it is still shocking; a sense of disbelief. It is so unreal and yet it is so painful. We have lost a member of our family. It does not matter whether we are Democrats, Republicans, or Independents. It does not matter whether we are black or white, Asian or Hispanic. We are family. We are one family. We are going to miss JULIAN.

Mr. Speaker, I want to close by saying to Bettye, JULIAN's beloved wife, that we will keep you and your family in our prayers. Thank you, Bettye, for sharing JULIAN with California, with all of us, with the American people and the rest of the world. He will be deeply missed.

And JULIAN, I say to you, Sweet prince, take your rest.

Mr. WATT of North Carolina. Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I thank the gentleman for yielding to me, and I rise today to honor our departed friend and colleague and Alpha Phi Alpha fraternity brother, JULIAN DIXON. Not only was JULIAN DIXON respected for standing up for the rights of all people, he was also known and respected for the soft spoken and thoughtful manner with which he accomplished those goals.

JULIAN DIXON worked tirelessly for the cause of civil rights. His position on the Subcommittee on Commerce, Justice, State and the Judiciary of the Committee on Appropriations enabled him to maintain the Nation's commitment to civil rights by his advocacy for agencies such as the Equal Employment Opportunities Commission and the U.S. Commission on Civil Rights. During the 104th Congress, he worked to pass bipartisan legislation to establish a memorial to Dr. Martin Luther King, Jr. in our Nation's capital.

Once the chairman of the Congressional Black Caucus, JULIAN DIXON was active in the fight in the mid-1980s to impose economic sanctions on racially segregated South Africa. Perhaps more important than his dedication to social justice, JULIAN DIXON was highly regarded for the way in which he worked for his goal. He did not seek the limelight or engage in demagoguery. Instead, he worked behind the scenes building bridges between Members.

As an agent for social justice, JULIAN DIXON himself embodied the principle of judiciousness. As the leading member of two committees requiring a sensitive and judicious approach, the House Committee on Standards of Official Conduct and the Permanent Select Committee on Intelligence, JULIAN DIXON served with distinction. On the Subcommittee on the District of Columbia of the Committee on Appropriations, where he served as chairman, JULIAN DIXON consistently advocated for fairness for Washington, D.C., refusing to let partisanship interfere.

But judiciousness is not only characterized by evenhandedness, it is also characterized by a reasoned approach to problem solving. JULIAN DIXON regularly did what was extremely difficult in a political environment. He disregarded the emotional appeal and made decisions based on a reasoned approach. In fact, JULIAN DIXON possessed a level of intellectual integrity that is rarely found in politics today. JULIAN DIXON has shown us that it is not just what one does that matters, but also it matters how one does it.

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He was a champion for justice and a gentleman who taught us cooperation, reason, judiciousness in doing what is right and necessary. As we honor his life today, I hope we can best honor him not just through our words but also through our actions.

Thank you, JULIAN DIXON, for showing us the way.

Mr. WATT of North Carolina. Mr. Speaker, I am proud to yield to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) the next chair of the Congressional Black Caucus.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I thank my colleague for his leadership this evening.

Mr. Speaker, I rise to pay tribute to my friend, Representative DIXON. I always called Mr. DIXON the quiet storm because his strength was known just as soon as he spoke words, but he never spoke loudly and his words were always respected. He was my mentor, my teacher, and my friend. And Bettye, his dear Bettye, is also my friend and she has my deepest sympathy.

My friend, JULIAN, inspired me politically and personally. Politically he was a profound legislator and an effective architect of democracy. Personally he was a dependable friend, a shoulder to lean on, a voice of encouragement. He had a complete view of America. He aggressively fault for the bear essentials of democracy, home rule and a voice for all Americans. He was an advocate for crime prevention programs, the poor, civil rights, education, labor, small and minority owned businesses, immigrants, Federal technology programs, and much more.

JULIAN did all of this. And yet, he was not flashy. He did not have to be seen all the time. And though his actions were praised with numerous awards and honors, he was humble. That was just JULIAN. My friend, JULIAN, was always willing to do the hard work, do the heavy lifting, be a friend to many.

America is truly indebted to JULIAN DIXON as a congressman, and I am truly indebted to him as a friend. No longer will I hear his voice when I need advice, encouragement, or just a friendly hello. JULIAN's reassuring voice is gone, but his spirit lives on. And I will always attempt to reach back and grab his technique to try to get things done. He has been called home for a well-deserved rest much too soon, much untimely. But I will say, rest well, JULIAN. Your job was well done and we all thank you for your efforts.

Mr. WATT of North Carolina. Mr. Speaker, I am honored to yield to the gentlewoman from the District of Columbia (Ms. NORTON) the person in this body who probably had among the closest relations with our dear friend and colleague, JULIAN DIXON, because of his service on the Subcommittee on the District of Columbia and their close association.

Ms. NORTON. Mr. Speaker, I am grateful to the gentleman from North Carolina (Mr. WATT) for his work in the Congress and for his work on this special order. If any Member would be on the floor in memory of JULIAN DIXON, this is the Member.

I want to begin by offering my profound sympathy to Bettye and to JULIAN's family. I was in an airport when I was paged and told by my staff that JULIAN had died suddenly. I can only say to you that the shock of that revelation left me personally heartbroken and that personal heartbreak is repeated throughout the District of Columbia.

I want to say a few words this evening about three aspects of JULIAN's life: his institutional relationship to this House; his relationship to his own district as a quintessential legislator; and his unique relationship to the place where he was born, the Nation's Capital.

JULIAN was once honored as one of 12 unsung congressional heroes. Is it not such a fitting way to remember JULIAN? For this very able Member of this body was at once collegial and courageous but he shone so bright that he did not even tell anybody. And when you have what JULIAN had, others will sing your praises.

This was a complicated man. JULIAN DIXON was a man of deep convictions, for example on race and justice issues. And yet, if you walk the halls of this body, I think you would find that Representative JULIAN DIXON was regarded as the ultimate bipartisan Member.

How can you be a man of such deep conviction without being neutered? JULIAN showed us how; collegial, courageous, able. In a very real sense, JULIAN was a member's Member. And nothing indicates that more than his service on two of our committees, the Committee on Ethics and the Committee on Intelligence. Those are very difficult committees and only Members who are first among their peers are assigned to such committees.

Imagine, any of us imagine, what it would mean to have to preside at the Committee on Ethics when your own speaker, your very good friend, was brought up and ultimately sent away. Could we handle that assignment and be left with the respect of our peers on both sides of the aisle? I submit that there are few Members who could have done so and that JULIAN DIXON became an especially towering figure in this body when he managed to do so with great dignity and fairness.

Let me say a word about JULIAN's relationship to his own district. What he has done for his district in 11 terms reads like an encyclopedia of great benefits. How is he able to do this? He is a man who knew why he was sent here. Here was a man who was first and foremost a legislator.

Now, JULIAN would appear to speak when he had something to say and when it was important to speak. That is why everybody listened when JULIAN opened his mouth. So he did not take to the floor to spread his extraordinary wisdom, much as I wish he had. He decided who he was in this body and he decided to legislate, to legislate on the Committee on Appropriations and to legislate bills.

Now, I respect Members for whoever they decide they are. There are legislators that decide they want to be an expert in a particular work of a committee, and Members look to them for the expertise they build up over the years. There are Members who specialize in just talking, and sometimes they have a lot to say and we listen to them. But if you think about it, the work of this body is legislation. And JULIAN decided that, even given his multifaceted set of talents, he was going to be a legislator. And what he did for his district means that it will be many years before his or any other district can attract such a legislator.

You have got to be real focused. You have got to do more than just put the bill in. You have got to do more than get up on the floor and wave the flags. You have got to do the grunt work that gets it done. And his district had the enormous benefit from his service in this body. This was a senior Member who knew how to especially get funds for his district.

When you think about what this man did for the institution, particularly on the two committees which have I named, the Committee on Ethics and the Committee on Intelligence, his institutional service to this body is far and wide. But when you think of what he did for the institution and then you move to what he did for his district, he is already way into overtime. Somehow or the other, JULIAN DIXON, when he came to Washington, decided that he was going to serve the District of Columbia.

My friends, they do not pass out rewards for that except in the District of

Columbia. And we do not have the vote in the Congress, and there is not a lot of money to be collected here. Besides, JULIAN was an automatic vote in his district. So why in the world would he serve the District of Columbia? From the beginning, he got on our committee and for almost 15 years chaired the Subcommittee on the District of Columbia.

This is a sacrifice. With his seniority, chairing some other committees definitely brings rewards. It is hard for me to think of a single reward for chairing the Subcommittee on the District of Columbia. Here was a Member who took the orphaned District of Columbia, the city without a State, the smallest guy on the block, and decided early on that he was going to represent two districts. That is exactly what he did. He represented my district, which did not have a vote, and gave it all that any Member could.

When I came to the Congress, I was naive enough to try to get to serve on the Committee on Appropriations. After all, my appropriations is the only one that ever comes over here. I finally figured out that, without a vote on the House floor, I would never be able to serve on the Committee on Appropriations. Not to worry. The District had far better than I shall ever be on the Committee on Appropriations.

Now we see the problems that the District has on the Committee on Appropriations. Now, do not think that when the Democrats were in power it did not also have similar problems. It was always a struggle. And all I can tell you is that if JULIAN DIXON is on the field for you in such a struggle, that battle is going to be won. And year after year, he won the battle for the District of Columbia.

He had an extraordinary relationship to the District and to me. It is interesting, as close as I was to JULIAN, I never saw him give the District a pass. He knew just how much oversight to give. You give enough oversight so that you are dealing with the money. You never give oversight to the business of the city, which is, after all, the business of the city. You always respect home rule. You hold the city accountable for the money that the Congress gives the District. But you are always deferential to the people who must govern the District. Balance perfect.

JULIAN was born here. I learned that he went to the same elementary school that I went to. He and I never knew one another. He left very early. He became a Californian when he was a very young child. But the loyalty, the sense of being drawn to the needy, which is what a city without the vote is, of being drawn to his hometown overwhelmed any avarice or any sense that we should be left out there with a Member less committed to this city.

Here was a man finally of immense ability, total command of budget and legislative matters, a perfect sense of balance and judgment, yet a man whose life was devoted to justice and full of compassion, a quiet force in this body.

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JULIAN DIXON's death has created a vacuum in this House. The space will be filled with ever-lasting memories of this Member.

Mr. WATT of North Carolina. Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman from North Carolina and as well my colleagues. Now with heavy hearts but maybe some moments to think, we have come to the floor to raise up our voices, albeit not as eloquent as Congressman JULIAN DIXON deserves, to pay tribute to him.

Last Friday when the shocking news made its way to the floor of the House and to our various committee rooms, many of us, overtaken with the grief, attempted to say some words of solace and comfort to the family. It was very difficult at that time to put all that you might have wanted to say in a manner that was befitting of the great American that the Honorable JULIAN DIXON was and will continue to be in our minds and hearts.

Today, Mr. Speaker, I rise with a heavy heart to mark the sad passing of my colleague and friend, Congressman JULIAN DIXON of California. There is a lot that I could say, but a day or week, not even a month would allow me enough time to express all that JULIAN C. DIXON was to his family and colleagues, his friends, constituents, nor to the good works that God allowed him to perform here on Earth.

A son, which JULIAN DIXON was, of course, is a mother and father's best hopes and dreams personified. A husband, which JULIAN DIXON was, is a wife's best friend, companion and adviser. A father is a counselor, aide and active participant in the life of his child. Congressman is the title bestowed to those special few among us who are selected by the residents of our respective communities to represent their best interests in our Nation's democracy. A leader is a pillar for our community of public servants who populate the halls of power within the Federal Government.

These are only a few of the titles that the Honorable JULIAN C. DIXON has gathered during his brief 66 years with us. To Bettye and his son, let me say that no matter what we all conclude today as we honor him, none of those words could provide the total comfort of the loss you are feeling now. Might I say personally that I wish I could give JULIAN DIXON another 66 years so that each Member of this body, 435, would have the personal opportunity to feel his judgment, his leadership, his soft tone, his personal charge and charisma around the issues that he so loved. But we will not have that.

I am gratified that as a Representative from the 18th Congressional District of Texas, I can claim the friendship of JULIAN DIXON through the Members that preceded me and who knew him so very well. How special it is to have a congressional district in its entirety have a special relationship with a Member that does not even represent my constituents. JULIAN DIXON knew many of my predecessors, and they spoke well of him and loved him. Congressman DIXON honorably represented his constituents, the residents of the 32nd Congressional District of California, for 22 years. He was first elected in 1978 to serve the residents of the 32nd District of California, which includes the greater Crenshaw community in Los Angeles and the city of Culver City.

JULIAN DIXON's reputation as an intelligent, politically savvy team player with high ethics and tough judgment made him a mover and shaker on Capitol Hill early in his career here in Washington. JULIAN DIXON was appointed to the House Committee on Appropriations and rose to become the chairman of the Subcommittee on the District of Columbia where he championed the cause of the disenfranchised District of Columbia residents, giving them a larger voice in their ability to govern their city, believing in them as Americans and having the right to represent themselves. As a Member of the Appropriations Subcommittee on Defense, the Subcommittee on Commerce, Justice, State and Judiciary and the Subcommittee on the District of Columbia, he believed in putting people first. And on the Appropriations Subcommittee on the District of Columbia, Congressman DIXON made his mark. He was not to be denied in his efforts to champion the valid cause of the residents of the District of Columbia. They had an eloquent and strong and fair and convincing voice in Congressman DIXON.

As a Member of the House Committee on Appropriations, Congressman DIXON also found ways to balance the needs of the poor residents of his district with the responsibility of the Nation's defense needs. How difficult a task, what a conflict. There would be many times that we would come to the floor of the House and turn to him and ask him about the different choices that had to be made, but we knew that if Congressman DIXON was behind the vote and wanted the green to go up on the score card, he had researched it, he understood it, he believed in it and it was right.

He sponsored a loan guarantee act for small businesses hurt by military base closings and defense contract terminations. He always thought of the fellow or lady that would be disenfranchised because of some effort, some vote, some initiative that passed on the floor of the House. I believe Congressman DIXON was boldly a liberal and proud to stand under that banner. He was not apologetic as some have been because of the scorn shown to public servants that work for justice

and equity for the poorest Americans or those who did not vote or those that could not claim that they had a voice here, while ensuring fairness for all. That is why so many have come to the floor from both sides of the aisle to praise him, because he did reach out or he did make the effort to ensure that all understood that he sought only fairness in this body.

In living his conviction to serve all of his constituents, he stepped in with dire emergency supplements for Los Angeles after the riots in 1992 and the Northridge earthquake in January 1994, always looking back, always ensuring that if he could give a helping hand, he would be there to do so.

Because of his impeccable character and, I believe, his style of leadership and his commitment to the Democratic Party, he chaired the Rules Committee at the Democratic National Convention in 1984; and later in 1989 he chaired the House Ethics Committee where he also served with distinction and, I might say, courage. It is difficult to oversee the plight of one's colleague and friend. He did so with dignity, and he did so, as we will remember him, with the ultimate keen eye toward someone's humanity.

In acknowledgment of his keen leadership, the Congressman became ranking member on the House Permanent Select Committee on Intelligence, making him the highest ranking Democrat on that exclusive 16-member panel. The 106th Congress marked Congressman DIXON's 11th term in the House of Representatives. His work as a public servant was highly respected and his stature as a statesman unmatched. For this reason, JULIAN will be missed by Members from both sides of the aisle.

JULIAN DIXON, while serving in the House of Representatives, lived the lessons of life in earnest, truth, justice, equality and compassion for all. I do believe that as we read the words that are in bold above the head of the Speaker, ''In God We Trust,'' that JULIAN DIXON had, in his own evenhanded and very genteel demeanor, a special God and a special relationship that kept him always able to bring people together and to provide a quiet hand, a quiet resting comment that would draw us to the point of resolution and conciliation as opposed to anger and anguish and frustration. I thank you, JULIAN, for that. I thank you for finding your spot on this House floor and taking your seat and allowing us to come and raise our voices in inquiry as to what decisions we should make or what these issues meant. I thank you for taking the questions from new Members as you presided over the intelligence initiatives and the various appropriation matters. I thank you for having your special compass.

And so I would like to close my remarks about this very special friend not only of this body but of this Nation with the words of the Lord as recorded in St. John Chapter 10, verse 27 to verse 30:

''My sheep hear my voice and I know them and they follow me. And I give unto them eternal life and they shall never perish. Neither shall any man pluck them out of my hand.''

God has called JULIAN unto himself, I know to the great dismay of his loving family, his staff who loves him so dearly and I offer to them my greatest sympathy, and to all of his constituents and to America. And now it is our heavy burden to continue Congressman DIXON's example without his guidance and maturity. Let me pledge to you as we miss you that he will continue to be our friend and we will seek to find our place where he wants us to be.

We will miss you, my friend. I wish you Godspeed. Thank you very much. God bless you, JULIAN, and God bless America.

Mr. WATT of North Carolina. Mr. Speaker, I yield to the gentleman from Michigan (Mr. CONYERS), the dean of the Congressional Black Caucus.

Mr. CONYERS. I thank the gentleman from North Carolina (Mr. WATT) for yielding.

Mr. Speaker, I join my colleagues in mourning the unexpected loss of our friend, JULIAN DIXON; and I extend my deepest sympathies and condolences to his family, his wife, Bettye, and son, Cary, and his dear friends from one end of this country to the other. I had the pleasure of serving with JULIAN in this body for 22 years. In the process we became good friends working on many issues of justice and peace. He was an extraordinary public servant who was the exemplification of dignity and integrity at all times. His passing is a profound loss for this Nation and this Chamber. He was a defender of the principles of democracy and a champion for civil rights, equality and justice.

JULIAN served this institution in so many capacities. He served in his most important role as that unique and distinguished representative from the 32nd District of California, advancing the needs of the communities in Culver City, parts of West Los Angeles and the greater Crenshaw area. In addition to representing his people with passion and dedication, he served on the House Permanent Select Committee on Intelligence as the ranking member and as a member of the Appropriations Subcommittee on Defense. I also remember the leadership he displayed as the chair of the Congressional Black Caucus.

My fondest recollection comes from working with him on legislation to make the late Dr. Martin Luther King Jr.'s birthday a Federal national holiday. He continued his efforts to honor Dr. King by working to establish a memorial to Dr. King in the Nation's Capital. On a cultural note, I noticed and remembered that we participated in many discussions about our favorite music, jazz. I not only found him to be extremely knowledgeable about the subject of jazz but he also knew and supported the artistic efforts of many of the musicians. Whenever I had the opportunity to visit Los Angeles, I would seek out JULIAN to find out where the artists in the area were performing.

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When time allowed, I would always make use of JULIAN's recommendations, and I will always remember with great fondness our mutual love for jazz and the endless discussions between us on this unique art form.

JULIAN DIXON was a gentleman of exceptional stature and character. He was a fierce protector of democratic principles and a mighty warrior for civil rights and fairness. I will dearly miss his powerful spirit and friendship. I extend my prayers and condolences to his family and to all those saddened by his loss.

Mr. WATT of North Carolina. Mr. Speaker, I want to express my thanks to the number of colleagues who have participated in this special order in tribute to our good friend and departed colleague, JULIAN DIXON. A number of Members on Friday, immediately following the announcement of JULIAN DIXON's death, had the opportunity to come to the floor and express themselves and that has continued today. I am aware, however, Mr. Speaker, that a number of our colleagues have not been able to make it back today.

Let me just wrap up, Mr. Speaker, by saying a few words. First of all, obviously on behalf of the Congressional Black Caucus and the many other Members of this body, we want to extend our sincere condolences to the family of our friend, JULIAN DIXON; his wife, Bettye; his son, Cary; to his staff; to his constituents, not only those in his congressional district but those in the District of Columbia and throughout the Nation whom he served so well for the years that he was in this body and in politics.

Many of us, when we come to this body, seek out and observe people and try to emulate them and identify with them. We call them our role models. Those of us who do that, and I am one of those, all considered JULIAN DIXON a role model. Even those of us whose styles may have been more vocal and sometimes more shrill aspired to be like JULIAN DIXON because he could influence others, not so much by shrillness or public speaking but just because of his wisdom and knowledge of issues and his quiet, calm way of dealing with issues. We admired that about JULIAN.

He was a gentleman in the truest sense of the word. He respected others, regardless of how they chose to express themselves. He quite often, after I would come to the floor and make statements, he would come and say you really made a good speech. He fortunately never came and said I made a bad speech, but probably when he thought I was making a bad speech or overdoing it he just maintained his quiet, cool, calm demeanor and did not say anything.

I admired this man immensely, and I think we all admired him immensely for that gentle approach, that gentlemanly approach to issues.

As many of my colleagues have said today, it would take a special person with a special kind of relationship to other colleagues in this body to chair the Ethics Committee, and to chair the Ethics Committee during a time when the Speaker of the House was being investigated and to steer this body through that process and still have the respect and admiration of all of his colleagues.

I think that probably summarizes and personifies the kind of person that JULIAN DIXON was, and that all of us perceived him as being; a balanced, thoughtful, gentlemanly person. He is going to be missed by this body, by his district, by America, and I personally will miss him immensely.

Mr. Speaker, I just want to again express our sincere condolences to family, friends, staff, constituents.

Mr. GEPHARDT. Mr. Speaker, as the leader of the Democrats in the House and as a Member of the House, I rise to express our collective grief and sadness at the suddenness of this very, very, very negative event that has happened to all of us.

I have served here nearly my entire time with JULIAN DIXON, and, as others have said, I have never known a more gentle, conciliatory, wonderful human being as we have known in JULIAN DIXON. He served in this body in the most sensitive and difficult positions. He served as chairman of the Committee on Ethics in some of the stormiest and most difficult times in our past; he has been ranking member on the Permanent Select Committee on Intelligence; he has been a subcommittee chairman and then ranking member on the Committee on Appropriations.

All of that is important, but I guess what is most important to me, and I think to all of us, is that he embodied to us the best in public life. He was a beautiful human being. He loved others, he cared for others. Everything that he did was with grace and excellence. He typified what it means in this country and in the world to be a public servant.

We are deeply saddened by this unexpected tragedy. Our hearts and our prayers go out to his family, go out to his constituents, go out to all of his beloved friends, in California and around the country.

To the members of the California delegation, all of us give our deepest sympathy, and all of us will pray in the days ahead for the comfort and understanding on behalf of his family and his loved ones.

GENERAL LEAVE

Mr. WATT 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 in memory of our friend, JULIAN DIXON, who is the subject of this special order.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

MESSAGE FROM THE SENATE

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

S. RES. 387

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Julian C. Dixon, late a Representative from the State of California.

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

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

The message also announced that the Senate has passed without amendment a bill and a joint resolution of the House of the following titles:

H.R. 5528. An act to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes.

H.J. Res. 129. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

The message also announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 161. Concurrent resolution to correct the enrollment of H.R. 5528.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FILNER (at the request of Mr. GEPHARDT) for today and the balance of the week on account of personal reasons.

Mr. UNDERWOOD (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business in the district.

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 Member (at the request of Mr. CLYBURN) to revise and extend his remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

(The following Members (at the request of Mr. LAHOOD) to revise and extend their remarks and include extraneous material:)

Mr. LAHOOD, for 5 minutes, today.

Mrs. MORELLA, for 5 minutes, today.

ENROLLED JOINT RESOLUTION

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 129. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

ADJOURNMENT

Mr. WATT of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 6 minutes p.m.), under its previous order, the House adjourned until Wednesday, December 13, 2000, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

11265. A letter from the Acting Chief, Division of General and International Law, Maritime Administration, Department of Transportation, transmitting the Department's final rule—Statistical Data for Use in Operating-Differential Subsidy Application Hearings [Docket No. MARAD–2000–8464] (RIN: 2133–AB43) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

11266. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Risk-Based Capital Guidelines; Market Risk Measure; Securities Borrowing Transactions [Docket No. 00–28] (RIN: 1557–AB14) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11267. A letter from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting the Department's final rule—Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing; Administrative Process for Assessment of Insured and Assisted Properties [Docket No. FR–4452–F–02] (RIN: 2501–AC45) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

11268. A letter from the Secretary, Department of Education, transmitting Historically Black Colleges and Universities for the 21st Century: Annual Report of the President's Board of Advisors on Historically Black Colleges and Universities; March 1999; to the Committee on Education and the Workforce.

11269. A letter from the Acting Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—Special Demonstration Programs—received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11270. A letter from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule—Special Demonstration Programs—received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

11271. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Listing of Color Additives Exempt From Certification; Luminescent Zinc Sulfide; Correction [Docket No. 97C–0415] received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11272. A letter from the Deputy Associate Administrator, Emvironmental Protection Agency, transmitting the Agency's final

rule—Alabama: Final Authorization of State Hazardous Waste Management Program Revisions [FRL–6915–8] received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11273. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: NAC-UMS Revision (RIN: 3150–AG57) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

11274. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 26–00 which constitutes a Request for Final Approval for the Project Arrangement (PA) on Tactical Endurance Synthetic Aperture Radar (TESAR) Upgrade, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

11275. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions to the Procurement List—received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

11276. A letter from the Inspector General, Federal Housing Finance Board, transmitting the semiannual report on the activities of the Office of Inspector General ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11277. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the semiannual report on the activities of the Inspector General for the period ending September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11278. A letter from the Chairman, National Credit Union Administration, transmitting the semiannual report on the activities of the Office of Inspector General for April 1, 2000 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11279. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the semiannual report on the activities of the Office of Inspector General of the National Labor Relations Board for the period April 1, 2000 through September 30, 2000, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

11280. A letter from the Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Tribal Self-Governance (RIN: 1076–AD21) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11281. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No. 991008273–0070–02; I.D. 111600A] received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11282. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for New York [Docket No. 000119014–0137–02; I.D. 113000D] received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11283. A letter from the Director, Management and Budget Office, National Ocean Service, National Oceanic Atmospheric Administration, transmitting the Administration's final rule—Announcement of Funding Opportunity for research project grants [Docket No. 000913258–0258–01; I.D. No. 091100C] (RIN: 0648–ZA93) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

11284. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—Rules of Practice and Procedure [Docket No. 00–33] (RIN: 1557–AB88) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11285. A letter from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting the Department's final rule—Asylum Procedures [INS Order No. 1865–97; AG Order No. 2340–2000] (RIN: 1115–AE93) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11286. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Interim rule; stay of regulation—received December 4, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11287. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—VISAS: Immigrant Religious Workers—received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

11288. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFE Company CFE738–1–1B Turbofan Engines [Docket No. 2000–NE–40–AD; Amendment 39–11942; AD 2000–21–10] (RIN: 2120–AA64) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11289. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Modification of the Dimensions of the Grand Canyon National Park Special Flight Rules Area and Flight Free Zones [Docket No. FAA–1999–5926] (RIN: 2120–AG74) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11290. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Commercial Routes for the Grand Canyon National Park—received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11291. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Neches River, TX [CGD08–00–026] (RIN: 2115–AE47) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11292. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Sabine Lake, Texas [CGD08–00–027] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11293. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Boynton Beach Boulevard Bridge, Atlantic Intracoastal Waterway, Boynton Beach, FL [CGD07–00–109] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11294. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Service Difficulty Reports [Docket No. 28293 (FAA–2000–7952)] (RIN: 2120–AF71) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11295. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Mystic River, CT [CGD01–00–247] (RIN: 2115–AE47) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11296. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, mile 1084.6, Miami, FL [CGD07–00–106] (RIN: 2115–AE47) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11297. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30216; Amdt. No. 2023] received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11298. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW2000 Series Turbofan Engines [Docket No. 98–ANE–61–AD; Amendment 39–11941; AD–2000–21–09] (RIN: 2120–AA64) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11299. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines [Docket No. 99–NE–29–AD; Amendment 39–11952; AD 2000–22–06] (RIN: 2120–AA64) received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

11300. A letter from the Director, Office of the Assistant Secretary for Administration, Department of Agriculture, transmitting the Department's final rule—Department of Agriculture Priorities and Administrative Guidelines for Donation of Excess Research Equipment (RIN: 0599–AA06) received November 20, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

11301. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Outer Burial Receptacles (RIN: 2900–AJ49) received December 6, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

11302. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Export Certificates For Lamb Meat Subject To Tariff-Rate Quota (RIN: 1515–AC54) received December 8, 2000,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11303. A letter from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting the Department's final rule—Amended BOND Procedures For Articles Subject To An Exclusion Order Issued By The U.S. International Trade Commission (RIN: 1515–AC43) received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11304. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Material Management and Accounting Systems [DFARS Case 2000–D003] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11305. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Profit Incentives to Produce Innovative New Technologies [DFARS Case 2000–D300] received December 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11306. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Federal Employment Tax Deposits—De Minimis Rule [TD 8909] (RIN: 1545–AY46) received December 5, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11307. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit or abatement; determination of correct tax liability—received December 7, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11308. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Clarifications of Qualified Intermediary Agreement Provisions and Procedures—received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

11309. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability—received December 8, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TALENT (for himself and Ms. VELAZQUEZ):

H.R. 5652. A bill to provide for reauthorization of small business loan and other programs, and for other purposes; to the Committee on Small Business.

By Mr. HUTCHINSON:

H.R. 5653. A bill to establish a grant program to assist State and local governments with improving the administration of elections through activities which may include the modernization of voting procedures and equipment, and for other purposes; to the Committee on House Administration, 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.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 2774: Mr. BENTSEN.

H.R. 3463: Mr. MCGOVERN.

H.R. 5179. Mr. KILDEE.

H.R. 5613: Mr. KASICH and Mr. BURR of North Carolina.

H.R. 5631: Ms. RIVERS, Mr. ISAKSON, Mr. HORN, Mr. MCNULTY, Mr. BENTSEN, and Mr. UDALL of Colorado.

H.R. 5642: Mr. GEKAS, Mr. NORWOOD, Mr. CUNNINGHAM, and Mr. JONES of North Carolina.

H.R. 5647: Ms. MILLENDER-MCDONALD.

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Senate

(Legislative day of Friday, September 22, 2000)

The Senate met at 5:34 p.m. on the expiration of the recess, and was called to order by the Honorable PETER G. FITZGERALD, a Senator from the State of Illinois.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Gracious God, we believe in You, we love our Nation, and we know we are called to unity. Today we pray very specifically for the resolution of the Presidential election; with the same intensity we intercede for this Senate. Bless the Senators of both parties. We join with millions of Americans in praying that You will give them the courage to keep working until the issues are resolved, the determination to find answers, and the desire to give as well as take in negotiation. You are ready to help those who confess their dependence on You for wisdom to find workable solutions and creative compromises. When we humbly ask for Your guidance together, You open the channels of communication and give us the inspiration to negotiate. We thank You in advance for the answer to this prayer. In the name of our Lord. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TIM HUTCHINSON, a Senator from the State of Arkansas, led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. THURMOND).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 11, 2000.

TO THE SENATE: Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PETER G. FITZGERALD, a Senator from the State of Illinois, to perform the duties of the Chair.

STROM THURMOND,
President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 6 p.m., with the time to be equally divided in the usual form.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized.

DEATH OF REPRESENTATIVE JULIAN C. DIXON OF CALIFORNIA

Mr. HUTCHINSON. Mr. President, I ask unanimous consent the Senate now proceed to the immediate consideration of S. Res. 387 submitted by Senators LOTT and DASCHLE.

The ACTING PRESIDENT pro tempore. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 387) relative to the death of Representative Julian C. Dixon, of California.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FEINSTEIN. Mr. President, I rise today to pay tribute to a remarkable public servant who has been taken from us all too quickly.

The sudden loss of Representative JULIAN DIXON has shocked and saddened us all. Without a doubt, JULIAN served California's Thirty-Second District with passion and distinction. He was a man of the highest integrity and credibility and his departure is a terrible loss to all of us.

He was a gentleman in every sense of the word who was willing to work across partisan lines to improve the lives of his constituents and so many Americans.

I was privileged as a member of the Senate Appropriations to work with JULIAN DIXON, who was a member of the House Appropriations Committee.

In this role, JULIAN always put California's needs first. He helped aid small businesses in Southern California who had been hurt by military base closures and defense downsizing. He also was a champion of the Los Angeles Metro Subway and the Alameda Corridor, an underground connection between the port of Los Angeles and the major east-west rail lines.

He also consistently fought to maintain our Nation's commitment to civil rights and to increase the economic upward mobility of the people of the Thirty-Second District.

JULIAN was also a leader through his role on the Appropriations Committee to secure funds to rebuild after the 1992 Los Angeles riots, the 1994 Northridge earthquake, and to improve public transportation throughout Los Angeles.

JULIAN DIXON served in Congress for 22 years, first being elected in 1978. He completed his undergraduate studies at California State University in Los Angeles and attended Southwestern

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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School of Law. He served in the United States Army, practiced law in Los Angeles and then was elected to the California State Assembly in 1972.

He was also Chair of the Congressional Black Caucus and worked tirelessly to establish a memorial to Dr. Martin Luther King, Jr. here in our Nation's Capital.

In 1999, JULIAN became an active participant in protecting America's national security through his role as ranking Democrat on the Select Intelligence Committee.

JULIAN DIXON was a man of principle and fairness whose grace and humility will be sorely missed.

My thoughts and prayers are with his wife Betty and the entire Dixon family during this very difficult time.

Put simply, this Nation owes much to JULIAN DIXON and the United States Congress was truly made a much better place because of his service.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent the resolution be agreed to and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 387) was agreed to, as follows:

S. RES. 387

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Julian C. Dixon, late a Representative from the State of California.

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

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

ORDER OF PROCEDURE

Mr. HUTCHINSON. Mr. President, I ask unanimous consent, notwithstanding the recess or adjournment of the Senate, that when the Senate receives from the House the joint resolution funding the Government until Friday, December 15, the text of which is at the desk, it be considered read a third time and passed, with the motion to reconsider laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INDIAN TRIBAL JUSTICE TECHNICAL AND LEGAL ASSISTANCE ACT OF 2000

Mr. HUTCHINSON. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (S. 1508).

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 1508) entitled ''An Act to provide technical and legal assistance to tribal justice systems and members of Indian tribes, and for other purposes'', do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Indian Tribal Justice Technical and Legal Assistance Act of 2000''.

SEC. 2. FINDINGS.

The Congress finds and declares that—

(1) there is a government-to-government relationship between the United States and Indian tribes;

(2) Indian tribes are sovereign entities and are responsible for exercising governmental authority over Indian lands;

(3) the rate of violent crime committed in Indian country is approximately twice the rate of violent crime committed in the United States as a whole;

(4) in any community, a high rate of violent crime is a major obstacle to investment, job creation and economic growth;

(5) tribal justice systems are an essential part of tribal governments and serve as important forums for ensuring the health and safety and the political integrity of tribal governments;

(6) Congress and the Federal courts have repeatedly recognized tribal justice systems as the most appropriate forums for the adjudication of disputes affecting personal and property rights on Native lands;

(7) enhancing tribal court systems and improving access to those systems serves the dual Federal goals of tribal political self-determination and economic self-sufficiency;

(8) there is both inadequate funding and an inadequate coordinating mechanism to meet the technical and legal assistance needs of tribal justice systems and this lack of adequate technical and legal assistance funding impairs their operation;

(9) tribal court membership organizations have served a critical role in providing training and technical assistance for development and enhancement of tribal justice systems;

(10) Indian legal services programs, as funded partially through the Legal Services Corporation, have an established record of providing cost effective legal assistance to Indian people in tribal court forums, and also contribute significantly to the development of tribal courts and tribal jurisprudence; and

(11) the provision of adequate technical assistance to tribal courts and legal assistance to both individuals and tribal courts is an essential element in the development of strong tribal court systems.

SEC. 3. PURPOSES.

The purposes of this Act are as follows:

(1) to carry out the responsibility of the United States to Indian tribes and members of Indian tribes by ensuring access to quality technical and legal assistance.

(2) To strengthen and improve the capacity of tribal court systems that address civil and criminal causes of action under the jurisdiction of Indian tribes.

(3) To strengthen tribal governments and the economies of Indian tribes through the enhancement and, where appropriate, development of tribal court systems for the administration of justice in Indian country by providing technical and legal assistance services.

(4) To encourage collaborative efforts between national or regional membership organizations and associations whose membership consists of judicial system personnel within tribal justice systems; non-profit entities which provide legal assistance services for Indian tribes, members of Indian tribes, and/or tribal justice systems.

(5) To assist in the development of tribal judicial systems by supplementing prior Congressional efforts such as the Indian Tribal Justice Act (Public Law 103–176).

SEC. 4. DEFINITIONS.

For purposes of this Act:

(1) ATTORNEY GENERAL.—The term ''Attorney General'' means the Attorney General of the United States.

(2) INDIAN LANDS.—The term ''Indian lands'' shall include lands within the definition of ''Indian country'', as defined in 18 U.S.C. 1151; or ''Indian reservations'', as defined in section 3(d) of the Indian Financing Act of 1974, 25 U.S.C. 1452(d), or section 4(10) of the Indian Child Welfare Act, 25 U.S.C. 1903(10). For purposes of the preceding sentence, such section 3(d) of the Indian Financing Act shall be applied by treating the term ''former Indian reservations in Oklahoma'' as including only lands which are within the jurisdictional area of an Oklahoma Indian Tribe (as determined by the Secretary of Interior) and are recognized by such Secretary as eligible for trust land status under 25 CFR part 151 (as in effect on the date of enactment of this sentence).

(3) INDIAN TRIBE.—The term ''Indian tribe'' means any Indian tribe, band, nation, pueblo, or other organized group or community which administers justice or plans to administer justice under its inherent authority or the authority of the United States and which is recognized as eligible for the special programs and services provided by the United States to Indian tribes because of their status as Indians.

(4) JUDICIAL PERSONNEL.—The term ''judicial personnel'' means any judge, magistrate, court counselor, court clerk, court administrator, bailiff, probation officer, officer of the court, dispute resolution facilitator, or other official, employee, or volunteer within the tribal judicial system.

(5) NON-PROFIT ENTITIES.—The term ''non-profit entity'' or ''non-profit entities'' has the meaning given that term in section 501(c)(3) of the Internal Revenue Code.

(6) OFFICE OF TRIBAL JUSTICE.—The term ''Office of Tribal Justice'' means the Office of Tribal Justice in the United States Department of Justice.

(7) TRIBAL JUSTICE SYSTEM.—The term ''tribal court'', ''tribal court system'', or ''tribal justice system'' means the entire judicial branch, and employees thereof, of an Indian tribe, including, but not limited to, traditional methods and fora for dispute resolution, trial courts, appellate courts, including inter-tribal appellate courts, alternative dispute resolution systems, and circuit rider systems, established by inherent tribunal authority whether or not they constitute a court of record.

TITLE I—TRAINING AND TECHNICAL ASSISTANCE, CIVIL AND CRIMINAL LEGAL ASSISTANCE GRANTS

SEC. 101. TRIBAL JUSTICE TRAINING AND TECHNICAL ASSISTANCE GRANTS.

Subject to the availability of appropriations, the Attorney General, in consultation with the Office of Tribal Justice, shall award grants to national or regional membership organizations and associations whose membership consists of judicial system personnel within tribal justice systems which submit an application to the Attorney General in such form and manner as the Attorney General may prescribe to provide training and technical assistance for the development, enrichment, enhancement of tribal justice systems, or other purposes consistent with this Act.

SEC. 102. TRIBAL CIVIL LEGAL ASSISTANCE GRANTS.

Subject to the availability of appropriations, the Attorney General, in consultation with the Office of Tribal Justice, shall award grants to non-profit entities, as defined under section 501(c)(3) of the Internal Revenue Code, which provide legal assistance services for Indian tribes, members of Indian tribes, or tribal justice systems pursuant to federal poverty guidelines that submit an application to the Attorney General in such form and manner as the Attorney General may prescribe for the provision of civil legal assistance to members of Indian tribes and

tribal justice systems, and/or other purposes consistent with this Act.

SEC. 103. TRIBAL CRIMINAL ASSISTANCE GRANTS.

Subject to the availability of appropriations, the Attorney General, in consultation with the Office of Tribal Justice, shall award grants to non-profit entities, as defined by section 501(c)(3) of the Internal Revenue Code, which provide legal assistance services for Indian tribes, members of Indian tribes, or tribal justice systems pursuant to federal poverty guidelines that submit an application to the Attorney General in such form and manner as the Attorney General may prescribe for the provision of criminal legal assistance to members of Indian tribes and tribal justice systems, and/or other purposes consistent with this Act. Funding under this title may apply to programs, procedures, or proceedings involving adult criminal actions, juvenile delinquency actions, and/or guardian-ad-litem appointments arising out of criminal or delinquency acts.

SEC. 104. NO OFFSET.

No Federal agency shall offset funds made available pursuant to this Act for Indian tribal court membership organizations or Indian legal services organizations against other funds otherwise available for use in connection with technical or legal assistance to tribal justice systems or members of Indian tribes.

SEC. 105. TRIBAL AUTHORITY.

Nothing in this Act shall be construed to—

(1) encroach upon or diminish in any way the inherent sovereign authority of each tribal government to determine the role of the tribal justice system within the tribal government or to enact and enforce tribal laws;

(2) diminish in any way the authority of tribal governments to appoint personnel;

(3) impair the rights of each tribal government to determine the nature of its own legal system or the appointment of authority within the tribal government;

(4) alter in any way any tribal traditional dispute resolution fora;

(5) imply that any tribal justice system is an instrumentality of the United States; or

(6) diminish the trust responsibility of the United States to Indian tribal governments and tribal justice systems of such governments.

SEC. 106. AUTHORIZATION OF APPROPRIATIONS.

For purposes of carrying out the activities under this title, there are authorized to be appropriated such sums as are necessary for fiscal years 2000 through 2004.

TITLE II—INDIAN TRIBAL COURTS

SEC. 201. GRANTS.

(a) IN GENERAL.—The Attorney General may award grants and provide technical assistance to Indian tribes to enable such tribes to carry out programs to support—

(1) the development, enhancement, and continuing operation of tribal justice systems; and

(2) the development and implementation of—

(A) tribal codes and sentencing guidelines;

(B) inter-tribal courts and appellate systems;

(C) tribal probation services, diversion programs, and alternative sentencing provisions;

(D) tribal juvenile services and multi-disciplinary protocols for child physical and sexual abuse; and

(E) traditional tribal judicial practices, traditional tribal justice systems, and traditional methods of dispute resolution.

(b) CONSULTATION.—In carrying out this section, the Attorney General may consult with the Office of Tribal Justice and any other appropriate tribal or Federal officials.

(c) REGULATIONS.—The Attorney General may promulgate such regulations and guidelines as may be necessary to carry out this title.

(d) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out the activities under this section, there are authorized to be appropriated such sums as are necessary for fiscal years 2000 through 2004.

SEC. 202. TRIBAL JUSTICE SYSTEMS.

Section 201 of the Indian Tribal Justice Act (25 U.S.C. 3621) is amended—

(1) in subsection (a), by striking ''1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''2000 through 2007'';

(2) in subsection (b), by striking ''1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''2000 through 2007'';

(3) in subsection (c), by striking ''1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''2000 through 2007''; and

(4) in subsection (d), by striking ''1994, 1995, 1996, 1997, 1998, 1999, and 2000'' and inserting ''2000 through 2007''.

TITLE III—TECHNICAL AMENDMENTS TO ALASKA NATIVE CLAIMS SETTLEMENT ACT

SEC. 301. ALASKA NATIVE VETERANS.

Section 41 of the Alaska Native Claims Settlement Act (43 U.S.C. 1629g) is amended as follows:

(1) Subsection (a)(3)(I)(4) is amended by striking ''and Reindeer'' and inserting ''or''.

(2) Subsection (a)(4)(B) is amended by striking ''; and'' and inserting ''; or''.

(3) Subsection (b)(1)(B)(i) is amended by striking ''June 2, 1971'' and inserting ''December 31, 1971''.

(4) Subsection (b)(2) is amended by striking the matter preceding subparagraph (A) and inserting the following:

''(2) The personal representative or special administrator, appointed in an Alaska State court proceeding of the estate of a decedent who was eligible under subsection (b)(1)(A) may, for the benefit of the heirs, select an allotment if the decedent was a veteran who served in South East Asia at any time during the period beginning August 5, 1964, and ending December 31, 1971, and during that period the decedent—''.

SEC. 302. LEVIES ON SETTLEMENT TRUST INTERESTS.

Section 39(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1629e(c)) is amended by adding at the end the following new paragraph:

''(8) A beneficiary's interest in a settlement trust and the distributions thereon shall be subject to creditor action (including without limitation, levy attachment, pledge, lien, judgment execution, assignment, and the insolvency and bankruptcy laws) only to the extent that Settlement Common Stock and the distributions thereon are subject to such creditor action under section 7(h) of this Act.''.

TITLE IV—NATIONAL LEADERSHIP SYMPOSIUM FOR AMERICAN INDIAN, ALASKAN NATIVE, AND NATIVE HAWAIIAN YOUTH

SEC. 401. ADMINISTRATION OF NATIONAL LEADERSHIP SYMPOSIUM FOR AMERICAN INDIAN, ALASKAN NATIVE, AND NATIVE HAWAIIAN YOUTH.

(a) IN GENERAL.—There are authorized to be appropriated to the Secretary of Education for the Washington Workshops Foundation $2,200,000 for administration of a national leadership symposium for American Indian, Alaskan Native, and Native Hawaiian youth on the traditions and values of American democracy.

(b) CONTENT OF SYMPOSIUM.—The symposium administered under subsection (a) shall—

(1) be comprised of youth seminar programs which study the workings and practices of American national government in Washington, DC, to be held in conjunction with the opening of the Smithsonian National Museum of the American Indian; and

(2) envision the participation and enhancement of American Indian, Alaskan Native, and Native Hawaiian youth in the American political process by interfacing in the first-hand operations of the United States Government.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Senate agree to the amendment of the House.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

OMNIBUS INDIAN ADVANCEMENT ACT

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 5528, which is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5528) to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

ANCSA HISTORIC SITE AND CEMETERY SELECTIONS

Mr. FEINGOLD. Mr. President, I appreciate the work of my colleague from Colorado, Mr. CAMPBELL, and of my colleague from Hawaii, Mr. INOUYE on H.R. 5528, the Omnibus Indian Advancement Act. I am pleased that this measure includes several provisions that will benefit Wisconsin tribes.

However, I have concerns regarding title XV of this measure, which reinstates applications for particular parcels of land that are now part of the Chugach National Forest to be conveyed to the Chugach Alaska Corporation, CAC, the Alaska Native Corporation for the Chugach Region. The provisions included in title XV of H.R. 5528 differ from those included in title II of H.R. 2547 and its companion bill in this body S. 1686. These bills are in the jurisdiction of the Senate Energy Committee. Would the Senator be willing to allow me to engage in discussion with the Senator from Alaska, Mr. MURKOWSKI to clarify a few important points about this legislation?

Mr. CAMPBELL. Mr. President, I am pleased to allow the Senator to clarify aspects of this legislation.

Mr. FEINGOLD. As I understand the legislation, it directs the Secretary of the Interior to reinstate applications for the conveyance of seven parcels of land, now in federal ownership as part of the Chugach National Forest, for a determination of eligibility for conveyance to the CAC as historical places or cemetery sites under section 14(h) of the Alaska Native Claims Settlement Act, ANCSA. Is that correct?

Mr. MURKOWSKI. My colleague from Wisconsin is correct.

Mr. FEINGOLD. Am I also correct in my understanding that five of these parcels covered by these applications are currently within the Nellie Juan-College Fjord Wilderness Study Area, WSA, designated by Congress in section 704 of Public Law 96–487, the Alaska National Interest Lands Conservation Act, ANILCA?

Mr. MURKOWSKI. My colleague from Wisconsin is correct, and I am sure my colleague shares my concern that the Secretary of Agriculture has not met

the requirement of section 704 of ANILCA that he report to the President and Congress within three years his recommendation as to the suitability and nonsuitability of such lands for wilderness designation. I would also note that the submission of these applications by the CAC pre-dated enactment of ANILCA.

Mr. FEINGOLD. Am I further correct in my understanding that one of these parcels, Coghill Point, is near an area which was determined to be eligible for designation as a wild and scenic river as part of the Chugach National Forest planning process?

Mr. MURKOWSKI. Again, my colleague from Wisconsin is correct, however, the land containing such parcel is not designated as such in the draft forest plan identified by the Forest Service as the preferred alternative.

Mr. FEINGOLD. As the Senator knows, 43 C.F.R. §2653.5 requires that regional corporations that are conveyed cemetery sites or historical places pursuant to section 14(h) of ANCSA agree to accept a covenant in the conveyance that these cemetery sites or historical places will be maintained and preserved solely as cemetery sites or historical places by the regional corporation, in accordance with the provisions for conveyance reservations in 43 C.F.R. §2653.11. Is it the case that, if the Secretary of the Interior chooses to act favorably on these conveyance applications, nothing in this act is intended to prevent the Secretary from complying with the covenant requirements of these regulations in conveying these seven parcels of land to the CAC?

Mr. MURKOWSKI. The Senator from Wisconsin is correct. This legislation is not intended to eliminate any covenant requirements.

Mr. FEINGOLD. As my colleague further knows, the conveyance reservations contained in 43 C.F.R. §2653.11 prohibit the grantee from authorizing any mining or mineral activity of any type, or ''any use which is incompatible with or is in derogation of the values of the area as a cemetery or historic place'' as defined further by 36 C.F.R. §800.9. Is it the case that nothing in this act is intended to prevent the United States from seeking enforcement of such prohibitions, as authorized under C.F.R. 2653.11?

Mr. MURKOWSKI. The Senator from Wisconsin is correct. This legislation is not intended to prevent enforcement of such prohibitions.

Mr. FEINGOLD. I thank the Senator from Alaska for helping me to clarify these issues.

THE TORRES-MARTINEZ DESERT CAHUILLA INDIANS CLAIMS SETTLEMENT ACT OF 2000

Mr. REID. Mr. President, I ask that the distinguished chairman of the Committee on Indian Affairs, Senator CAMPBELL, engage in a brief colloquy regarding the Torres-Martinez Desert Cahuilla Indians Settlement Act of 2000. The purpose of this legislation is to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians of California.

In June 1996, after decades of neglect and months of difficult negotiations, representatives of the United States, the Torres-Martinez Tribe, the Imperial Irrigation District, and the Coachella Valley Water District signed a settlement agreement that resolves their conflicting claims and provides for dismissal of litigation. Legislation necessary to ratify this settlement agreement and to authorize the Federal actions and appropriations necessary for its implementation was introduced in 1996. However, because provisions in the legislation dealing with the taking of after-acquired land into trust for purposes of gaming proved very controversial, the legislation never passed the Senate. It has taken this long to get to the point where the bill is again being considered by the Senate, and the bill is still controversial.

The basic settlement provisions involve land and cash in return for dismissal of all claims with regard to the Torres-Martinez Tribe. By far the most controversial of the provisions in the bill are those authorizing the Secretary of the Interior to take lands into trust for the explicit purpose of gaming. These lands are isolated from the principal lands to be taken into trust for the tribe, and have only one purpose—to provide a place to build a casino. It is clear that these lands have been chosen, not because of their cultural or historical relationship to the tribal members, but because of their proximity to an area of high density traffic. While Indian Gaming Regulatory Act, IGRA, authorizes the Secretary to take lands into trust as part of a land settlement, it was never the intent of IGRA to allow the Federal land claims settlement process to be manipulated in this manner.

Personally, I feel that the language in H.R. 4643 is poorly drafted, particularly when it comes to authorizing the taking of land into trust for purposes of gaming. I think we should draft a new bill that more clearly respects the intent of IGRA. However, I understand the hardship that further delay would cause the Torres-Martinez Tribe; and so I am prepared to allow H.R. 5528 to proceed as drafted. I do believe, and I want to make my views clear, that the practice of settling Indian land claims with off-reservation land-into-trust acquisitions for purposes of gaming is something that should not become common practice in settling these claims.

Does the chairman agree that H.R. 5528 represents a unique situation, and the Department of Justice and the Secretary of Interior should work to ensure that when they are negotiating Indian land claims they should try and hammer out fair settlements that fully compensate tribes for legitimate losses they have suffered and that land-into-trust acquisitions for gaming purposes as a component of such settlements should be avoided?

Mr. CAMPBELL. Mr. President, first I would like to thank my colleague from Nevada for expressing his thoughts and concerns with H.R. 5528, and I want to express my thoughts on this matter as we pass this legislation.

I think that H.R. 5528 does present a unique situation in that the Torres-Martinez Tribe's lands have been inundated by the waters of the Colorado River since the beginning of the 1900s and one that I hope is not in other settlement agreements negotiated by the Department of Justice and presented to Congress for its consideration.

I understand your concerns about the precedent that would be set if as part of land settlements, land-into-trust acquisitions for gaming purposes were routinely proposed in exchange for the settlement of land claims. Though IGRA clearly calls for that situation in section 2719 of the Act, I agree that if a wholesale policy of off-reservation acquisitions as part of a settlement were adopted by the Department of Justice or this Congress, that a great many Senators would call for amendments to the act.

While I appreciate these concerns and would not favor inclusion of off-reservation land-into-trust acquisitions for purposes of land settlement in all cases, the IGRA is clear in providing the authority to do just that if warranted by the facts of the case in question.

Although this legislation is not the most desirable option and does not provide all parties with what they want out of a legislated settlement, it does provide justice to the Torres-Martinez Tribe and I think we are right in approving the bill.

Mr. REID. I thank the chairman and agree with him that this is a matter for which we do not want to set precedent with the bill before us.

COUSHATTA TRIBE OF LOUISIANA

Mr. REID. Mr. President, I ask that Senator BREAUX engage in a brief colloquy regarding S. 2792. The purpose of the legislation sponsored by the distinguished senior Senator from Louisiana is to provide that land owned by the Coushatta Tribe of Louisiana but which is not held in trust by the United States for the Tribe may be leased or transferred by the tribe without further approval by the United States.

I am concerned because the language in this bill does not clearly provide that, if there is going to be gaming on this land, it is to be regulated gaming. That is, any land included in this bill is subject to regulation either by the Indian Gaming Regulatory Act, IGRA, if Indians purchase the land, or subject to state and local regulation.

I stand for a conservative interpretation of the IGRA. As such, with all land bills involving Indian land, we must follow IGRA—in statute and intent. Congressional intent for Indian gaming under IGRA was to provide economic flexibility regarding the use of land

which has a cultural or historical relationship to the tribal members. Congress did not provide in IGRA a mechanism for tribes to use to acquire and sell land which is only valuable because of its proximity to a commercially attractive area of high density traffic.

Is it the intent of the Senator from Louisiana that S. 2792 fully comply with the statute and intent of IGRA and that if any gaming takes place on the land covered by this bill, such gaming continues to be subject to the applicable IGRA or state or local regulation?

Mr. BREAUX. Mr. President, first I thank my colleague from Nevada for expressing his thoughts and concerns with S. 2792, and I want to express my thoughts on this matter as we pass this legislation.

I agree that it was never the intent of S. 2792 to circumvent regulation of gaming. This bill simply provides for the Coushatta Tribe to lease or transfer land without further approval. This bill in no way provides for any gaming regulatory loopholes.

Mr. REID. I thank the senior Senator from Louisiana.

THE GRATON RANCHERIA RESTORATION ACT

Mrs. BOXER. Mr. President, I thank the Chairman of the Indian Affairs Committee, Senator CAMPBELL, and the distinguished ranking Democrat, Senator INOUYE, for moving this important bill to the Senate floor. This bill will restore Federal recognition and associated rights, privileges, and eligibility for Federal services and benefits to the Federated Indians of the Graton Rancheria of California, formerly known as the Coastal Miwok tribe.

This bill provides much needed recognition for the tribe. The Graton Rancheria have been waiting decades for the Government to undo a past wrong. In 1958, the Federal Government stripped the Graton Rancheria of Federal recognition. Recently, it was found that the tribe holds a small parcel of land in Graton, CA that had been set aside as reservation for them in the 1920s.

As passed in the House of Representatives, this bill included language that waived the tribe's gaming rights. I supported that language, as did the Graton Rancheria and the local community. However, it was clear that the Senate Committee on Indian Affairs and the Bureau of Indian Affairs would not support the language. The chairman and ranking member of the Senate Committee on Indian Affairs have offered an amendment that removes the no-gaming clause. In his statement accompanying the amendment, Senator INOUYE asserts that the no-gaming clause is unnecessary because the Graton Rancheria have no intention of conducting gaming.

I hope with the Senate passage of this bill that the House, the Senate Committee on Indian Affairs, and the administration can work to resolve the differences over the no-gaming clause and come to an agreement on either bill or report language.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the bill be considered read the third time and passed, the motion to reconsider be laid upon the table, and any statement relating to the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 5528) was considered read the third time and passed.

CORRECTING THE ENROLLMENT OF H.R. 5528

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 161, submitted earlier today by Senator CAMPBELL.

The ACTING PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 161) to correct the enrollment of H.R. 5528.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 161) was agreed to, as follows:

S. CON. RES. 161

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 5528) to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes, shall make the following correction:

(1) Strike title XII and insert the following:

TITLE XII—NAVAJO NATION TRUST LAND LEASING

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Navajo Nation Trust Land Leasing Act of 2000''.

SEC. 1202. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.

(a) FINDINGS.—Recognizing the special relationship between the United States and the Navajo Nation and its members, and the Federal responsibility to the Navajo people, Congress finds that—

(1) the third clause of section 8, Article I of the United States Constitution provides that ''The Congress shall have Power . . . to regulate Commerce...with Indian tribes'', and, through this and other constitutional authority, Congress has plenary power over Indian affairs;

(2) Congress, through statutes, treaties, and the general course of dealing with Indian tribes, has assumed the responsibility for the protection and preservation of Indian tribes and their resources;

(3) the United States has a trust obligation to guard and preserve the sovereignty of Indian tribes in order to foster strong tribal governments, Indian self-determination, and economic self-sufficiency;

(4) pursuant to the first section of the Act of August 9, 1955 (25 U.S.C. 415), Congress conferred upon the Secretary of the Interior the power to promulgate regulations governing tribal leases and to approve tribal leases for tribes according to regulations promulgated by the Secretary;

(5) the Secretary of the Interior has promulgated the regulations described in paragraph (4) at part 162 of title 25, Code of Federal Regulations;

(6) the requirement that the Secretary approve leases for the development of Navajo trust lands has added a level of review and regulation that does not apply to the development of non-Indian land; and

(7) in the global economy of the 21st Century, it is crucial that individual leases of Navajo trust lands not be subject to Secretarial approval and that the Navajo Nation be able to make immediate decisions over the use of Navajo trust lands.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To establish a streamlined process for the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior for individual leases, except leases for exploration, development, or extraction of any mineral resources.

(2) To authorize the Navajo Nation, pursuant to tribal regulations, which must be approved by the Secretary, to lease Navajo trust lands without the approval of the Secretary of the Interior for the individual leases, except leases for exploration, development, or extraction of any mineral resources.

(3) To revitalize the distressed Navajo Reservation by promoting political self-determination, and encouraging economic self-sufficiency, including economic development that increases productivity and the standard of living for members of the Navajo Nation.

(4) To maintain, strengthen, and protect the Navajo Nation's leasing power over Navajo trust lands.

(5) To ensure that the United States is faithfully executing its trust obligation to the Navajo Nation by maintaining federal supervision through oversight of and record keeping related to leases of Navajo Nation tribal trust lands.

SEC. 1203. LEASE OF RESTRICTED LANDS FOR THE NAVAJO NATION.

The first section of the Act of August 9, 1955 (25 U.S.C. 415) is amended—

(1) in subsection (d)—

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

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

(C) by adding at the end the following:

''(3) the term 'individually owned Navajo Indian allotted land' means a single parcel of land that—

''(A) is located within the jurisdiction of the Navajo Nation;

''(B) is held in trust or restricted status by the United States for the benefit of Navajo Indians or members of another Indian tribe; and

''(C) was—

''(i) allotted to a Navajo Indian; or

''(ii) taken into trust or restricted status by the United States for an individual Indian;

''(4) the term 'interested party' means an Indian or non-Indian individual or corporation, or tribal or non-tribal government whose interests could be adversely affected by a tribal trust land leasing decision made by the Navajo Nation;

''(5) the term 'Navajo Nation' means the Navajo Nation government that is in existence on the date of enactment of this Act or its successor;

''(6) the term 'petition' means a written request submitted to the Secretary for the review of an action (or inaction) of the Navajo Nation that is claimed to be in violation of the approved tribal leasing regulations;

''(7) the term 'Secretary' means the Secretary of the Interior; and

''(8) the term 'tribal regulations' means the Navajo Nation regulations enacted in accordance with Navajo Nation law and approved by the Secretary.''; and

(2) by adding at the end the following:

''(e)(1) Any leases by the Navajo Nation for purposes authorized under subsection (a), and any amendments thereto, except a lease for the exploration, development, or extraction of any mineral resources, shall not require the approval of the Secretary if the lease is executed under the tribal regulations approved by the Secretary under this subsection and the term of the lease does not exceed—

''(A) in the case of a business or agricultural lease, 25 years, except that any such lease may include an option to renew for up to 2 additional terms, each of which may not exceed 25 years; and

''(B) in the case of a lease for public, religious, educational, recreational, or residential purposes, 75 years if such a term is provided for by the Navajo Nation through the promulgation of regulations.

''(2) Paragraph (1) shall not apply to individually owned Navajo Indian allotted land.

''(3) The Secretary shall have the authority to approve or disapprove tribal regulations referred to under paragraph (1). The Secretary shall approve such tribal regulations if such regulations are consistent with the regulations of the Secretary under subsection (a), and any amendments thereto, and provide for an environmental review process. The Secretary shall review and approve or disapprove the regulations of the Navajo Nation within 120 days of the submission of such regulations to the Secretary. Any disapproval of such regulations by the Secretary shall be accompanied by written documentation that sets forth the basis for the disapproval. Such 120-day period may be extended by the Secretary after consultation with the Navajo Nation.

''(4) If the Navajo Nation has executed a lease pursuant to tribal regulations under paragraph (1), the Navajo Nation shall provide the Secretary with—

''(A) a copy of the lease and all amendments and renewals thereto; and

''(B) in the case of regulations or a lease that permits payment to be made directly to the Navajo Nation, documentation of the lease payments sufficient to enable the Secretary to discharge the trust responsibility of the United States under paragraph (5).

''(5) The United States shall not be liable for losses sustained by any party to a lease executed pursuant to tribal regulations under paragraph (1), including the Navajo Nation. Nothing in this paragraph shall be construed to diminish the authority of the Secretary to take appropriate actions, including the cancellation of a lease, in furtherance of the trust obligation of the United States to the Navajo Nation.

''(6)(A) An interested party may, after exhaustion of tribal remedies, submit, in a timely manner, a petition to the Secretary to review the compliance of the Navajo Nation with any regulations approved under this subsection. If upon such review the Secretary determines that the regulations were violated, the Secretary may take such action as may be necessary to remedy the violation, including rescinding the approval of the tribal regulations and reassuming responsibility for the approval of leases for Navajo Nation tribal trust lands.

''(B) If the Secretary seeks to remedy a violation described in subparagraph (A), the Secretary shall—

''(i) make a written determination with respect to the regulations that have been violated;

''(ii) provide the Navajo Nation with a written notice of the alleged violation together with such written determination; and

''(iii) prior to the exercise of any remedy or the rescission of the approval of the regulation involved and the reassumption of the lease approval responsibility, provide the Navajo Nation with a hearing on the record and a reasonable opportunity to cure the alleged violation.''.

TRIBUTE TO SENATOR SLADE GORTON

Mr. THURMOND. Mr. President, I rise today to pay tribute to my colleague from the State of Washington, Senator SLADE GORTON.

During the course of working with SLADE over the past several years, I have come to know a dedicated, intelligent individual who is recognized throughout Congress as a work horse. He is a life-long public servant who began his political career in the Washington state legislature, where he was elected by his Republican peers to the position of State House Majority Leader. After his tenure in the state house, he continued to serve the fine people of Washington as Attorney General. While serving in this position he argued fourteen cases before the Supreme Court, winning much acclaim for his proficiency as a lawyer.

We come from opposite coasts, yet there are many common ideological threads we share. I respect SLADE's commitment to fighting for the blue collar worker—the salt-of-the-earth, hard working individuals who I am also pleased to represent—along with his strong support for the law enforcement community and for states' rights. More importantly, I admire SLADE's determination, a trait which enabled him to serve three terms in the United States Senate.

Senator SLADE GORTON is a straightforward individual whose candor will be greatly missed, and I feel that I can speak for all of my colleagues when I express my gratitude for his countless contributions to the Senate. I wish him and his wife Sally health, happiness, and success in the years to come.

ATLANTIC STRIPED BASS CONSERVATION ACT

Mr. KERRY. Mr. President, I rise today in support of a provision in H.R. 2903, the Atlantic Striped Bass Conservation Act. This legislation authorizes a population study of Atlantic striped bass to determine if there is sufficient diversity in year classes to ensure successful recruitment and healthy stocks for continued commercial and recreational fishing.

The Atlantic striped bass is considered one of the success stories in recent fisheries management. Striped bass stocks along the Atlantic coast experienced precipitous declines during the 1970s and early 1980s. This decline was attributed to the increase in the number of recreational and commercial fishermen, and the use of increasingly efficient gear. Because the decline was widespread and encompassed multiple jurisdictions, recovery efforts were delegated to the Atlantic States Marine Fisheries Commission (ASMFC) under the authority of the Striped Bass Conservation Act of 1984, and later the Atlantic Coastal Fisheries Cooperative Act of 1993. The ASMFC consists of coastal member states from Maine to Florida.

In an effort to rebuild striped bass stocks, the ASMFC halted both commercial and recreational fishing for striped bass beginning in the mid-1980s. The ASMFC began to allow limited recreational and commercial fishing for striped bass in the early 1990s, when striped bass began to show signs of recovery. Today even though stock abundance remains high, cautious vigilance of coast-wide fisheries performance and its impact on resource conditions should continue to be a primary task of the ASMFC.

The Atlantic Striped Bass, or stripers as they are known in the Bay state, are the number one recreational fishery in Massachusetts. In 1999 recreational fishermen caught 4.7 million stripers in the Bay state, this represents 33 percent of all stripers caught along the East coast from North Carolina to Maine. While most states allow anglers to keep two fish, Massachusetts allows anglers one fish, so that even though 33 percent of all stripers are caught in Massachusetts, only 10 percent of the recreational landings occur in Massachusetts. The difference between caught and landed fish is fish caught and released. Massachusetts has a small commercial fishery for the striped bass as well. In 1999 commercial fishermen landed 40,000 stripers, which represented 4 percent of the commercial harvest on the East coast.

These figures do not even begin to represent what stripers mean to our economy. In a 1996 US Fish and Wildlife Service survey the agency estimated that 886,000 anglers spent 10.7 million days fishing for striped bass in salt water during 1996. Average expenditures for all Atlantic Coast saltwater trips were about $800 per angler in 1996, for a total estimated annual expenditure in this fishery of $762 million.

Stripers are an anadromous fish that frequents brackish waters and depends on a healthy estuarine ecosystem for its survival. As such, it is affected by non-point source pollution and habitat loss and degradation, more so than an offshore fish. I am very concerned that without a national program to identify and reduce sources of non-point pollution, that eventually our striper stocks will again crash as they did in the 1970s. On two occasions the United States Senate has passed S. 1534, the Coastal Zone Management Act of 2000.

This bill authorizes states to apply for funding that specifically targets nonpoint pollution, and in turn help striped bass populations. Mr. President, the sound policies of S. 1534 will help the striped bass.

ADDITIONAL STATEMENTS

A TRIBUTE TO JOHN J. HOCK

● Mrs. FEINSTEIN. Mr. President, I rise today to pay tribute to John J. Hock, the devoted father of my press secretary Jim Hock.

John Hock will be remembered by friends and family for his deep devotion to his religious faith, family, and football. His family members recall that although he was not one to yell or scream, he always commanded great respect from everyone who knew him. His greatest treasure was his family. Jim always spoke of the selflessness of this father, who even in his last days, wanted to ensure that his family would be taken care of once he was gone.

A natural athlete, Mr. Hock played in the National Footfall League as an offensive tackle for the Chicago Cardinals. During the Korean war, Mr. Hock, a participant in the Olympic trials in the late 1940's, also entertained troops while on USO football teams in Japan. After returning from the Korean war, he was traded to the Los Angeles Rams, where he played as a guard from 1953–1957. As captain of the Santa Clara University's football team, Mr. Hock led his teammates to victory over the top-ranked University of Kentucky in the 1965 Orange Bowl.

During the off-season, Mr. Hock taught high school in Los Angeles to make ends meet. It was while he was working as a teacher that he met his wife, Bernadette. His family remembers how devoted they were to one another. Because her husband was too humble to promote himself, Mrs. Hock carried around his paying cards to give to friends. Their son Joseph put it best when he said that his mother and father were one.

In 1960, his pro-football career over and family growing, Mr. Hock moved into sales and marketing at Western Carloading, a Los Angeles-based trucking and shipping company. From 1988 until this year, he worked as a sales agent for Coldwell Baker Realty in Mahwah, spending his freetime with his grandchildren, his family members said.

He is survived by his wife of 45 years, Bernadette, his sister, Ruth Rahe, his children, Jay, Joseph, Jim, Mary, Susan, Anna, and Lisa, and 11 of his grandchildren.

Mr. President, Mr. Hock will be greatly missed, not because he entertained us, but because he stands as a reminder of the importance of family. As the holiday season draws near, let us all remember what John Hock always knew: Family and friends are truly the sweetest rewards.●

ON THE DEATH OF SALIM Y. SARAFA

● Mr. ABRAHAM. Mr. President, I rise today to pay respect to a dear friend of mine who passed away recently. Salim Y. Sarafa helped start the Chaldean-Iraqi Association of Michigan, became its first president in 1954 and served three terms in that post. The association's first facility was built in 1979, and now includes the Southfield Manor and the Shenandoah Golf and Country Club.

Salim served on the St. Michael's School Board and was vice-chairman of the Associated Food Dealers of Michigan. He also helped develop a school that taught students to read, write, and speak Arabic. He was active in the National Association of Arab-Americans, the American-Arab Anti-Discrimination Committee and the Republican Party at the state and national levels.

He was born in Telkaif, Iraq, in 1921. He earned an education degree from the University of Baghdad and became a high school teacher in 1942. He went on to teach in Kut in southern Iraq for four years before being promoted to assistant principal of a school near Baghdad. He left teaching to become director general of the Iraqi Department of Public Works.

Salim came to the United States in 1951. While living with the George Jonna family, he worked in their store, Union Pacific Market, until he opened his own store in 1953. He met and married Margarett George that same year.

In 1957, he and four partners opened Big Dipper Market, Detroit's largest independent supermarket at the time. He also was involved in a construction company, convenience store and wholesale business over the years. He got into the real estate business in 1968 and remained active until retiring in 1995.

He is survived by three sons, Joe, Michael, and Mark; two daughters, Judy Jonna and Doreen Mangrum; and ten granchildren. His wife Margarett died in 1998.

Salim and Margarett Sarafa lived their lives dedicated to the American way while preserving the core values of the Chaldean culture. They were able to raise their family and start their business in the land of the free while never forgetting the people who were not blessed with the same chance. I am so very proud to call them my friends.●

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 1999, the Secretary of the Senate, on December 8, 2000, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolution:

H.R. 3514. An act to amend the Public Health Service Act to provide for a system of sanctuaries for chimpanzees that have been designated as being no longer needed in research conducted or supported by the Public Health Service, and for other purposes.

H.R. 4640. An act to make grants to States for carrying out DNA analyses for use in the Combined DNA Index System of the Federal Bureau of Investigation, to provide for the collection and analysis of DNA samples from certain violent and sexual offenders for use in such systems, and for other purposes.

H.J. Res. 128. Joint resolution making further continuing appropriations for the fiscal year 2001, and for other purposes.

Under authority of the order of the Senate of January 6, 1999, the enrolled bills and joint resolution were signed subsequently by the President pro tempore (Mr. THURMOND).

The message further announced that under authority of the order of the Senate of January 6, 1999, the following enrolled bills, previously signed by the Speaker of the House, were signed on December 8, 2000, by the President pro tempore (Mr. THURMOND):

S. 1972. An act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

S. 2594. An act to authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of non-project water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

S. 3137. An act to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

H.R. 3048. An act to amend section 879 of title 18, United States Code, to provide clearer coverage over threats against former Presidents and members of their families, and for other purposes.

H.R. 4281. An act to establish, wherever feasible, guidelines, recommendations, and regulations that promote the regulatory acceptance of new and revised toxicological tests that protect human and animal health and the environment while reducing, refining, or replacing animal tests and ensuring human safety and product effectiveness.

H.R. 4827. An act to amend title 18, United States Code, to prevent the entry by false pretenses to any real property, vessel, or aircraft of the United States or secure area of any airport, to prevent the misuse of genuine and counterfeit police badges by those seeking to commit a crime, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on December 8, 2000, he had presented to the President of the United States, the following enrolled bills:

S. 1972. An act to direct the Secretary of Agriculture to convey to the town of Dolores, Colorado, the current site of the Joe Rowell Park.

S. 2594. An act to authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of non-project water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

S. 3137. An act to establish a commission to commemorate the 250th anniversary of the birth of James Madison.

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. ABRAHAM (for himself and Mr. FEINGOLD):

S. 3276. A bill to make technical corrections to the College Scholarship Fraud Prevention Act of 2000 and certain amendments made by that Act; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HUTCHINSON (for Mr. LOTT (for himself and Mr. DASCHLE)):

S. Res. 387. A resolution relative to the death of Representative Julian C. Dixon, of California; considered and agreed to.

By Mr. CAMPBELL:

S. Con. Res. 161. A concurrent resolution to correct the enrollment of H.R. 5528; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2084

At the request of Mr. LUGAR, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2084, a bill to amend the Internal Revenue Code of 1986 to increase the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes.

S. 2718

At the request of Mr. SMITH of New Hampshire, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2718, a bill to amend the Internal Revenue Code of 1986 to provide incentives to introduce new technologies to reduce energy consumption in buildings.

SENATE CONCURRENT RESOLUTION—TO CORRECT THE ENROLLMENT OF H.R. 5528

Mr. CAMPBELL submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 161

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 5528) to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, and for other purposes, shall make the following correction:

(1) Strike title XII and insert the following:

TITLE XII—NAVAJO NATION TRUST LAND LEASING

SEC. 1201. SHORT TITLE.

This title may be cited as the ''Navajo Nation Trust Land Leasing Act of 2000''.

SEC. 1202. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSES.

(a) FINDINGS.—Recognizing the special relationship between the United States and the Navajo Nation and its members, and the Federal responsibility to the Navajo people, Congress finds that—

(1) the third clause of section 8, Article I of the United States Constitution provides that ''The Congress shall have Power...to regulate Commerce . . . with Indian tribes'', and, through this and other constitutional authority, Congress has plenary power over Indian affairs;

(2) Congress, through statutes, treaties, and the general course of dealing with Indian tribes, has assumed the responsibility for the protection and preservation of Indian tribes and their resources;

(3) the United States has a trust obligation to guard and preserve the sovereignty of Indian tribes in order to foster strong tribal governments, Indian self-determination, and economic self-sufficiency;

(4) pursuant to the first section of the Act of August 9, 1955 (25 U.S.C. 415), Congress conferred upon the Secretary of the Interior the power to promulgate regulations governing tribal leases and to approve tribal leases for tribes according to regulations promulgated by the Secretary;

(5) the Secretary of the Interior has promulgated the regulations described in paragraph (4) at part 162 of title 25, Code of Federal Regulations;

(6) the requirement that the Secretary approve leases for the development of Navajo trust lands has added a level of review and regulation that does not apply to the development of non-Indian land; and

(7) in the global economy of the 21st Century, it is crucial that individual leases of Navajo trust lands not be subject to Secretarial approval and that the Navajo Nation be able to make immediate decisions over the use of Navajo trust lands.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To establish a streamlined process for the Navajo Nation to lease trust lands without having to obtain the approval of the Secretary of the Interior for individual leases, except leases for exploration, development, or extraction of any mineral resources.

(2) To authorize the Navajo Nation, pursuant to tribal regulations, which must be approved by the Secretary, to lease Navajo trust lands without the approval of the Secretary of the Interior for the individual leases, except leases for exploration, development, or extraction of any mineral resources.

(3) To revitalize the distressed Navajo Reservation by promoting political self-determination, and encouraging economic self-sufficiency, including economic development that increases productivity and the standard of living for members of the Navajo Nation.

(4) To maintain, strengthen, and protect the Navajo Nation's leasing power over Navajo trust lands.

(5) To ensure that the United States is faithfully executing its trust obligation to the Navajo Nation by maintaining federal supervision through oversight of and record keeping related to leases of Navajo Nation tribal trust lands.

SEC. 1203. LEASE OF RESTRICTED LANDS FOR THE NAVAJO NATION.

The first section of the Act of August 9, 1955 (25 U.S.C. 415) is amended—

(1) in subsection (d)—

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

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

(C) by adding at the end the following:

''(3) the term 'individually owned Navajo Indian allotted land' means a single parcel of land that—

''(A) is located within the jurisdiction of the Navajo Nation;

''(B) is held in trust or restricted status by the United States for the benefit of Navajo Indians or members of another Indian tribe; and

''(C) was—

''(i) allotted to a Navajo Indian; or

''(ii) taken into trust or restricted status by the United States for an individual Indian;

''(4) the term 'interested party' means an Indian or non-Indian individual or corporation, or tribal or non-tribal government whose interests could be adversely affected by a tribal trust land leasing decision made by the Navajo Nation;

''(5) the term 'Navajo Nation' means the Navajo Nation government that is in existence on the date of enactment of this Act or its successor;

''(6) the term 'petition' means a written request submitted to the Secretary for the review of an action (or inaction) of the Navajo Nation that is claimed to be in violation of the approved tribal leasing regulations;

''(7) the term 'Secretary' means the Secretary of the Interior; and

''(8) the term 'tribal regulations' means the Navajo Nation regulations enacted in accordance with Navajo Nation law and approved by the Secretary.''; and

(2) by adding at the end the following:

''(e)(1) Any leases by the Navajo Nation for purposes authorized under subsection (a), and any amendments thereto, except a lease for the exploration, development, or extraction of any mineral resources, shall not require the approval of the Secretary if the lease is executed under the tribal regulations approved by the Secretary under this subsection and the term of the lease does not exceed—

''(A) in the case of a business or agricultural lease, 25 years, except that any such lease may include an option to renew for up to 2 additional terms, each of which may not exceed 25 years; and

''(B) in the case of a lease for public, religious, educational, recreational, or residential purposes, 75 years if such a term is provided for by the Navajo Nation through the promulgation of regulations.

''(2) Paragraph (1) shall not apply to individually owned Navajo Indian allotted land.

''(3) The Secretary shall have the authority to approve or disapprove tribal regulations referred to under paragraph (1). The Secretary shall approve such tribal regulations if such regulations are consistent with the regulations of the Secretary under subsection (a), and any amendments thereto, and provide for an environmental review process. The Secretary shall review and approve or disapprove the regulations of the Navajo Nation within 120 days of the submission of such regulations to the Secretary. Any disapproval of such regulations by the Secretary shall be accompanied by written documentation that sets forth the basis for the disapproval. Such 120-day period may be extended by the Secretary after consultation with the Navajo Nation.

''(4) If the Navajo Nation has executed a lease pursuant to tribal regulations under paragraph (1), the Navajo Nation shall provide the Secretary with—

''(A) a copy of the lease and all amendments and renewals thereto; and

''(B) in the case of regulations or a lease that permits payment to be made directly to the Navajo Nation, documentation of the lease payments sufficient to enable the Secretary to discharge the trust responsibility of the United States under paragraph (5).

''(5) The United States shall not be liable for losses sustained by any party to a lease executed pursuant to tribal regulations under paragraph (1), including the Navajo Nation. Nothing in this paragraph shall be

construed to diminish the authority of the Secretary to take appropriate actions, including the cancellation of a lease, in furtherance of the trust obligation of the United States to the Navajo Nation.

''(6)(A) An interested party may, after exhaustion of tribal remedies, submit, in a timely manner, a petition to the Secretary to review the compliance of the Navajo Nation with any regulations approved under this subsection. If upon such review the Secretary determines that the regulations were violated, the Secretary may take such action as may be necessary to remedy the violation, including rescinding the approval of the tribal regulations and reassuming responsibility for the approval of leases for Navajo Nation tribal trust lands.

''(B) If the Secretary seeks to remedy a violation described in subparagraph (A), the Secretary shall—

''(i) make a written determination with respect to the regulations that have been violated;

''(ii) provide the Navajo Nation with a written notice of the alleged violation together with such written determination; and

''(iii) prior to the exercise of any remedy or the rescission of the approval of the regulation involved and the reassumption of the lease approval responsibility, provide the Navajo Nation with a hearing on the record and a reasonable opportunity to cure the alleged violation.''.

SENATE RESOLUTION 387—RELATIVE TO THE DEATH OF REPRESENTATIVE JULIAN C. DIXON, OF CALIFORNIA

Mr. HUTCHINSON (for Mr. LOTT (for himself and Mr. DASCHLE)) submitted the following resolution; which was considered and agreed to.

S. RES. 387

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Julian C. Dixon, late a Representative from the State of California.

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

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

ORDERS FOR THURSDAY, DECEMBER 14, 2000

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until the hour of 10 a.m. on Thursday, December 14. 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 a period of morning business until 12 noon, with Senators speaking for up to 10 minutes each, with the time equally divided in the usual form.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. HUTCHINSON. For the information of all Senators, the Senate will reconvene on Thursday, December 14, at 10 a.m. There will be no session on Tuesday or Wednesday of this week in order to accommodate the funeral service for Congressman DIXON of California who passed away on Friday. Discussions will continue on the remaining appropriations issues, so the final votes may occur as early as Thursday or Friday.

RECESS UNTIL THURSDAY, DECEMBER 14, 2000, AT 10 A.M.

Mr. HUTCHINSON. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in recess under the provisions of S. Res. 387.

There being no objection, the Senate, at 5:40 p.m., recessed until Thursday, December 14, 2000, at 10 a.m.

EXTENSIONS OF REMARKS

HONORING OFFICER JOHN BRUGGER

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. CONDIT. Mr. Speaker, I wish to recognize the retirement of one of California's finest. Officer John Brugger of the California Highway Patrol is retiring after 31 years of honorable service.

Officer Brugger has spent 21 years of his career in Modesto in my district in California's great Central Valley, including the last 10 as the Public Affairs Officer. During his tenure, Officer Brugger has distinguished himself with the community. Officer Brugger is a Central Valley icon to those learning highway regulations and safety tips.

His many years of service have given him a unique outlook at public safety and a vast resource of examples for his presentations. Additionally, Brugger is a familiar face in many of the community programs involving youth. As a founding member of the Modesto Explorer Scout program, John has been recognized by the California Attorney General for his efforts.

I would like to take this opportunity to thank Officer Brugger for his contributions to the community. I also commend him for his courage in putting his life on the line as a California peace officer. It is an honor to call him my friend and I want to wish John and his wife, Linda, the very best as they embark on a new adventure.

Mr. Speaker, I ask my colleagues to rise and join me in honoring California Highway Patrol Officer John Brugger.

HONORING PATTI JOHNSON

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. SCHAFFER. Mr. Speaker, today I rise to pay tribute to a real leader in the field of education, Mrs. Patti Johnson, who is leaving the Colorado State Board of Education this coming January. Patti has been an active member of the board since 1995, representing the Second Congressional District of Colorado.

Patti leaves behind a legacy of activism through her tireless work to preserve the rights of parents to control and oversee the education and upbringing of their children. She has been especially effective in dispelling some of the myths associated with psychotropic drugs and the mislabeling of school children, a topic this Congress has addressed many times. In fact, Patti received national recognition when she obtained the successful passage of a resolution before the board encouraging school administrators to use proven academic and classroom management solutions rather than medication to resolve behavior, attention, and learning difficulties.

Additionally, just this past September, Patti came to Washington, DC, to testify before the Subcommittee on Oversight and Investigations at a hearing entitled ''Behavioral Drugs in Schools: Questions and Concerns.'' Mainly due to Patti's testimony, the hearing was a tremendous success, and generated much interest among the public causing members to schedule additional future hearings on behavioral drugs.

Patti has also made other significant contributions to education as a member of the National Association of State Boards of Education and the Education Leaders Council. She is founder and president of Parent's Education Network and served as a mayoral appointee to the Broomfield City Council Ad Hoc Education Committee. Patti's philosophy on education is best exemplified by a statement she made: ''Our schools are the only institution entrusted to attend to the academic needs of our children and their mission must not be diluted. I urge this committee to do everything in its power to get schools out of the business of labeling children and back to the job of teaching.''

Mrs. Patti Johnson's leadership on the board will be sorely missed.

IN RECOGNITION OF THE POET, GWENDOLYN BROOKS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. CONYERS. Mr. Speaker, today I honor the great African American poet, Gwendolyn Brooks. She is perhaps the most honored African American poet ever. Her works are strong, powerful, and visual. I was emotionally moved over and over again by her great talent. I insert into the CONGRESSIONAL RECORD this tribute to her which appeared in the Washington Post on December 5, 2000.

[From the Washington Post, December 5, 2000]

GWENDOLYN BROOKS, POET NURTURER

(By Jabari Asim)

Gwendolyn Brooks made me skip class. The celebrated poet, who died Sunday night at the age of 83, didn't exactly twist my arm. Still, I felt that the choice between attending interminable lectures and bearing witness to her three-day residency at my college was no choice at all.

Once or twice during my undergraduate days in mid-'80s Chicago, I'd lingered in the background at Haki Madhubuti's intimate South Side bookstore, sneaking peeks at Ms. Brooks while she read from her many volumes. An aspiring poet, I couldn't even bring myself to ask her to sign a book for me, a request freely granted to more courageous souls.

When I heard she was coming to campus, however, I changed my mind. This time I'd see her up close, I resolved. For three glorious days, my other subjects were all but forgotten while I soaked up the poet's wisdom. I still remember her quick, saucy wit, the majestic turban she wore, the gleam of maternal pride that illuminated her cheekbones when she introduced her daughter, Nora. Gracious, patient and fully comfortable in that charged swirl of energetic young minds, she regally held forth on modern poetry, feminism, emerging writers she admired. In a wide-ranging give-and-take with a women's studies class, she even confessed to a fondness for soap operas.

I remember the poems she read, too. ''The Pool Players. Seven at the Golden Shover,'' perhaps her best-known work, acquired a surprisingly caustic edge when she pronounced its short, acerbic lines.

We real cool. We Left school. We
Lurk late. We Strike straight. We
Sing sin. We Thin gin. We
Jazz June, We Die soon.

She was nearing 70 then, and her voice was strong. The last day of her residency, she read before a campus-wide audience, then appeared as honored guest at an evening reception. It was there, amid the brie and wine and tweed, that I summoned all my moxie and introduced myself. I thrust a sheaf of papers at her, poems and stories full of the angst-driven pretentiousness I favored then. We talked a couple of minutes. She was courteous, I was breathless, and I can't recall a word that was said. Less than a week later, I found a note in my mailbox.

''He, Thanks for the opportunity to go through this heavy drama. Richly, exhausting! Have a fine, creative summer! My summer will be devoted to writing—(at last!) Gwen Brooks.''

The words themselves are a model of tact, encouraging but noncommittal. No matter, though: The fact that she's read my work and responded to it was indisputable evidence of my growing brilliance.

I didn't know then that as a teenager, Brooks had sent her poems to Langston Hughes and James Weldon Johnson, both of whom sent encouraging replies. Nor did I know—despite the scenes that I witnessed at the bookstore—that Brooks made it her business to encourage all young writers. Perhaps the kind, prompt responses she'd received from Hughes and Johnson influenced her to be generous in turn. At the time, I had no interest in deciphering Brooks's motives. All I cared was that I had a handwritten note from the poet laureate of Illinois, the first African American to win a Pulitzer Prize for literature.

Brooks's first book, ''A Street in Bronzeville'' (1945), had already won critical acclaim, so she was hardly an unknown entity when her next book, ''Annie Allen,'' claimed the Pulitzer in 1950. Both books were praised for the author's mastery of sonnets, ballads and other traditional European forms. Like Countee Cullen and Claude McKay before her, she knew how to apply such forms to the African American experience and infuse them with desperately needed new energy.

Subsequent books, beginning with ''In the Mecca'' (1968), reflected a change in tone, a more overtly political stance that was often aimed at black readers in particular. For some critics, the change was reason to ignore Brooks's output; for aspiring black writers of subsequent generations, the shift

showed us that it was possible to adapt to changing times without distorting one's own voice. At its best, Brooks's work is focused and fiery regardless of form, indisputably Brooksian in its well-tempered elegance. To borrow critic Joanne V. Gabbin's phrase, Brooks's work ''implies a literature that is both rageful and resolute in its beauty.''

Gabbin convened a conference at James Madison University in 1994. She conceived the conference, titled ''Furious Flower'' (from a Brooks poem, ''Second Sermon on the Warpland''), as a tribute to Brooks. Poets, critics and poetry lovers from around the world gathered at JMU that September; it was the last time I saw Brooks in person.

There, as the reigning eminence of African American poetry, Brooks received numerous accolades and testimonies to her talent and generosity. Two generations of black poets had come to age since Brooks's own emergence, and she'd played a hand in mentoring many of them. (Although she was then 77, Brooks still had mentoring left to do. In 1996 she would establish the Henry Blakely Poetry Prize in memory of her late husband. The $2,000 award went to a young poet of Brooks's choosing.)

Grateful to be on hand and once again basking in the glow of genius, I felt proud to be among those who had firsthand familiarity with Brooks's goodness. Our wine-and-brie encounter had not been our last.

In 1993, I'd had another opportunity to benefit from her kindness. While editing a literary magazine I'd co-founded, I wrote to Brooks and asked her to contribute to a section honoring poet Audre Lorde, who had died in 1992. As she had done nearly a decade before, Brooks responded quickly. In the brief, eloquent tribute she submitted, she insisted that the essence of Lorde would never be lost as long as we had her words. I don't think she'd mind my applying those sentiments to her legacy as well. We have not lost the essence of Gwendolyn Brooks. The best of her endures.

TRIBUTE TO AMBASSADOR DENNIS B. ROSS—SPECIAL MIDDLE EAST COORDINATOR

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. LANTOS. Mr. Speaker, I invite my colleagues in the Congress to join me in paying tribute to Ambassador Dennis B. Ross, who has served both Democratic and Republican Presidents and Secretaries of State as the Special Middle East Coordinator at the Department of State. Over the past decade, Dennis has done more than anyone else in the effort to bring peace and stability to that troubled region of the world.

A short while ago, Dennis made public his intention to work through the end of this current Administration, but he also made clear that he does not intend to work in the next administration. The reasons for his departure are quite understandable—he wants to spend more time with his wife and three children. Considering the time that he has devoted to shuttling between the United States and the Middle East—many times at very short notice and under extremely difficult circumstances—he deserves the opportunity for more time with his family.

Dennis Ross will be sorely missed as we seek to bring an end to the violence, hostility and instability that have plagued the Middle East for so long. He has played a critical role in dealing with that troubled part of the world for over the past decade. He knows all of the key players, he has worked with them, he understands their political constraints, and he has an intimate grasp of their ideological points of view.

A native of California, Dennis Ross did undergraduate and graduate studies at the University of California at Los Angeles, where his doctoral thesis focused on Soviet decision-making. He began his career in Washington in the early 1980s working at the Department of Defense and the Department of State. From 1986 to 1988 he held the Middle East portfolio at the National Security Council staff at the White House. At the beginning of the George Bush Administration, Dennis became Director of the Policy Planning Staff of the Department of State with the rank of Ambassador. He worked closely and directly with James A. Baker on a broad range of U.S. foreign policy issues, but he played a particularly critical role in bringing about the Madrid Conference of 1991 which began the peace process negotiations that led to the Oslo accord of 1993.

When the Clinton administration took office in early 1993, Dennis remained at the Department of State as Special Middle East Coordinator. He continued his efforts to further the peace process, working actively and directly with Secretary Warren Christopher and Secretary Madeleine Albright.

Mr. Speaker, Dennis Ross has been an outstanding and a devoted public servant—he has spent incredible time and energy in furthering the foreign policies of the United States. His service to our nation is the epitome of bipartisanship in foreign policy. I invite my colleagues to join me in paying tribute to Dennis Ross for his committed service to our nation and in wishing him success in his future endeavors.

HONORING ARTHUR ''PAUL'' BAXTER

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. CONDIT. Mr. Speaker, I rise today to honor Arthur ''Paul'' Baxter on the occasion of his retirement from the City of Modesto on December 28, 2000.

Paul is a quiet man who has worked tirelessly for the city for 12 years. His strong ability to build consensus and bring collaboration has made him not only an asset, but often, a necessity. His work with city council committees and citizen advisory groups has been invaluable. During Paul's tenure at the City, I have had the privilege of working with him on many projects. I, along with those he has served, will sorely miss him.

Some of his many accomplishments include his leadership and direction in the Joint City/County Administration Building, his work with the development and completion of a Joint Emergency Dispatch Center, and his dedication and commitment to the Tuolumne River Regional Park Master Plan.

Above all, Paul is a devoted father, son and brother. He is a thoughtful and generous neighbor and friend. An avid gardener, he shares his abundant supply of flowers, including his famous sweet peas, with his neighbors and coworkers. He is an alumnus of Stanford University and has remained active in fundraising efforts and community programs since 1996.

Beyond his 12 years of dedication and commitment to the City of Modesto, he has quietly and generously supported and volunteered for causes such as the library sales tax and the Performing Arts Center.

Paul exemplifies a good man. He is kind, generous, decent and caring not only to his family, but to his neighbors, his friends, his coworkers and his community. Because of Paul's association in Modesto, our community is a much better place.

It is a privilege to call him friend.

Mr. Speaker, I ask that my colleagues join me in honoring Paul Baxter.

HONORING COLORADO STATE SENATOR JOHN EVANS

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. SCHAFFER. Mr. Speaker, today I rise to honor State Senator John Evans. Over the years, John has significantly contributed to ensuring Colorado's children have access to the best education possible. As Colorado State Board of Education Member-at-Large, and now as a state senator, John has exemplified the Colorado State Board of Education's motto, ''To lead, serve, and to promote quality education for all,'' throughout his public service career.

Elected to the board in 1994, John fought hard to get dollars to the classroom. As you know, this is not only a struggle at the state level, but a constant battle at the federal level. Republicans like Senator Evans have fought hard to enable local school districts to manage and direct their funding. We know teachers, parents, and school districts are best qualified to determine how their money should be spent.

To make certain that dollars get to the classroom, state school leaders are the best line of accountability. Senator Evans has followed through, and Colorado's children reap the benefits. Mr. Speaker, John Evans has consistently advocated funding local schools directly from the state, rather than filtering money through various bureaucracies. As a parent of five with three children in a public charter school, I thank him for his efforts.

I remember the theme of John's senatorial campaign was, ''Helping individuals help their children.'' More specifically, he said, ''I want to help individuals develop a stewardship so they can develop their own legacy. I want to raise decision making to a higher level. I want to get away from politics and think about how what we do affects children.'' Mr. Speaker, I am happy to inform this House John Evans continues to serve the public in Colorado. I wish there were more like him.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE JULIAN C. DIXON, MEMBER OF CONGRESS FROM THE STATE OF CALIFORNIA

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2000

Mr. BACA. Mr. Speaker, A lion of the House has fallen silent, with the passing of our esteemed colleague, JULIAN DIXON.

We mourn the death of this powerful, gentle, man, and salute his profound and long-lasting influence on our legislative chamber.

I offer my condolences and prayers to his wife Bettye and his son Carey, and wish them God's blessings in their time of mourning.

As a Latino member of Congress, I personally appreciate the example Congressman DIXON set in his distinguished career. He paved the way for a diverse Congress, a Congress that truly reflects the hopes and aspirations of our Nation. He embodied the principle that there is nothing we cannot achieve, if we work hard, persevere, and have faith. As Cesar Chavez said, ''SI se puede,'' yes we can.

It is, at times, a hard road to follow, to pursue district and national priorities, to navigate the corridors of the United States Congress, and remain true to one's roots, one's beginnings, but Congressman DIXON did it all. He was a legislator's legislator, serving on the Congressional Black Caucus, the Appropriations Committee, and the Permanent Select Committee on Intelligence, where he was the ranking member. He also served with achievement in the California State Assembly.

Born in Washington, D.C., Congressman DIXON moved west and honored our Nation by serving in its armed forces, and then continued the arc of his success, enrolling in undergraduate studies and law school.

In the Congress, he fought hard for his constituents in California, while never forgetting his native Washington, D.C. He was above all, a man of the people, a man who worked quietly and persistently to get things done.

I am saddened by his passing, but heartened that I had the privilege to serve with him in the Congress. He leaves a guiding light that will illuminate the hearts and minds of his colleagues, long after his passing.

I know he is in heaven, now, quietly at peace. And so I say to him, ''goodbye,'' God bless you, we miss you, we hope to follow your example.''

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE JULIAN C. DIXON, MEMBER OF CONGRESS FROM THE STATE OF CALIFORNIA

SPEECH OF

HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2000

Mr. SPENCE. Mr. Speaker, I rise today with a heavy heart to join my colleagues in paying tribute to an accomplished legislator, a genuine patriot, a true gentleman, and a valued friend. Representative JULIAN DIXON, of California, departed this world, but his legacy will endure for many years to come.

JULIAN DIXON's life was one of distinguished public service. Before entering the United States House of Representatives in 1979, he served six years in the California State Assembly. Throughout his congressional career, he has focused his energies on the needs of his Congressional District, Los Angeles County, and the State of California. He was a knowledgeable and effective advocate. He was not only an exemplary Representative of his constituents, but a leader who has served both his colleagues in the Congress and the American people with great distinction. He was an man of character and stature who earned our respect and left a record of hard work and accomplishment.

Representative DIXON was the fifth ranking member on the Appropriations Committee. He was a member of the Appropriations Subcommittee on Defense; the Subcommittee on Commerce, Justice, State, and Judiciary; and the Subcommittee on the District of Columbia. He was the Ranking Member on the House Permanent Select Committee on Intelligence.

For nearly a decade, Representative DIXON served on the House Committee on Standards of Official Conduct. It was my pleasure to serve, as this Committee's Ranking Member, with him from 1983–1988. Representative DIXON served as the Chairman of the Committee from 1985–1991. His judicious approach, his gentlemanly demeanor, his steady and wise counsel, his careful attention to detail, and his strong hand helped the Committee navigate often rocky shoals. He was a thoughtful and articulate man who presented his views with eloquence in a logical and sensitive manner. He got along with both sides of the aisle. He worked with all people. He was gentle in his approach.

JULIAN DIXON was one of those whom I consider to be one of the real gentlemen of the Congress. He was a man of ideas and vision. I appreciate the work that he has done and his commitment and loyalty to America and the principles for which we stand.

Our Nation, the State of California, and his constituents in the 32nd Congressional District have lost a true statesman and a strong champion. I extend my profound sympathies and condolences to his wife, Bettye, and to his son, Cary, with the knowledge that God's grace will see them through this difficult period.

JULIAN, we are truly going to miss you deeply.

HONORING DETECTIVE DICK RIDENOUR

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. CONDIT. Mr. Speaker, I wish today to recognize my good friend, Detective Dick Ridenour, on the occasion of his retirement from Modesto Police Department after 31 years in law enforcement.

Dick Ridenour is an exemplary law enforcement professional. His career is noted by some of the most serious criminal investigations conducted by the Modesto Police Department.

Some of the highlights started in early 1978, where Ridenour's first major homicide involved a double murder-for-hire. Ridenour's investigation led him to several states, interviewing multiple suspects and witnesses. During the lengthy investigation, he had threats against his life by organized crime figures and other suspects, when he uncovered an unrelated crime involving several public figures in Nevada.

A year later, Ridenour was first on scene to a robbery-homicide where a 17-year-old youth was killed. Ironically, the victim turned out to be Ridenour's own nephew, Michael Ridenour, who was shot and killed during a robbery at a baseball field. Although, Ridenour was removed as the primary homicide detective on this case, he never gave up and located the suspect who was eventually arrested and sentenced to prison for 45 years. When the suspect escaped from prison, after only serving a few months, Ridenour continued his unofficial mission to relocate and return him to prison. After seven years, Ridenour discovered the escaped prisoner's address leading to his rearrest in Puerto Rico.

In 1981, Ridenour was the primary investigator of a triple homicide that was successfully prosecuted and the perpetrator was sentenced to life in prison. During Ridenour's final years, he was assigned to solve cold homicide cases where leads had dried up. Ridenour's exceptionally investigative skills helped solve several of those cases and the defendants are currently in prison for those murders.

Mr. Speaker, I am proud to report, that despite being in the most dangerous of situations, Dick's professionalism and ability to remain cool under pressure allowed him to refrain from ever using deadly force.

Ridenour has received numerous honors for his work including being named Peace Officer of the Year in 1990. He served as president of Modesto Police Officer Association from 1979–1985 and has received several awards from local civic clubs.

It is my distinct honor to recognize the contributions of Detective Dick Ridenour to our community. He has left a distinguished legacy of unselfish service. I wish him well on his retirement and ask that my colleagues rise and join me in honoring him on the occasion of his retirement.

HONORING BEN ALEXANDER

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. SCHAFFER. Mr. Speaker, this coming January, the Colorado State Board of Education will lose a tremendous leader in Mr. Ben Alexander. Serving as a Member-at-Large since January, 1999, Ben has developed a reputation throughout Colorado for his work in the education reform movement.

Ben initially entered public service in the Colorado General Assembly. Elected as a state senator, he crafted meaningful education reform legislation as the chairman of the Education Committee. One particular bill involved increasing the per pupil expenditure for charter school students to more closely parallel that of

their government school counterparts. I remember fondly, serving beside Ben on the Senate Education Committee. Clearly he has earned the title of ''Statesman,'' and I'm proud to call him a friend.

Throughout his distinguished public service, Ben has consistently worked to promote better teacher training and evaluation. Colorado's Governor, Bill Owens, recognized Ben's innovation and leadership and tapped him as a key player in Colorado's education reform movement. He worked hard with Governor Owens to implement the Colorado Student Assessment Program, a plan that measures the progress of Colorado students toward content standards in reading, writing, math, and science.

Mr. Speaker, in 1818, Thomas Jefferson said, ''A system of general education, which shall reach every description of our citizens from the richest to the poorest, as it was the earliest, so will it be the latest of all the public concerns in which I shall permit myself to take an interest.'' This quotation embodies Ben Alexander's career in public service. We will dearly miss his service on the State Board of Education.

TRIBUTE TO THE U.S.S. ''COLE''

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. MANZULLO. Mr. Speaker, as we reflect on the tragic attack on the U.S.S. *Cole* and those brave American service members who lost their lives while serving their country and protecting the freedoms we Americans all enjoy, I submit for the RECORD a poem written by one of my constituents, Kathy K. Mecklenburg of Rockford, IL. Kathy's simple poem captures the heartfelt sentiments of all Americans regarding the tragedy and heroism surrounding this event. It is my privilege to place it in the CONGRESSIONAL RECORD.

THE COLE TRIBUTE

This lone destroyer held no fame—
  Now, history will enroll,
And fate forever changed the lives
  Aboard the U.S.S. *Cole.*

To Aden she sailed into port
  For loading vital petrol;
But, terrorists had other plans
  To harm the U.S.S. *Cole.*

She peacefully sat docked and still
  Before the dreadful, loud toll,
Which blew a forty-foot long hole
  Inside the U.S.S. *Cole.*

No time for general quarters sound—
  The blind attack was brute cold,
Our sailors had no time to fight
  To save the U.S.S. *Cole.*

The terrorists had rammed her side
  And precious cargo they stole,
For seventeen would lose their lives
  Aboard the U.S.S. *Cole.*

And, now we grieve and wonder still
  For kindred, sacrificed souls,
Whose lives served freedom's cause for all
  Those on the U.S.S. *Cole.*

Now, God, please hear our simple prayer
  And draw these souls to Thy fold,
As we salute these sailors brave
  Who served the U.S.S. *Cole.*

—Kathy K. Mecklenburg, Rockford, Illinois, October 2000.

KEEP THEM OUT!

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. CONYERS. Mr. Speaker, I rise today to condemn the violations of the Voting Rights Act that have been reported in Florida on November 7. Election Day 2000 is a day that will live in infamy, in every American's mind who cares about the concepts of Democracy, Justice, and Equality. Thousands of votes, mostly African-American, students, and senior votes, were disqualified, and effectively, disenfranchised. Despite higher than ever turnouts of minorities and seniors, we had higher than ever rates of disqualified and disenfranchised voters, and that my colleagues is unAmerican. Bob Herbert of the New York Times has shed light on some of the egregious tactics employed by Florida elections officials attempting to keep Americans from voting, in the December 7 issue of the New York times. I respectfully request that it be placed in the CONGRESSIONAL RECORD, to highlight the despicable tactics employed to keep American votes from being cast and counted in the 2000 election. This article reflects much of the sentiment of African-Americans and other Americans who share these concerns about this crisis in our Democracy.

KEEP THEM OUT!

(By Bob Herbert)

The tactics have changed, but the goal remains depressingly the same: Keep the coloreds, the blacks, the African-Americans—whatever they're called in the particular instance—keep them out of the voting booths.

Do not let them vote! If you can find a way to stop them, stop them.

So here we go again, this time in Florida.

It turns out that the state of Florida is using a private company with close ties to the Republican Party to help ''cleanse'' the state's voter registration rolls. Would it surprise anyone anywhere to learn that the cleansing process somehow managed to improperly prevent large numbers of African-American voters from voting in the presidential election?

Gregory Palast, a reporter with the online magazine Salon, has done a number of articles on this. He noted that the company, ChoicePoint, and its subsidiary, Database Technologies Inc. (DBT), came up with a ''scrub list'' of 173,000 names. These were the names of people registered to vote in Florida who, according to ChoicePoint, could be knocked off the rolls for one reason or another.

There was good reason for Florida to be concerned about the integrity of its voter registration rolls. In 1997 the mayor of Miami was removed from office because widespread fraud had occurred in the election. The following year a law was passed requiring counties in Florida to purge the rolls of duplicate registrations, the names of deceased persons and felons.

So far, so good. The problems developed when the state turned to ChoicePoint, which compiles and sells vast amounts of frequently shaky information about individuals. (ChoicePoint, which acquired DBT last May, was fired by the state of Pennsylvania for breaching the confidentiality of driving records.) With this private outfit in the picture it soon became clear that top Republican officials would be trying to reap a partisan political advantage from a law designed to correct an egregious wrong. And that partisan advantage would be realized in large part by trampling on the voting rights of minorities.

Over the spring and summer ChoicePoint was forced to acknowledge that 8,000 voters it had listed as felons had in fact been guilty only of misdemeanors, which would not have affected their right to vote. What is maddening is that when such an erroneous list of names gets into the hands of county election officials, as this one did, it is very difficult—often impossible—to find out what's correct and what's not correct.

That snickering you hear is from Republican operatives who know that these kinds of foul-ups, because they are based on criminal records, will disproportionately affect minority voters.

ChoicePoint eventually came up with a ''corrected'' list of 173,000 names of people it targeted as ineligible because they were deceased, or were registered more than once, or had been convicted of a felony.

But it was a lousy list, riddled with mistakes. And in an interview with me yesterday, Marty Fagan, a ChoicePoint vice president, said there had never been any expectation that the list would be particularly accurate. Remember now, we're talking about a list that would be used to strip Americans of the precious right to vote.

Mr. Fagan said the list focused on people who ''might'' have been deceased, or might have been listed twice, or ''possible felons.'' He said it was ''important to know'' that the information needed to be ''verified'' by county election officials.

That was interesting, because ChoicePoint came up with 58,000 people—people registered to vote—who would fall into the category he calls ''possible felons.'' How in the world were county election officials supposed to check out each and every one and find out if they were felons or not?

They couldn't. They didn't.

The horror stories about perfectly innocent black voters being turned away from the polls because they had been targeted as convicted felons started coming in early on the morning of Nov. 7, Election Day. And they're still coming in.

Blacks turned out to vote in record numbers in Florida this year, but huge numbers were systematically turned away for one specious reason after another.

The tactics have changed, but the goal remains the same.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE JULIAN C. DIXON, MEMBER OF CONGRESS FROM THE STATE OF CALIFORNIA

SPEECH OF

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 8, 2000

Mr. DAVIS of Virginia. Mr. Speaker, I join my colleagues in expressing my condolences to the family of Congressman JULIAN DIXON. His sudden death is a great loss for his family, for Los Angeles County, and for Congress.

For nearly 11 terms, JULIAN DIXON spent his career serving others. He was a strong supporter of civil rights and education issues throughout his career. He served on the Intelligence, Ethics, and Appropriations Committees with dignity and fairness.

I will remember JULIAN DIXON for his passionate concern for the people of the District of Columbia, JULIAN was born in Washington, DC, and although his political career was spent serving California, he never forgot his roots. For many years, JULIAN DIXON served as the chairman of the full committee on the District of Columbia, and demonstrated his extensive knowledge of the city and the major issues affecting its residents. He continued that work while serving on the Appropriations Subcommittee on the District of Columbia.

But most of all, I will remember what a great help JULIAN DIXON was to me when I first became chairman of the District of Columbia Subcommittee. He played a key role in helping me to craft meaningful reform. His expertise and friendship were a great source of comfort to us during those early days of the 104th Congress.

JULIAN DIXON will be greatly missed.

CONCERNING IRS TECHNICAL ADVICE MEMORANDUM RELATED TO THE LOW-INCOME HOUSING TAX CREDIT PROGRAM

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mrs. JOHNSON of Connecticut. Mr. Speaker, I am very concerned that the Internal Revenue Service is taking a position in audits that has the possibility of undercutting all we have been trying to accomplish with the low-income housing tax credit program.

Recently, a series of five IRS technical advice memoranda (TAM) were released under the Freedom of Information Act. These TAMs gave IRS national office legal advice to revenue agents auditing a particular low-income housing developer. The TAMs involved what costs may be included in the eligible basis of a property for the purpose of determining the amount of low-income housing tax credit that are allocated by a state housing finance agency.

The TAMs are very technical, but they are inconsistent with current industry practice and have the potential of retroactively disallowing substantial amounts of credits that have already been allocated and used to finance affordable housing around the country. I am concerned that retroactive tax treatment to investors will have the effect of shaking the confidence that has been built up over the years in this program. Perhaps equally troubling is that the position the IRS has taken in these TAMs could change the economics of future affordable housing and could frustrate the goals of the low-income housing tax credit program to provide good quality housing to lower-income working people and senior citizens at the most reasonable rent possible.

Since the low-income housing program is essentially a block grant program to the states operated through the tax laws and is fully subscribed, the position the IRS has taken in the TAMs will not save the Treasury any revenues. It simply will force the states to allocate the available credits differently and run the risk that the properties built in the future will not be able to be rented at rental rates as low as they are today.

It is truly unfortunate that the first guidance from the IRS on these issues comes in the form of technical advice memoranda, purportedly limited to an individual taxpayer, rather than in the form of regulations after full opportunity for review and public comment on how the rules for allocating basis will affect the policy goals of the low-income housing tax credit program.

I would urge the Treasury Department immediately to announce initiation of a regulation project on the subject of eligible basis and to give the project expedited treatment. We cannot afford to allow allocation of credits and construction of affordable housing to be hindered by the cloud of these TAMs.

I would urge my colleagues to learn more about this issue. It may be necessary for us to act quickly in the next Congress to respond to these TAMs in order to protect the viability of the low-income housing credit.

TRIBUTE TO NEIL STAEBLER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. LEVIN. Mr. Speaker, last weekend a former colleague passed away, Neil Staebler of Michigan.

Neil Staebler was the embodiment of the democratic person.

His career in the public arena combined a belief in the importance of the involvement of citizens at the grassroots and the fullest integrity and honesty of political leaders of all levels of government.

Having achieved financial security in the world of business, Neil Staebler joined with G. Mennen Williams and Martha and Hicks Griffiths in an effort to transform the Michigan Democratic Party into a modern and progressive institution based on broad citizen participation. Perhaps even sooner than they anticipated, this small group succeeded. Soapy Williams became Governor, Martha Griffiths went to Congress, and Neil Staebler began a decade as State Democratic Chairman. In that capacity he spread a message of the importance of people becoming involved in political affairs to every town and virtually every hamlet in Michigan.

Neil Staebler deeply believed that government must be the people's servant, not its master. While there were, of course, many differences between the parties over policies during the Williams-Staebler era in Michigan government, no one questioned the honesty and degree of commitment of the political leadership or the caliber of people—Phil Hart and so many, many others—brought into public life in the executive, and judicial branch.

The famous chronicler of Presidential elections and politics, Theodore White, summed up Neil Staebler so very well: ''one of the most moral men in American politics.''

It was my deep privilege to know Neil Staebler over a period of almost four decades. Like for so many other younger men and woman who came into politics in the 1960's, I entered at a time when public service beckoned as an important calling. John F. Kennedy became the most famous inspiration for a new generation. Neil Staebler stood tall among those, many of whom like him had served in World War II, who led the endeavor to help the America of the post war period implement its promise of freedom and equal opportunity for all its citizens.

Neil Staebler's generation left this Nation a legacy that it must not forget. He was so proud to have served, no matter for only one term, in the Congress of the Untied States. We who serve here now join in sending our deepest condolences to his beloved wife of 65 years, Burnette, to his children, Michael and Elizabeth, and to all the Staebler family. They have so many reasons to be proud of the life of Neil Staebler.

HONORING PROFESSOR EUGENE SMITH

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. DINGELL. Mr. Speaker, I rise today to recognize my good friend, Professor Eugene Smith, on the occasion of his retirement after nearly sixty years of teaching in some of the finest schools and universities in the country.

Gene was a born teacher. After earning his Bachelor of Science in mathematics education in 1941, Gene began teaching junior and senior high school mathematics in Ohio's public schools. During World War II, Gene taught math, gunnery and tactics at the Officer Candidate Prep School at Fort Still, Oklahoma. After the war, Gene returned to Ohio where he served in the public schools until 1959. During that time, Gene returned to school himself to earn both his M.A. and Ph.D in mathematics education. Gene moved to Wilmington, Delaware, where he served as the Supervisor of Mathematics for their public schools from 1959–1961.

It was in 1961 that Professor Smith moved to Michigan to join the faculty of Wayne State University as a Professor of Mathematics Education. Gene established the M.A. and Ph.D program in mathematics education and served as the department chair for 28 years. After 30 years of service at Wayne State University, Professor Smith held a part-time Visiting Professor position at the University of Michigan-Dearborn. After nearly sixty years of teaching our children, Professor Smith has decided to retire.

During his tenure as a teacher and professor, Gene has held numerous leadership positions including President of the Columbus Council of Teachers of Mathematics, President of the Ohio Council of Teachers of Mathematics and President of the National Council of Teachers of Mathematics. Gene's many honors include Ohio State University's Centennial Medallion for outstanding contributions to education and teaching, the Mu Alpha Theta Award for Wise Counsel and Leadership in Mathematics Education and, 1994, the National Council of Teachers of Mathematics awarded Gene the Mathematics Education Trust Lifetime Achievement Award for Teaching.

Mr. Speaker, as Gene leaves teaching after sixty years of service, I would ask that all my colleagues salute him and his leadership.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. CAPUANO. Mr. Speaker, I respectfully request a leave of absence for today, December 11, 2000. Due to a terrible case of the flu, I am unable to be present to take part in the House of Representatives' legislative activities.

ON REVEREND JIM MITULSKI

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Ms. PELOSI. Mr. Speaker, I wish today to pay tribute to the Reverend Jim Mitulski, a true friend and hero to thousands of people in need. For 15 years Reverend Mitulski has lead the congregation at the metropolitan Community Church (MCC) in San Francisco. Through his caring and compassion, his action and his deeds, he epitomizes the real spirit of Christianity.

Fifteen years ago, when Reverend Mitulski first came to MCC, situated in the heart of San Francisco's Castro District, the city was facing the onslaught of the AIDS epidemic. Reverend Mitulski recognized the needs and rose to the challenge, providing sanctuary and sustenance—physical, spiritual, emotional, and psychological—to his congregants and other members of the community. He provided a safe haven, support, acceptance, and love for the sick and dying, some of whom had been rejected by their own families. He ministered to those in need with unflagging compassion and enabled them to live out their lives with dignity. Over the course of his service at MCC, Reverend Mitulski presided over 500 funerals of his parishioners. He never gave up hope and he never stopped serving as a source of faith and inspiration to the survivors.

Mr. Speaker, I join the other members of the San Francisco community who have met Reverend Mitulski's decision to resign with a mixture of sadness and happiness. We are sad that he is stepping down, but happy that he is finding new ways to contribute to our community and to grow. Mostly, however, we are grateful for his leadership, his spirit of Christianity, his unselfish offering up of everything he had, and his untiring willingness to work within a community in crisis as it faced untold losses. Rev. Jim Mitulski is an example of the best of what San Francisco has to offer. We have been blessed by his years of service and wish him all the best in his new endeavors.

CONGRATULATING THE MARYVILLE HIGH SCHOOL RED REBEL FOOTBALL TEAM

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. DUNCAN. Mr. Speaker, on December 2nd of this year, the Maryville High School Red Rebel football team became the 1999–2000 Class 4A state champions after defeating East High School of Memphis, 33–14, at this year's championship game in Murfreesboro, TN.

This is a remarkable accomplishment for this team, as they started this year's season with a record of 0–4. Against all odds, the team pulled it together with unparalleled strength and determination and came back to win their 2nd state championship in 3 years. Their last championship came in 1998.

The spirit of this team reminds me of the story of former Baltimore Orioles' third baseman Brooks Robinson, a Hall of Famer. Robinson once said that there were only a few in the Hall of Fame who got there mostly on superior athletic ability. Robinson said that the other 600 or so got here because of drive, determination, discipline, and desire. This team possesses the same qualities.

In an address to a jubilant crowd at a homecoming celebration at Maryville High School, George Quarles, Head Coach of the Maryville Red Rebels football team said, ''To our team, I want to say thank you for not giving up. It would have been so easy to quit after going 0–4, but you didn't. The biggest lesson is not to give up. I am proud to be your coach.''

Mr. Speaker, I ask the readers of the CONGRESSIONAL RECORD and my fellow colleague to join me in congratulating Head Coach George Quarles and the Maryville High School Red Rebel football team for their glorious victory. I also include the following news article printed in the Knoxville News Sentinel. The team's leadership, strength, and determination should be recognized by all, and their sportsmanship and dedication are at a level that should be followed by every high school team in this Country.

[From the Knoxville News Sentinel, December 10, 2000]

MARYVILLE PLAYERS LAUDED FOR ''TEAM EFFORT''

(By Ken Garland)

The Maryville High School football players never gave up, their coach said. They hung in there and went for the gold.

And they got it. A gold football trophy declaring them to be the Class 4A state football champions came their way after last weekend's state championship in Murfreesboro.

The Red Rebels defeated East High School of Memphis, 33–14, in the championship round Saturday night, Dec. 2.

They came home with that championship trophy, their second in three years, to the adoration of their fans in the community and at the school. Those fans came together Thursday morning in the MHS gymnasium for a celebration.

Meanwhile, across the county, fans of Alcoa High School were gearing up for a celebration honoring their football team. The tornadoes won the Class 2A state championship and were honored at a reception at Alcoa High School Saturday.

Read more about that reception in the sports section of today's News-Sentinel.

Maryville Head Coach George Quarles said the state win came as a surprise to him.

''Nobody was more shocked to be here than me,'' he told students and guests at the celebration.

After losing the first four games of the season, Quarles figured the team had no chance in the world of making even the playoffs. But, he said, the team proved him wrong.

The state championship gives the seniors on the team an impressive history, said Athletic Director Jerry Thompson. The seniors have ''played on a (state) runner-up team and on two state championship teams,'' he said.

The Red Rebels won their other state championship game in 1998. They have won several other state championship games in years past.

Shortly after that 1998 game, the team lost its head coach to another school. School officials named Quarles, who had been offensive coordinator for six years, as the new head coach.

At the ceremonies, Quarles thanked school officials who ''took a chance on an untried head coach'' and promoted him.

Over and over, the officials who spoke, and some who didn't, kept attributing the state championship to the team's ''never-say-die attitude.''

''What a remarkable turnaround,'' Thompson said. ''Never in the history of Tennessee football has this happened.''

Maryville Mayor Steve West, who presented the team with a proclamation naming Thursday as Maryville High School Day, said it was a ''team effort.''

''It's a team effort that makes you go to the championships,'' he said, ''Maryville High has always been known for team effort.''

''You all did a fabulous job.''

Quarles, who also was named Class 4A coach of the year, told the team members he was proud of them.

''To our team, I want to say thank you for not giving up,'' he said. ''It would have been so easy to quit after going 0–4, but you didn't. The biggest lesson is not to give up.''

''I'm proud to be your coach.''

TRIBUTE TO RAYMON AYALA

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. ORTIZ. Mr. Speaker, I rise today to pay tribute to a unique and outstanding American, Norteno artist and five-time Grammy Award nominee Raymon Ayala, who is one of the most popular artists in regional Mexican music today. He celebrates his birthday today, and I ask the House of Representatives to join me in offering him our good wishes.

Ayala, who began his exemplary career at the age of 18, has been one of the great entertainers of his generation. His skill at the Mexican ''canjunto'' music (music with an accordion base) is unparalleled in the industry. His steady rise and his continuous output of inclusive music has made him a favorite of fans throughout the Southwest and in Mexico.

In the 30 years that Raymon Ayala has graced the charts, he has recorded over 75 albums, never straying from his canjunto roots.

Ayala's success has turned on precisely the same elements that ensure the success of any musician in the industry: a straightforward style, balanced music, and lyrics with universally understood themes. His music touches on tragedy, loneliness, broken relationships, and experiencing love in all its complicated nuances . . . the sort of music that appeals to all music lovers, regardless of their favorite format.

Raymon has taken great care to ensure that the material on his albums reflects the excellence that has been his lifelong trademark. I ask my colleagues to join me in wishing this talented patriot a happy birthday.

AMERICAN HOMEOWNERSHIP AND ECONOMIC OPPORTUNITY ACT OF 2000

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 5, 2000

Mrs. MINK of Hawaii. Mr. Speaker, I rise in support of H.R. 5640, especially subtitle B of title V. The title expands housing assistance for native Hawaiians by extending to them the same types of Federal housing programs available to American Indians and Alaska Natives. The provision authorizes appropriations for block grants for affordable housing activities and for loan guarantees for mortgages for owner- and renter-occupied housing. It authorizes technical assistance in cases where administrative capacity is lacking. The block grants would be provided by the Department of Housing and Urban Development to the Department of Hawaiian Home Lands of the government of the State of Hawaii.

This is the fourth time this year that the House will consider a bill containing these important provisions for Native Hawaiian housing.

I thank the chairman of the Banking Committee [Mr. LEACH], ranking member [Mr. LAFALCE], the chairman of the Housing Subcommittee [Mr. LAZIO], and the ranking member of subcommittee [Mr. FRANK] and the gentleman from Indiana [Mr. BEREUTER] for their assistance in incorporating the provisions for native Hawaiian housing in the bill. they have worked tirelessly to craft a bill that both Houses can support so that Congress will be able to enact a housing bill this year.

Passage of this bill is critical because within the last several years, three studies have documented the housing conditions that confront native Hawaiians who reside on the Hawaiian home lands or who are eligible to reside on the home lands.

In 1992, the National Commission on American Indian, Alaska Native, and Native Hawaiian Housing issued its final report to Congress, ''Building the Future: A Blueprint for Change.'' In its study, the Commission found that Native Hawaiians had the worst housing conditions in the State of Hawaii and the highest percentage of hopelessness, representing over 30 percent of the State's homeless population.

In 1995, the U.S. Department of Housing and Urban Development issued a report entitled, ''Housing Problems and Needs of Native Hawaiians.'' This report contained the alarming conclusion that Native Hawaiians experience the highest percentage of housing problems in the Nation—49 percent—higher than that of American Indians and Alaska Natives residing on reservations (44 percent) and substantially higher than that of all U.S. households (27 percent). The report also concluded that the percentage of overcrowding within the Native Hawaiian population is 36 percent compared to 3 percent for all other U.S. households.

Also, in 1995, the Hawaii State Department of Hawaiian Home Lands published a Beneficiary Needs Study as a result of research conducted by an independent research group. This study found that among the Native Hawaiians population the needs of Native Hawaiians eligible to reside on the Hawaiian home lands are the most severe. 95 percent of home lands applicants (16,000) were in need of housing, with one-half of those applicant households facing overcrowding, and one-third paying more than 30 percent of their income for shelter.

H.R. 5640 will provide eligible low-income Native Hawaiians access to Federal housing programs that provide assistance to low-income families. Currently, those Native Hawaiians who are eligible to reside on Hawaiian home lands but who do not qualify for private mortgage loans, are unable to access such Federal assistance.

I look forward to enactment of the bill because it is so important to the native people of Hawaii.

BUSH VERSUS GORE IN THE U.S. SUPREME COURT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, December 11, 2000

Mr. CONYERS. Mr. Speaker, I submit the following articles, which appeared in the New York Times on December 11, 2000 and the Washington Post on December 9, 2000, into the CONGRESSIONAL RECORD.

[From the New York Times, Dec. 11, 2000]

TO ANY LENGTHS

(By Bob Herbert)

And so the Supreme Court intervened, not with wisdom and grace but with a clumsily wielded hammer, to protect the interests of George W. Bush and the Republicans by thwarting any further movement in the Florida vote toward Al Gore.

Mr. Bush and his party have made it clear to the country and the world that their greatest fear—the scenario they dread above all others—is that somehow, someway, all of the votes legally cast in Florida would actually be counted.

They have demonstrated their willingness to go to almost any lengths to prevent that from happening. And that resolve was given the unfortunate imprimatur of the nation's highest court on Saturday when, in a 5- to-4 decision, the court ordered the hand recounts in Florida to stop.

But the Bush team's appeal to the U.S. Supreme Court, which will hear oral arguments this morning, is just one prong of the G.O.P.'s dangerous assault on the spirit of democracy that has served this nation so well for so long. The truth is that while Mr. Bush and the Republicans will be more than happy to accept a final Supreme Court ruling in their favor, they are already prepared to take extraordinary steps to circumvent a ruling that goes against them.

In short, they are not willing to accept any set of circumstances that would result in Al Gore winning the White House.

Former Secretary of State James Baker was asked on ''Meet the Press'' yesterday if the Bush campaign would accept the results of a recount in Florida if, after hearing the arguments today, the Supreme Court ordered the recount to resume.

Mr. Baker told the moderator, Tim Russert, ''Of course we'll begin the recount again if that's the ruling of the United States Supreme Court.''

Mr. Russert said, ''And will you abide by the result?''

Mr. Baker, clearly uncomfortable with the question, said ''Well, I'm not sure I understand what you mean, 'Will we abide by the result?' The result will be there.''

Mr. Baker knows as well as anyone that the Republican-controlled Florida Legislature is poised to trash any semblance of justice and fair play by designating its own slate of 25 presidential electors committed to Mr. Bush if, under any scenario, Al Gore wins the popular vote in Florida.

Mr. Baker said of the Legislature, ''They have an interest here that is a constitutional interest granted to them under Article 2 of the Constitution, and it is not up to me or anybody else to rule that out or rule it in.''

Mr. Russert said: ''But your campaign has been working in concert with them, giving them legal advice. Both sides admit it.''

''Uh, Tim, we may have indeed,'' said Mr. Baker. ''Some of our people have been talking to them, there's no doubt about that, because it is a constitutional remedy set forth in Article 2 of the Constitution.''

In the eyes of the Republicans, the Supreme Court ruling is the final word only if it goes against Mr. Gore.

The game is rigged. And the Democrats, who all along have been more willing than the Republicans to adhere to standards of fair play, are openly talking about folding their tents and conceding the White House to Mr. Bush.

American democracy suffered a grievous wound this year in Florida. The conservative majority on the U.S. Supreme Court that has ranted ad nauseam about activist courts and the infringement of states' rights turned its own philosophy on its head by rushing in on Saturday and gratuitously stopping a recount of votes legally cast by American citizens.

It is not unreasonable to believe that had those votes been counted, Al Gore, who won the popular vote nationwide, would also have won Florida and a majority in the electoral college.

A former colleague of mine called yesterday and said: ''All the Supreme Court of Florida wanted to do was have the vote counted. What was so wrong with that?''

The good news, of course, is that American-style democracy is resilient enough to rebound from the Florida fiasco. Eventually the full truth will emerge about the extent to which the voices of voters in Florida went unheard. And the role of the U.S. Supreme Court and the Republican Party in silencing those voters will be a matter of public and historical record.

[From the New York Times, Dec. 11, 2000]

RAISING THE STAKES

(By Anthony Lewis)

WASHINGTON.—Whether Al Gore or George W. Bush becomes president will make a difference, but it has never been a cosmic question. Whoever wins, the country will survive.

But now a truly profound interest is at stake in the election controversy. That is the public's acceptance of the great power exercised by the Supreme Court of the United States.

Justice Robert H. Jackson, in lectures published in 1955 after his death, pointed out the curiosity of the role played by the justices in our democracy. The court has often been in controversy, he said, and ''the public has more than once repudiated particular decisions.''

''Public opinion, however,'' Justice Jackson said, ''seems always to sustain the power of the court. . . . The people have seemed to feel that the Supreme Court, whatever its defects, is still the most detached, dispassionate and trustworthy custodian that our system affords for the translation of abstract into concrete constitutional commands.''

That is what has now been thrown into question: the public belief that the court is ''detached, dispassionate and trustworthy.'' The court's order stopping the recount of ballots in Florida—a 5-to-4 decision along ideological lines—looked to many Americans like a partisan intervention to save the day for Governor Bush.

The Bush forces had worked for a month to prevent a manual recount of doubtful ballots, evidently in the belief that counting them would put Mr. Gore ahead. Now, just after recounts had begun, the five more conservative members of the Supreme Court stopped the process.

Lawyers and others who watch the court closely are saying they are bewildered, even shaken, by what it did in stopping the recount. The one guide we have to the reasons for the intervention was the opinion by Justice Antonin Scalia, concurring with the majority's order. And it made the action, if anything, more troubling.

To recount those Florida votes, Justice Scalia said, might cast ''a cloud'' on what Governor Bush ''claims to be the legitimacy of his election.'' To count them first and then rule on their legality ''is not a recipe for producing election results that have the public acceptance democratic stability requires.''

If the Supreme Court now permanently stops the recounts, will that promote ''public acceptance'' and ''democratic stability''? Hardly. Half the country will be even more outraged at what was done to Gore voters in Florida. Justice Scalia's proposition seems to make sense only on the assumption that Governor Bush really won Florida—which is the very issue to be decided in the recounts.

Justice Scalia said the court must decide whether the ballots that were ordered to be recounted—ones that on machines showed no vote for president—were legally cast votes ''under a reasonable interpretation of Florida law.'' That comment raised an extraordinary legal question.

It is basic constitutional law that the Supreme Court has no power to consider state court decisions on the meaning of state laws. The Florida Supreme Court's decision ordering the recount was just that: an application of state statutes. Was Justice Scalia saying that the Supreme Court will decide whether the Florida court was ''reasonable''? That could open an endless prospect of enlarged Supreme Court jurisdiction.

The puzzle is what federal question exists here, of the kind the Supreme Court has power to decide. The Bush brief argues that manual recounts, with no precise rules binding all counties in Florida, would be so inconsistent as to deny ''the equal protection of the laws'' guaranteed by the 14th Amendment. But there have been manual recounts all over this country from the beginning of our history. Is every one of them now going to raise a potential federal constitutional question?

The level of partisanship in our politics is already dangerously high. The Bush people, in particular, have taken a nasty, hateful tone in Florida and elsewhere. It would be terrible for the court to exacerbate the division—and become part of it.

In this vast, diverse country, we depend on the Supreme Court as the final voice. Perhaps some of the justices believe they can bring finality to the election contest. But if they over-reach, acting as what Judge Learned Hand called ''Platonic Guardians,'' they will inflict a grave wound on their own legitimacy.

[From the New York Times, Dec. 11, 2000]

BITING THE BALLOT

(By William Safire)

WASHINGTON.—You cannot spit in the eye of the nation's highest court without suffering consequences.

The Florida Supreme Court ignored the U.S. Supreme Court's order nullifying its deadline-breaking action and in effect told the nation's final judicial tribunal to mind its own business.

Florida's four-judge majority, not content with taking over the lawmaking function of its state's Legislature, and brushing aside the dire warning of creating an unnecessary crisis from its own chief justice, arrogated to itself the power to pursue its political course—despite direction to the contrary a few days before from the top of the nation's court system.

Not in living memory have Americans seen such judicial chutzpah. Our political process was almost subverted by the runaway court.

Perhaps the U.S. Supreme Court invited Florida's disrespect. In its eagerness to preserve its own unanimity and to show undue deference to a state court's interference in a federal election, the high court in Washington had temporized in its first opinion. Rather than cleanly reversing the Tallahassee jurists, the Rehnquist court acquiesced in its liberal members' suggestion to learn the legal reasoning behind the Florida decision to ignore the U.S. Constitution's delegation of electoral power to state legislatures.

The Tallahassee majority read that deference as weakness. Rather than answer the high court's questions, it took constitutional law into its own hands and extended the agony of the Gore campaign by ordering a count of votes whose legality is in dispute.

Bush partisans mistakenly made much of the narrow split in the Florida court, as if a 4-to-3 decision was somehow less than decisive. But in our judicial system, the narrowest majority carries the full power of the entire court. That runaway court's order to start counting was promptly, and rightly, obeyed—until a majority of the highest court, recognizing its deference had been misplaced and its authority was being challenged, stayed the counting fingers.

In our presidential elections, the constitutional majority rules. That means the majority of electors of all the states. When the votes of the people in a state amount to a virtual tie, the nation's choice of a president cannot suitably be made by one state's executive branch (in this case, for Bush) or that state's judicial branch (for Gore). Rather, the state's vote must be decided in the manner the U.S. Constitution specifically directs—by its legislature (for Bush) or if the contest goes all the way, by the newly elected House of Representatives (voting by states, 29 of which have Republican majorities that would elect Bush).

But do we need to go all the way to that bitter end? No; with the House vote certain for Bush, it serves nobody's purpose to prolong the interregnum. We have an institution in place that a majority of the people trusts to decide what is the most constitutionally defensible solution. That is the U.S. Supreme Court.

So what if the justices are internally divided on this election issue? They were far from unanimous on Roe v. Wade, and yet even those who disagree with that majority's decision recognize it as the law of the land. Unanimity is a consummation devoutly to be wished, but the high court's majority rules, and its decision cannot be overridden except by a future high court or by amending the Constitution.

Now we are at a point where the highest court can no longer delay its decision in hopes that an inferior court will act responsibly. By its coming decision on the late count, the Supreme Court will be deciding (a) to validate for our time Article II's unambiguous assignment of electoral power to elected state legislatures, with its enabling statutes passed long ago by Congress; (b) to restore order to the judicial system by curbing the runaway state court; and (c) to lend some of its own legitimacy to the political victor in an election where there can be neither a statistical winner or loser.

All during the campaign of 2000, Al Gore kept saying that this election was about the Supreme Court. Turns out he was right. It is fitting that we now call on the nine justices to bite the ballot and call on the contestants to abide by the majority's judgment.

[From the Washington Post, Dec. 9, 2000]

GHOSTS IN FLORIDA

(By Colbert I. King)

The ghosts of Campaign 2000 in the form of Florida's controversial presidential vote will trail the next president into the White House. If it is George W. Bush, his first year will be haunted by a decision reached this week in Washington. If it is Al Gore, he can sit back and watch the fun.

After several daily meetings with FBI and Civil Rights Division staff to review intelligence concerning alleged voting irregularities, senior Justice Department officials concluded that there were sufficient grounds to send federal lawyers to Florida last Monday. The decision was a long time coming.

Since Election Day, civil rights groups have demanded that the Justice Department probe numerous complaints of improprieties, minority vote dilution and violation of federal civil rights laws in Florida voting precincts. This week, the federal government finally agreed to act—with too little and too late, critics say. Maybe not.

The introduction of Justice Department lawyers certainly won't change the election results or alter court decisions reached yesterday. But the current information gathering effort may get converted into a formal Justice Department investigation. If that happens, the civil rights probe could reach out and touch Florida Bush backers in a way that street protests, demonstrations and heated cyberspace traffic never could.

By Jan. 20, the judicial jousting and Florida's Supreme Court justices will be a memory. Not so the charges of African American voters being denied the right to vote due to discrimination, intimidation and fraud. There's no such thing as the clock's running out on the fight against racism.

If the Justice Department finds that voters of color were disenfranchised and left unprotected by the Florida state government—that U.S. laws indeed were broken—the issue will be alive and squarely in the lap of the next administration. And the problem will come with a twist that is sure to make a Bush White House squirm.

Simply put, a George W. Bush appointed attorney general could not be entrusted to investigate and prosecute illegal voter suppression activities in the state that gave Bush the presidency and in which his brother Jeb is governor. A civil rights probe in Florida, on the other hand, would be no problem for a president Gore.

Faced with a formal Justice Department investigation, the Bush administration would have no choice but to seek the appointment of a special counsel to conduct an independent inquiry into possible federal violations in Florida. Only an impartial outsider, not beholden to Bush or his attorney general, can be expected to serve the interest of justice. Nothing short of an independent

team of lawyers and investigators interviewing witnesses and probing the nooks and crannies of the likes of Volusia, Broward and Miami-Dade counties, will reassure the public that politics and special preference won't rule the day in a Bush White House.

Investigating voting irregularities in Florida will not be a game of trivial pursuit. Some troubling allegations have already surfaced, such as:

The names of law-abiding voters, disproportionately African American, wrongly removed from the rolls or identified for purging.

Registered African American voters banished from the polls because their names couldn't be found on voter registration lists.

Voting sites in African American precincts switched without timely notice or any notification at all.

African American voters harassed and intimidated near the polling places.

Ballot boxes in African American precincts not collected, predominantly minority polls understaffed, language assistance sought but denied, old and unreliable voting machinery.

And the list of alleged irregularities does not include the disproportionate number of ballots in predominantly minority precincts that were thrown out.

For those of you tempted to dismiss these complaints as the predictable whining of blacks who find themselves on the losing side, I say not so fast. Experience, old and new, has been a great teacher.

I commend to you the observations of Hugh Price, president of the National Urban League, on National Public Radio's ''Talk of the Nation'' show. Price backs calls for the Justice Department to get into the Florida situation in a strong way. He told listeners: ''I'm reminded of what happened in the case of racial profiling in New Jersey when the first response to the allegation was, 'We don't do this,' a staunch denial.

''Then we discovered there were some correlations between race and who was being stopped, but there was still a lot of denial. . . . And then it turned out that it was happenstance. And now that the New York Times has dug into and received mounds of paper they have found that it was an outright, point-blank, in-your-face conspiracy on the part of the New Jersey troopers to stop people of color.''

All the media attention today is on Florida courts, the presidential contenders and the potential winning candidate's thrill of victory. Come next year, the limelight shifts to Washington—and maybe to another scene—an all-too familiar tale about the uphill struggle of a people who tried in vain to live out the American Dream on Election Day.

Daily Digest

HIGHLIGHTS

The House passed H.J. Res. 129, Making Further Continuing Appropriations.

Agreed to the Senate amendments to H.R. 5630, Intelligence Authorization—clearing the measure for the President.

Senate

Chamber Action

Routine Proceedings, pages S11755–S11763

Measures Introduced: One bill and two resolutions were introduced, as follows: S. 3276, S. Res. 387, and S. Con. Res. 161. **Pages S11759, S11762**

Measures Passed:

Relative to the Death of Representative Dixon: Senate agreed to S. Res. 387, relative to the death of Representative Julian C. Dixon of California. **Pages S11755–56, S11763**

Omnibus Indian Advancement Act: Senate passed H.R. 5528, to authorize the construction of a Wakpa Sica Reconciliation Place in Fort Pierre, South Dakota, clearing the measure for the President. **Pages S11757–60**

Enrollment Correction: Senate agreed to S. Con. Res. 161, to correct the enrollment of H.R. 5528. **Pages S11759–60, S11762**

Indian Tribal Justice Technical and Legal Assistance Act: Senate concurred in the amendment of the House to S. 1508, to provide technical and legal assistance for tribal justice systems and members of Indian tribes, clearing the measure for the President. **Pages S11756–57**

Continuing Resolution—Agreement: A unanimous-consent agreement was reached providing that when the Senate receives from the House the joint resolution funding the Government until Friday, December 15, it be considered read a third time and passed. **Page S11756**

Messages From the House: **Page S11761**

Statements on Introduced Bills: **Page S11762**

Additional Cosponsors: **Page S11762**

Additional Statements: **Page S11761**

Enrolled Bills Presented: **Page S11761**

Recess: Senate convened at 5:34 p.m., and as a further mark of respect to the memory of the late Representative Julian Dixon, of California, in accordance with S. Res. 387, recessed at 5:40 p.m., until 10:00 a.m., on Thursday, December 14, 2000. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S11755.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Bills Introduced: 2 public bills, H.R. 5652–5653 were introduced. **Page H12080**

Reports Filed: No reports were filed today.

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Pease to act as Speaker pro tempore for today. **Page H12067**

Making Continuing Appropriations: The House passed H.J. Res. 129, making further continuing appropriations for the fiscal year 2001. **Pages H12067–70**

Earlier, agreed to H. Res. 670, the rule that provided for consideration of the joint resolution by voice vote. **Pages H12067–70**

Intelligence Authorization: Agreed to the Senate amendments to H.R. 5630, to authorize appropriations for fiscal year 2001 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement Disability System—clearing the measure for the President. **Pages H12070–72**

Meeting Hour—Wednesday, Dec. 13: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Wednesday, Dec. 13. **Pages H12072, H12078**

Senate Messages: Message received from the Senate today appears on page H12078.

Quorum Calls—Votes: No quorum calls or recorded votes developed during the proceedings of the House today.

Adjournment: The House met at 5 p.m and adjourned at 7:06 p.m. **Page H12078**

Committee Meetings

No committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1203)*

H.J. Res. 127, making further continuing appropriations for the fiscal year 2001. Signed December 7, 2000. (P.L. 106–539)

COMMITTEE MEETINGS FOR TUESDAY, DECEMBER 12, 2000

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Energy and Natural Resources: to hold oversight hearings on the status of natural gas markets, 9:30 a.m., SD–366.

House

Committee on Resources, Task Force on Headwaters Forest and Related Issues, hearing on matters related to Headwaters Forest, 11 a.m., 1334 Longworth.

Next Meeting of the SENATE

10 a.m., Thursday, December 14

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 12 noon), Senate expects to consider cleared legislative and executive business.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Wednesday, December 13

House Chamber

Program for Wednesday: Pro Forma Session.

Extensions of Remarks, as inserted in this issue

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