United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147 WASHINGTON, WEDNESDAY, JUNE 20, 2001 No. 86

House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 20, 2001.

I hereby appoint the Honorable CHRISTOPHER SHAYS to act as Speaker pro tempore on this day.

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

PRAYER

The Rabbi Rafael G. Grossman, Senior Rabbi, Baron Hirsch Synagogue, Memphis, Tennessee, offered the following prayer:

O merciful God, in this august Chamber, Thy servants represent a nation blessed to live in freedom. Grant wisdom and courage so the path they pave can be traversed by all.

You chose us, the American people, from among all people, to be the ''light unto the nations'' and the voice for the silenced and the suffering. Thy children everywhere look to this hall of democracy for hope and strength, as old and young continue to face the evil hand of terror and exploitation. Give us determination to bring joy and life to victims of terror and might against those who perpetrate it. Your voice resonates in our hearts, and this is the vision of America's destiny.

Isaiah, in the language of the Bible: (Here the cited verse was read in Hebrew.) He ''has sent me to bind up the broken hearted, to proclaim liberty to the captives, and opening of the eyes of those who are bound.'' The old Prophet's words beckon the hearts of Americans to bring the freedom of our blessings to humankind's downtrodden, to those shackled by chains of exploitation and demagoguery. The free, dear God, are only free when all of God's children are free.

Would you join me in saying, 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 Kansas (Mr. TIAHRT) come forward and lead the House in the Pledge of Allegiance.

Mr. TIAHRT led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a bill and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 657. An act to authorize funding for the National 4–H Program Centennial Initiative.

S. Con. Res. 35. Concurrent resolution expressing the sense of Congress that Lebanon, Syria, and Iran should allow representatives of the International Committee of the Red Cross to visit the four Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon.

S. Con. Res. 42. Concurrent resolution condemning the Taleban for their discriminatory policies and for other purposes.

WELCOME TO RABBI RAFAEL G. GROSSMAN

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

Mr. BRYANT. Mr. Speaker, I would like to join my colleagues in welcoming today's guest Speaker, Rabbi Rafael Grossman, and thank him for leading the House in prayer.

Rabbi Grossman has led the Baron Hirsch Congregation in Memphis for some 25 years. In those 25 years, Rabbi Grossman has overseen the construction of a new synagogue building and has established numerous programs that have benefited members of his congregation, the City of Memphis, and the State of Israel. Through the programs and his continued counsel, the Rabbi has touched the lives of each member of his congregation.

The Rabbi was chosen as one of a group of 10 Rabbis to be recognized and honored at the centennial celebration of the Union of Orthodox Jewish Congregations of America for his outstanding achievements. He also was a recipient of the National Rabbinic Leadership Award from that organization and has written many scholarly works for numerous journals.

Rabbi Grossman is married to Mrs. Shirley Grossman, and together they are the proud parents of four children and nine grandchildren. It is my distinct pleasure to welcome him here today as our guest chaplain.

PRICE CAPS ARE NOT THE ANSWER

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

Mr. PITTS. Mr. Speaker, until recently, I thought everyone understood the law of supply and demand, but that was before some in this town started crying for price caps on energy.

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The ins and outs of energy policy may be complicated, but the law of supply and demand is very simple. President Bush has a sensible, balanced, and comprehensive plan to increase supply through new and better energy sources and to address demand through better efficiency and modernization. We should not let anyone tell us that price controls are the answer to the energy crunch we are in.

The Soviet Union tried running things that way for 70 years, and bread lines only got longer. We need to increase supply. Price controls will not produce one drop of oil or one watt of electricity. They only reduce the pain temporarily, but compound the problem actually.

Mr. Speaker, we need a long-term solution, not a short-term fix.

A CHALLENGE FOR VICTORIA'S SECRET

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

Mr. TRAFICANT. A California woman has set a world record by hooking 7,000 brassieres together to create the biggest bra ball in history. This bra ball is a protest against the way women's breasts have been exploited. Now, if that is not enough to challenge Victoria's Secret, this buxom diva has filed a lawsuit against another artist who is also building a ball of bras.

Think about it. America's courts are bogged down with drugs and murder, and now we will be tied up with 200 pounds of Maidenforms. Unbelievable. Even Slappy White of hillzoo.com cannot believe this. What is next, Congress? A stainless steel panty hose contest?

Beam me up. I yield back the fact that all this money being used for this litigation would be better served if they put it towards a cure for breast cancer.

KEEPING THE LIGHTS ON IN AMERICA

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

Mr. TIAHRT. Mr. Speaker, as we embark on the 21st century, Americans expect certain things. We want a secure future for our children, a clean environment; and when we flick the switch on a lamp, we expect the light to shine. Unfortunately, due to extreme environmental policies, many Americans cannot be assured the lights will come on. That is why I commend the President for showing real leadership in developing a national energy plan that takes a balanced approach to solving our energy crisis.

The President's plan takes into account the incredible developments in energy research, exploration, technology, which not only reduces our heavy reliance on foreign oil, but preserves and protects our Nation's environment. This comprehensive energy plan has more than 100 concrete recommendations, nearly 50 percent of which deal with conservation. This is a commonsense, long-term, high-tech solution that protects the environment and secures our future.

Americans should expect the best electric system in the world, while we secure clean air and water for our children. The President's plan will ensure our priorities and keep the lights on in America.

TRIBUTE TO BIOTECHNOLOGY

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

Mr. ISSA. Mr. Speaker, most of us go throughout the day without noticing that many of the products we use are a direct result of biotechnology. Everything from important medical breakthroughs like insulin and many HIV drugs to household detergents and cleaners and the like can be attributed to the discoveries made by biotechnology. It is time we recognize the biotechnology community for the numerous achievements and discoveries that have improved the quality of life for people around the globe.

Mr. Speaker, I am proud to introduce bipartisan legislation recognizing the benefits of biotechnology. I hope my colleagues will join the many cosponsors of this bill which recognizes biotechnology for its contributions of the past and for the amazing potential this technology holds for the future.

HONORING AIRMAN MATHEW KURIAN

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

Mr. GIBBONS. Mr. Speaker, I wish today to address just very briefly congratulations for those people who work hard to improve themselves and their community.

So today I rise to salute and congratulate 99th Supply Squadron Airman First Class Mathew Kurian, currently stationed at Nellis Air Force Base, Nevada.

Today, Airman Kurian will receive the Congressional Gold Award, an honor which recognizes initiative, achievement, and excellence among people in the United States aged 14 to 23. Recipients must set and achieve goals in four areas: Expedition and exploration, personal development, physical fitness, and voluntary public service. They must set and achieve challenging goals for the betterment of themselves and their community.

Airman Kurian met and exceeded those goals. Over the past 2 years he volunteered for over 400 hours of public service, including helping with children's ceramic classes, and he served on the Nellis Honor Guard. Airman Kurian is a role model for all Air Force members, and for all Americans as well.

I congratulate him on his achievement and thank him for his devoted efforts to better Nevada and to serve our Nation.

TRIBUTE TO EDWARD J. ROSASCO

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor Edward J. Rosasco for his 17 years of service and dedication as president and chief executive officer at Mercy Hospital. Under Ed Rosasco's leadership, Mercy Hospital has strengthened its long-standing tradition of providing quality health care to all residents of south Florida.

His dedication to improving and establishing his new patient services is evident with Mercy's Pain Management Center which cures patients who never thought that they would live without pain again.

Another example is Mercy Hospital's Diabetes Treatment Center, one of only six in the Nation to be named a model center qualified to serve as a training location and a prototype for other diabetes programs.

Mercy is also recognized as an important provider for international patients and is the leading choice for residents in the Caribbean and Central and South America who seek top quality care and treatment not available in their countries.

For 17 exceptional years, Ed Rosasco has ensured that Mercy has remained true to its mission: maintaining an uncompromising commitment to excellence.

Mercy Hospital will honor Ed tomorrow, and today I ask my colleagues to join me in paying tribute to Ed Rosasco for his service to our south Florida community.

□ 1015

SUPPORTING MEASURE PROVIDING HEALTH CARE COVERAGE FOR LEGAL IMMIGRANTS

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

Mr. FOLEY. Mr. Speaker, I am here to strongly support a bill introduced by my colleagues, the gentleman from Florida (Mr. DIAZ-BALART) and the gentlewoman from Florida (Ms. ROS-LEHTINEN), among others, that would allow us to provide health care coverage for legal immigrants of the United States.

Let me be very specific. My colleague, the gentleman from Florida (Mr. DIAZ-BALART), will speak a little more on this subject. What we have to

make certain of is that everybody is provided good quality health care.

Yesterday a report was issued that included the fact that if folic acid was administered to pregnant women early in their pregnancies, the likelihood of a healthy delivery and a healthy baby would result. The March of Dimes and others strongly support this initiative to make certain that we provide the health care for women early in their pregnancies and then after, once the baby has been delivered.

Let us not be penny-wise and pound foolish. The money we think we are saving will evaporate in excess spending if a child is born with a disability, so let us make certain we strongly support this initiative. It is being supported by Senator GRAHAM of Florida on the Senate side, and I know my colleague is going to talk about it in greater detail.

I am thrilled and delighted to be part of this effort. Today is World Refugee Day, and I think this is a fitting tribute to this day, to make certain legal immigrants are covered.

URGING MEMBERS TO COSPONSOR H.R. 1143, THE LEGAL IMMIGRANT CHILDREN'S HEALTH IMPROVEMENT ACT OF 2001

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

Mr. DIAZ-BALART. Mr. Speaker, I want to thank the gentleman from Florida (Mr. FOLEY) for joining us in this very important effort.

Today I rise to speak about the unfortunate fact that legal immigrant children and legal immigrant pregnant women do not have access to federal matching health care funds for health care services.

Legal immigrants who enter the United States after August 22, 1996, must wait 5 years before they are eligible for either Medicaid or S–CHIP medical services. While these legal immigrants sometimes get emergency medical care, they are ineligible for basic medical services that reduce the need for such emergency care. This makes no sense and unnecessarily increases the costs to taxpayers.

The bill I have introduced, H.R. 1143, the Legal Immigrant Children's Health Improvement Act of 2001, will lift the 5-year ban currently in place for health services for lawfully present immigrant children and pregnant women who enter the United States after August 22, 1996. The bill gives States the option of extending such services. The legislation will provide coverage for between 150,000 and 200,000 legal immigrant children and about 50,000 legal immigrant pregnant women and their babies.

I ask my colleagues to please cosponsor H.R. 1143.

WE NEED A BALANCED LONG-TERM PLAN TO ADDRESS AMERICA'S ENERGY NEEDS

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

Mrs. WILSON. Mr. Speaker, this country needs a balanced long-term energy plan to address America's energy needs. We are more dependent on foreign oil today than we were at the height of the energy crisis in the 1970s. Fifty-five percent of the oil used in America comes from foreign sources, mostly in the Middle East.

We have made great strides in energy efficiency over the last two decades. We have cleaner water, cleaner air, and cleaner land today than we did 20 years ago. There is no going back, and nobody wants to. We can have conservation and an adequate energy supply.

Our energy policy must include both. We need to build the safe pipelines and the transmission systems to get our energy to where it is needed to meet the needs of a growing American people. We should expect the best energy system in the world, and we can pass a balanced long-term energy plan through this House in order to do so.

THE DEATH PENALTY IS NOT WORTHY OF A GREAT NATION

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

Mr. LEWIS of Georgia. Mr. Speaker, another man is gone. Another human being is gone. How long will we continue to travel down this inhumane road? The death penalty is not worthy of a great Nation. It is barbaric, it is uncivilized. What do we want, retribution, to get even, or to have revenge?

I happen to believe that in every human being there is the spark of the divine, and no government, not State or federal, has the right to destroy that spark. That right is reserved for the Almighty and the Almighty alone. How can we appeal to our people, especially our young people, not to use an instrument of violence to settle their disputes, and then sanction killing, sentencing someone to death?

It is time for us to join with the majority of the world and put an end to this form of barbaric punishment. It is time to put an end to the death penalty. Enough is enough, Mr. Speaker.

ELECTION OF RANDY FORBES TO THE HOUSE OF REPRESENTATIVES

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

Mr. HAYWORTH. Mr. Speaker, we of course champion the role of a free press in our society, and so it is for that reason that I come to the floor today, because there is a story that some of our establishment media outlets have not really talked about. So I return to my profession as a broadcaster to inform the House that last night, in the Commonwealth of Virginia, voters displayed great common sense in electing Randy Forbes to this Chamber.

It means a political realignment probably not receiving the same prominence as a recent political alignment in the other body. Yet, it bears testimony to the common sense of Commonwealthy voters because, in his election, we are seeing now the prevalence of a sound policy striking a balance between protecting our precious environment and also our economy, understanding that education is a national priority but ultimately a local concern, and the notion that the money sent here to Washington belongs not to the federal bureaucrats, but to the people.

It was a sound election. We welcome Mr. Forbes to this Chamber, and we will focus on sound policy, rather than partisan politics.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Any record vote on postponed questions will be taken after debate is concluded on all motions to suspend the rules.

MAKING TECHNICAL CORRECTIONS TO MANUFACTURED HOUSING PROGRAM

Mrs. ROUKEMA. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1029) to clarify the authority of the Department of Housing and Urban Development with respect to the use of fees during fiscal year 2001 for the manufactured housing program.

The Clerk read as follows:

S. 1029

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

SECTION 1. MANUFACTURED HOUSING.

(a) AVAILABILITY OF FEES.—Notwithstanding section 620(e)(2) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5419(e)(2)), any fees collected under that Act, including any fees collected before the date of enactment of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701 note) and remaining unobligated on the date of enactment of this Act, shall be available for expenditure to offset the expenses incurred by the Secretary under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.), otherwise in accordance with section 620 of that Act.

(b) DURATION.—The authority for the use of fees provided for in subsection (a) shall remain in effect during the period beginning in

fiscal year 2001 and ending on the effective date of the first appropriations Act referred to in section 620(e)(2) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5419(e)(2)) that is enacted with respect to a fiscal year after fiscal year 2001.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Jersey (Mrs. ROUKEMA) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

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

GENERAL LEAVE

Mrs. ROUKEMA. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on S. 1029, the Senate bill presently under consideration.

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

There was no objection.

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

Mr. Speaker, S. 1029 is a technical correction to last year's Manufactured Housing Improvement Act. This bill authorizes HUD, the Housing and Urban Development Department, to continue operating its manufactured housing program with its fees collected through the program until Congress enacts appropriations for the Department for the year 2002.

Mr. Speaker, S. 1029, and I want everyone to hear this and understand it, S. 1029 was passed in the other House on June 13 by unanimous consent. Last year, in a bipartisan effort, Congress passed the American Home Ownership and Economic Opportunity Act of 2000, and it was title 6 of that law that is the Manufactured Housing Improvement Act.

Until last year, HUD's manufactured housing program operated under a permanent indefinite appropriation, with the fees collected from the manufactured funding program. The Manufactured Housing Improvement Act was the result of extensive bipartisan negotiations with industry and consumer groups, all of whom supported the final product.

The legislation passed by unanimous consent in both the House and Senate, but that is the past. What today is about is about closing an inadvertent loophole in the law. The manufactured housing program is funded through fees HUD levies on the industry. Prior to the new act, HUD could spend those funds as needed. However, to maintain better oversight over the program, the new law made the spending of the fees subject to the annual appropriations process. Again, it was agreed to unanimously.

The change in operating authority occurred after the approval of HUD's 2001 Appropriations Act. Therefore, this legislation that we have before us today is necessary.

Based on both the specific mandates in the Manufactured Housing Improvement Act and the statutory purposes of the program, it is clear that Congress intended these fees to be available to pay expenses for authorized program activities during the remainder of this current fiscal year. That is what this legislation is about. The legislation here today makes the necessary technical corrections to allow that appropriations continuation, and it is S. 1029, the bill that was enacted last year.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of this legislation to provide a technical clarification of the bill enacted last December to reform HUD's regulation of manufactured housing.

Last year, we labored mightily and successfully to enact long overdue changes to HUD's regulation of manufactured housing. That legislation strengthened consumer protections by authorizing national manufactured housing installation standards and by creating a process for dispute resolution to deal with manufactured housing defects.

It also streamlined and updated the regulatory process. HUD regulation of manufactured housing is funded through fees levied on the industry. As part of last year's reform bill, we made HUD's use of such fees for regulatory purposes subject to appropriations in advance. The purpose of this was to enhance oversight of HUD regulation.

However, due to negotiations on other issues, this authorizing legislation was not able to be enacted until December of last year, after the VA–HUD appropriations bill for the current fiscal year.

Thus, a technical reading of this authorizing legislation might preclude the ability of HUD to use fees collected after December 27 of last year for HUD regulation of manufactured housing until an appropriations bill is enacted for the next fiscal year starting October 1.

This potentially puts in jeopardy critical regulatory activities over the next few months. This was never the intent of the authorizing legislation. Therefore, the bill before us today, which passed the Senate by unanimous consent, would simply authorize HUD to use manufactured housing fees collected after December 27, 2000, for manufactured housing regulation, but only until such time as next year's VA–HUD appropriation bill is enacted.

This allows HUD to continue important manufactured housing regulatory activities while remaining true to the intent of the authorizing legislation to subject such fees in the future to the appropriations process for oversight purposes. I therefore urge support for this noncontroversial legislation.

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

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

Mr. Speaker, I want to acknowledge the statement of my colleague, the gentleman from Missouri (Mr. CLAY), and stress for all Members here that he and I have both concurred on the strong bipartisan, undivided bipartisan support of this technical correction.

Mr. ROEMER. Mr. Speaker, as a long-time advocate and co-sponsor of the Manufactured Housing Improvement Act, I rise in support of this bill today. S. 1029 makes a very important technical correction that effectively prevents the Department of Housing and Urban Development's manufactured housing program from being unintentionally de-funded.

Last year, Congress finally enacted important reforms to the federal government's manufactured housing program as part of the Manufactured Housing Improvement Act. That program, administered by the Department of Housing and Urban Development, is financed through fees collected from the manufactured housing industry. Prior to last year's reforms, HUD was authorized to spend these collected funds at its own discretion. However, the new law made this spending subject to appropriations.

Since the new manufactured housing law was passed after the FY 2001 VA–HUD Appropriations Act had been signed into law, OMB determined that the appropriations measure did not include any provisions addressing HUD's use of collected manufactured housing fees. Consequently, HUD has continued collecting the fees but is unable to spend any of the funds it has collected since the manufactured housing reforms were enacted in late December. Without authority to spend those funds, HUD has indicated that it may be forced to shut down its program soon.

S. 1029 authorizes HUD to continue operating its manufactured housing program with fees it collects through the program until Congress enacts a FY 2002 appropriation for the department. it corrects a technical problem that was unintended by Congress, and will allow business to proceed as usual.

The manufactured housing industry is extremely important to my district and the nation as one of the leading methods of providing Americans with affordable homeownership opportunities. I was pleased to see the other body pass this measure so expediently, and am pleased the House followed suit today.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Jersey (Mrs. ROUKEMA) that the House suspend the rules and pass the Senate bill, S. 1029.

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

A motion to reconsider was laid on the table.

□ 1030

RECOGNIZING AND SUPPORTING GOALS AND IDEAS OF AMERICAN YOUTH DAY

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H.R. 124) recognizing the importance of children in the United States and supporting the goals and ideas of American Youth Day.

The Clerk read as follows:

H. RES. 124

Whereas national evidence indicates that America's youth are faced with oppressive issues, such as violence, drugs, abuse, and even family stress, causing the future of the youth of the United States, and therefore the future of the Nation, to be at risk;

Whereas youth in America, regardless of their economic status, ethnic or cultural heritage, or geographic location, are experiencing the pressures caused by contemporary society;

Whereas although Americans realize the challenges of today's busy lifestyles and balancing work schedules and youth activities, they remain committed to education, physical fitness, and civic-mindedness;

Whereas it is imperative that the people of the United States act willfully and purposely to secure a positive future for the Nation by devoting time to youth, sharing traditions, and communicating values to children in an effort to sustain ongoing relationships with caring adults;

Whereas America's Promise—The Alliance for Youth, founded by Secretary of State Colin L. Powell, is one of the Nation's most comprehensive nonprofit organizations dedicated to building and strengthening the character and competence of youth by mobilizing the Nation to fulfill the organization's ''Five Promises'' for young people:

(1) ongoing relationships with caring adults;

(2) safe places with structured activities during nonschool hours;

(3) a healthy start and future;

(4) marketable skills through effective education; and

(5) opportunities to give back through community service;

Whereas the citizens of the United States will celebrate American Youth Day and encourage all youth organizations to participate annually on a Saturday near the beginning of the school year; and

Whereas American Youth Day will provide opportunities for America's youth to reclaim the values which foster trust and build better communication and which will encourage parents, grandparents, and extended families to recognize the importance of being involved in the physical and emotional lives of their children: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance of youth to the future of the United States;

(2) supports the goals and ideas of American Youth Day; and

(3) encourages the people of the United States to participate in local and national activities that seek to fulfill the Five Promises to America's youth, as established by America's Promise—The Alliance for Youth.

The SPEAKER pro tempore (Mr. SHAYS). Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 124.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H. Res. 124, a resolution which recognizes the importance of children and supports the goals and ideals of American Youth Day, offered by the gentleman from Florida (Mr. CRENSHAW), my colleague.

In the next 24 hours, 1,439 teens will attempt suicide; 2,795 teenage girls will become pregnant; 15,006 teens will use drugs for the first time; and 3,056 teens will run away. That is within a 1-day period.

Without a doubt, teens cope, as we all did, with major physical changes, emotional ups and down, peer pressures and a changing identity; but they are also confronted by a more complex and impersonal society where drugs and alcohol are easily available and tragedies, such as violence and disease, often strike close to home.

In this time of growth and uncertainty, I strongly believe that our children need a caring adult to help them resist negative influences and make positive life choices.

America's Promise, the Alliance for Youth, is one organization which recognizes the importance of strong, positive relationships between young people and adults. Chaired by Secretary of State Colin Powell, America's Promise is based on five promises designed to help strengthen the character of our children and give them the opportunity to mature into successful and responsible adults.

The promises are simple enough. They seek to ensure that every young person has an ongoing relationship with caring adults, but they also attempt to provide every child a safe place to go before and after school, a healthy start into the future, a quality education, and an opportunity to build their neighborhoods and schools through community services.

Of course, a warm and caring family atmosphere is the most important factor in helping our young people resist negative influences, but researchers have found that many relationships are needed in a child's life. In fact, recent studies have demonstrated that youth who have relationships with older role models outside the family, such as teachers, coaches and neighbors, can help develop the broad spectrum of personal resources they need to become healthier and more caring adults.

Like many States across the Nation, the number of single-parent and two working-parent families in my State of Delaware is increasing. As a result, there is a growing need for mentors and our mentoring programs, in cooperation with organizations like Big Brothers/Big Sisters and local businesses are organizing a campaign to ensure that every child in Delaware who wants a mentor gets a mentor.

According to the Delaware youth who participated in these programs, having a mentor means having a trusted friend who cares about them, listens to them. Not surprisingly, children that have mentors or adults involved in their lives are 46 percent less likely to start using drugs, 27 percent less likely to start using alcohol, and 53 percent less likely to skip school.

If we are to continue to enjoy unprecedented freedom and prosperity as a Nation, we need to look at our collective future through the eyes of our children, for they will be responsible for navigating the challenges and opportunities of the new century. Only through the encouragement, structure, and caring provided by parents, adults and organizations such as America's Promise can we help our children realize their potential and make the world a better place for us all.

Mr. Speaker, this resolution rightly recognizes the importance of our children and the need for all Americans to mark American Youth Day through the formation of new relationships with the young people in their lives.

Mr. Speaker, I commend the gentleman from Florida (Mr. CRENSHAW) for his resolution, and I urge an aye vote.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to commend the gentleman from Florida (Mr. CRENSHAW), my colleague, for bringing H. Res. 124 forward today.

The ideals embodied in this resolution promoting American Youth Day that children and youth are to be valued and that we have a responsibility to provide them with the resources they need to secure a healthy and promise future are not to be taken lightly.

Too often, Congress overlooks the needs of our Nation's young people. We somehow fail to make the issues of young people a priority, and we somehow fail to make an adequate investment in their development and well being.

Too often, we also find public programs for young people focus on the problems of youth. In turn, we wind up with a lot of programs and policies that react to the negative behaviors, like juvenile delinquency or teenage pregnancy.

That is not to say that we should ignore these problems, nor can we. In the communities across the country, children are faced with numerous obstacles which prevent them from reaching their full potential.

If you just look at the children in this Nation who are impoverished, in

1999 there were over 12 million youth under the age of 18 who were poor. In spite of low unemployment, my own State of California has one of the highest rates of child poverty among the States, ranking 45th out of the 50 States and the District of Columbia. The gap between high- and low-wage earners in California is the fifth largest among the States.

With much of the job growth that we have in the next 5 years concentrated in low-paying positions, six out of 10 of those jobs are expected to pay under $8 an hour, many working families will continue to have a difficult time making ends meet and to provide for their children.

Affordable housing, nutritious food, quality childcare, quality health care, in fact, are out of reach of many of these families.

In the area of health care, California youth have less access to health care than their counterparts in other States; 21 percent of the children and teens are uninsured as compared to 15 percent nationally. Less access to health care means that children are less likely to be immunized and less likely to receive well-child care. One study found that uninsured children are 3½ times as likely as insured children to go without needed health care, including medical, surgical, dental care, prescription drugs, eyeglasses and mental health care, all of the things that we know are important to children performing well in our schools, to take an advantage of the opportunities for success that were presented to them.

Without this kind of health care coverage, without access to this kind of diagnosis, these children's chances to succeed are greatly diminished.

Two out of three California youth in need of mental services do not receive those services. The teen unemployment rate for youth is 13.1 percent; particularly troubling is the unemployment rate for black teens of 24.7 percent.

In 1999, one out of six of the 16-year-olds to 19-year-olds in California who were looking for work could not find a job. That is why this resolution is important to call attention to these matters.

In the area of youth crime, nationally we see the juvenile crime rate is declining; but yet again, my home State of California ranks 48 out of 50 States and the District of Columbia for the percentage of youth detained in the California Youth Authority, county camps, juvenile halls, and private institutions. For too many of these youth, this incarceration will greatly diminish their chances in later life.

Twenty-two percent of the violent crimes in the U.S. are juveniles, and children under the age of 12 make up approximately a quarter of the juvenile victims known to police.

Tomorrow, the Subcommittee on Select Education will begin work on reauthorizing the Juvenile Justice and the Delinquency Prevention Act to address several of these issues. Yet the need for these programs take a more positive approach to youth still exists.

We must accentuate the positive possibilities that we can bring to these children's lives. An overwhelming body of research has demonstrated that we need to do more to foster positive youth development, to build social and emotional competence and to link young people with adult mentors.

H. Res. 124 is a step in the right direction, and Congress has the opportunity to do even more to ensure that all of these children and the purposes of this resolution are carried out and have access to the core five principles stated in this resolution.

H.R. 17, the Younger Americans Act, which I have introduced with the gentlewoman from New Jersey (Mrs. ROUKEMA), represents the next step. The Younger Americans Act was built around the same five pillars of youth development as found in H. Res. 124, helping youth to access ongoing relations with caring adults, to have safe places, to have a healthy start and future, and education and community service activities.

H.R. 17 provides communities the resources they need to achieve the very goals we are setting out for them in today's resolution. H.R. 17 has 49 cosponsors, Democrats and Republicans; and there is a companion measure in the Senate.

The Younger Americans Act establishes a national policy on youth development and assists communities in developing an infrastructure and network for local initiatives that promote the positive goals and outcomes for youth.

The Younger Americans Act promotes youth development programs that work, such as mentoring, teen employment programs, after-school learning activities, and recreational activities.

It encourages youth-led activities that encourage self-esteem and character development. It does not create new programs; instead, it reinforces, reinforces youth development initiatives that already exist at the local levels in the communities all across this country.

The bill has a vast national coalition of supporters, including Secretary of State and former Joint Chiefs of Staff Colin Powell, the Boys and Girl's Club of America, Big Brothers/Big Sisters, the National Urban League, America's Promise, the Child Welfare League of America, the United Way, the National Mental Health Association and many, many other organizations.

The Younger Americans Act ensures that all children and youth can benefit from youth development programs and have access to education, health and economic resources they need to realize their potential.

Mr. Speaker, if we are to call upon the communities to celebrate American Youth Day, then Congress must do its part.

This resolution should be just the beginning, and I commend the gentleman from Florida (Mr. CRENSHAW) for his efforts; and I hope that this resolution will receive unanimous support in the House of Representatives today. Mr. Speaker, I also invite the gentleman and many of our other colleagues to join me and the gentlewoman from New Jersey (Mrs. ROUKEMA) in supporting the next step, passage of the Younger Americans Act.

The Younger Americans Act will ensure that every day is American Youth Day. This is a commitment that this Nation must make. It is a commitment that this Nation cannot afford not to make. Mr. Speaker, I want to again say how much I appreciate this resolution being brought to the floor, because it is time for this Congress to stop, think and to reflect, and for this Nation to stop, think and reflect about the opportunities, the potential that exist in each of our children as they are born; and then the question will be whether or not that child will be in a position to take advantage of the opportunities for success. Because almost each and every one of these children is capable of doing that.

Mr. Speaker, if they do not have the access to a caring adult, if they do not have access to health, to education, to civic involvement in our communities, then their chances for those opportunities and taking advantage of those opportunities are greatly diminished. That is why we should pass this resolution today, and that is why the Congress should then take the next step, which is the passage of the Younger Americans Act.

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

Mr. CASTLE. Mr. Speaker, I yield 5½ minutes to the gentleman from Florida (Mr. CRENSHAW), the sponsor of the resolution.

Mr. CRENSHAW. Mr. Speaker, I rise today to offer for House consideration H. Res. 124. This simple proposal encourages communities all across the Nation to set aside 1 day each year to honor organizations and individuals that take the time to help young people, especially those who are vulnerable to negative influences and at risk of falling through the cracks, help these young people fulfill their dreams.

For all its wealth and prosperity, in recent years America has been suffering from what I call problems of the soul, where courts and Congress do not have any jurisdiction. So many of our neighbors have lost their moral compass and need help finding their way again when it comes to moral values. This is most true when it comes to our young people.

Nowadays, children are exposed to serious drug and alcohol use, violence, gang influences, and sexual activity at younger and younger ages. Popular culture through music, videos, television and the movies often exposes young people to images and ideas that would have been unthinkable for their age group only a few years ago.

There no longer seems to be a period in young people's lives when kids can

just be kids. Mr. Speaker, it make no difference what their race, their gender, their ethnicity. These negative images and influences make no distinction and no prejudices; all young people are fair game.

So it is incumbent on each and every one of us to offer our time and energy and love to children to provide positive role models and influences to young people to give them guidance and hope.

American Youth Day would honor those who have already made this commitment and encourages others to do the same. In particular, the resolution focuses on an organization that has captured the imagination and sparked the enthusiasm of millions of Americans with its little red wagon symbol that I am wearing on my lapel. It is called America's Promise, the Alliance for Youth.

America's Promise was founded by Secretary of State Colin Powell as an outgrowth of the President's Summit for America's Future in 1997.

Then General Colin Powell answered the call of his Nation, as he has done before in uniform, and founded an organization that would partner with businesses, government, and nonprofit organizations to make and fulfill five promises for all of America's youth.

And since then, more than 550 communities and State partners have joined with America's Promise to act on this commitment. In addition, nearly 500 national organizations representing diverse interests, purposes, and locations have partnered with America's Promise.

□ 1045

America's Promise, the Alliance for Youth, is building and strengthening the character and competence of youth by mobilizing the Nation to fulfill five simple promises. Each of us has organizations and individuals in our communities that exemplify the commitment to these promises. In my district in northeast Florida, there are hundreds of groups that expend their time and energy for this good cause, fulfilling these promises to America's young people. I would like to name just a few outstanding examples of how they live up to each of these promises.

The first promise is providing young people ongoing relationships with caring adults. Since opening its center in Flagler and Volusia Counties, the Pace Center for Girls has served over 300 girls, helping them to recognize their own self-worth.

The second promise is providing safe places with structured activities for young people during non-school hours. This year the Jacksonville Children's Commission will provide over 3,000 children with scholarships to attend the summer camps of their choice.

The third promise, giving young people a healthy start and future. At the I.M. Sulzbacher Center for the Homeless, young people can see pediatricians and pediatric nurses, many from the University of Florida Pediatric Residency Program, and get the special care they need.

The fourth promise, helping young people gain marketable skills through effective education. A group called PowerUP tries to connect people to the Internet and give them access to technology and technology-related education and opportunity to explore computers that ordinarily would not have a chance to do that.

And the fifth promise, providing opportunities to give back through community service. There is an Optimist Club in northeast Florida that sponsors youth antidrug campaigns and public speaking contests with special emphasis on fostering responsible citizenship and activity within the community.

ONGOING RELATIONSHIP WITH CARING ADULTS

It is no longer purely anecdotal that just having a caring and involved adult in his or her life can make a real difference for the future of a young person. Youth with mentors are 46% less likely to start using drugs; 27% less likely to start using alcohol; 33% less likely to hit others; and 52% less likely to skip school.

Flagler and Volusia Counties: Pace Center for Girls, Inc.—Young girls sometimes face added negative pressures from society which severely impact their self-esteem. Unfortunately, just as with young boys, the lack of a feeling of value to those they look up to is often just the beginning of their troubles. In particular, it can lead to promiscuous sexual activity, which in turn can end in pregnancy or disease, changing the path of that girl's future forever. Since opening its center in Flagler and Volusia Counties in July 1996, the Pace Center has served over 300 girls, helping them to recognize their own self-worth. The Pace Center's volunteers and trained staff show them through example and friendship how to ''celebrate a life defined by responsibility, serenity, and grace.'' In fact, one of my staff in addition to raising her own two sons, gives her time and love to the girls at the Pace Center.

SAFE PLACES WITH STRUCTURED ACTIVITIES DURING NON-SCHOOL HOURS

The most influential time in a young person's life occurs every day between the hours of 3 and 8 PM. It is then, when parents are often at work, that children are most vulnerable to the influences of popular culture and peer pressure. If we can just give them a safe place to be during those hours with positive influences and productive activities, such as tutoring, arts and crafts, or sports, we can teach them behaviors and attitudes that they will carry with them for years to come.

Duval and Nassau Counties: Boys and Girls Clubs of Northeast Florida.—There are more than 2,850 Boys and Girls Clubs nationwide. They provide young people of all ages with an environment flooded with positive influences, strong adult role models, and constructive activities. In Northeast Florida, these clubs work with their local school boards to put a particular emphasis on learning. In fact, many of the tutors and mentors who participate in their programs as volunteers are teachers by profession. Their success has been phenomenal. Most of the 8th Grade students who participate in the programs in Nassau County have seen such vast improvements in their testing scores, that their school's state-conferred grade rose from a C to an A. And, since learning does not always mean sitting down and reading from a book or solving a math problem, at the Boys and Girls Club in Nassau County, which was only established a year ago, the volunteers and supporters are working with the County to establish a 10-acre park for the young people they serve.

Duval County: Jacksonville Children's Commission.—The Commission primarily serves as an umbrella organization helping groups all around the Jacksonville area provide services to young people. But one program that they have undertaken themselves has proven enormously popular and successful is their Summer Camperships Program. This year, the Commission will provide over 3,000 children with scholarships to attend the summer camps of their choice. The children must earn this scholarship by getting good grades, but the lure of summer camp can be a powerful incentive to work hard. The Summertime offers just that many more hours for getting into mischief. The Summer Camperships gives children who would otherwise have no other options than hanging around on the street corner the chance to participate in structured and fun activities.

A HEALTHY START AND FUTURE

Young people who lead healthy and active lives are better prepared to learn in school and better prepared to begin down the road to a productive adult life.

Duval County: I.M. Sulzbacher Center for the Homeless.—There is perhaps no group of young people facing an uphill battle than those who are homeless, and homelessness has been noted to be a direct predictor of specific childhood illnesses. In fact, homeless children are found to be in fair or poor health twice as often as other children, suffer 50% more ear infections, and are hospitalized twice as much. At the I.M. Sulzbacher Center for the Homeless, young people can see pediatricians and pediatric nurses—many from the University of Florida Pediatric Residency Program—and get the special care that they need. The staff there help the parents to gain access to Medicaid and SCHIP and other government programs for which their children qualify but they don't even know about. They also provide back to school physicals so homeless children can meet school requirements for entry. Furthermore, the Center teaches young people about the importance of proper nutrition and exercise, which can lead to long-term behavioral changes and healthier, longer lives.

Flagler and Volusia Counties: Pace Center for Girls.—In addition to teaching girls to love themselves and have hope for their futures, the Pace Center shows girls the value in living a healthy and drug-free life with its outdoor adventure program. This program helps young girls to incorporate exercise into their daily lives. The Pace Center also has a pregnancy prevention program, as well as an intervention program to help young girls who are already pregnant or parenting. The Pace Center takes an holistic approach to their intervention program, involving the fathers of the girls' babies as well to ensure the best possible outcome for the young parents and their child.

MARKETABLE SKILLS THROUGH EFFECTIVE EDUCATION

Education—whether it is to purely academic or also vocational training—really is the key to a brighter future. But, that's not always the message that young people are getting. This is particularly true for young people who come

form disadvantaged backgrounds or families that are trapped in a cycle of illiteracy and stunted education or schools that fail to provide them with a safe and effective learning environment. These young people even more than their peers need to be reminded that it's not where you come from, but where you want to go; that they can achieve most any goal they set so long as they put their minds and souls into it; and that there are people in their neighborhoods who want to help them succeed.

Duval County: Communities in Schools.—The Communities in Schools program serves young people in nearly 300 communities in 28 states across the country. In Jacksonville, Florida, the effort includes mentoring children in several public middle schools and vocational programs. The volunteers who make this program so successful operate under the motto: ''Help young people learn, stay in school, and prepare for life.''

Duval County: PowerUP.—It cannot be denied that skills and experience in information technology and other high-tech resources are needed to compete in the job market. But, those resources are expensive, and parents who lack financial wherewithal to provide their children with access to them need help. Those children lack access to a bright new world of possibilities. PowerUP is dedicated to bridging the digital divide by giving children who would otherwise lack access to technology and technology-related education the opportunity to explore computers, the Internet, and new technologies. The State of Florida—which was recently named fifth in the nation in the number of high-tech jobs created in 2000 by the American Electronics Association, was PowerUP's first public partnership. Earlier this year, Governor Jeb Bush announced 24 sites where PowerUP programs will be available to young people between the ages of 6 and 18 in our inner cities. One of those sites which will soon be up and running is in Jacksonville, which is in the midst of a severe shortage of just this kind of skilled labor.

OPPORTUNITIES TO GIVE BACK THROUGH COMMUNITY SERVICE

It can be as simple as providing a positive role model. By showing young people how good it makes us feel to lend them a guiding hand, those young people may turn around and seek that same feeling by helping others around them. But sometimes, it is an orchestrated effort to instill in young people a positive vision for their communities and a desire to really make a difference.

Nassau County: Fernandina Beach Optimist Club.—The Optimist Club considers itself a ''friend to youth.'' Its members raise money to provide children with a wide variety of important programs to improve young attitudes and minds, such as scholarships and team sports. But, they also sponsor youth anti-drug campaigns and public speaking contests with a special emphasis on fostering responsible citizenship and activity within the community.

Mr. Speaker, many of us recognize the little red wagon that Colin Powell chose as the symbol for America's Promise as a reminder of a more innocent time when children were given a chance to be children. Giving every child a little red wagon might make them happy for a day or two, but giving them the moral equivalent of that little red wagon, a caring adult, a nurturing environment, and hope for a brighter future can make them happy for a lifetime.

In closing, I would like to read from a letter I recently received from Governor Marc Racicot, the new Chairman of the Board for America's Promise. He said, ''I was grateful to learn of your support of America's Promise and the work we are doing. As you know, our goal is to make youth the number one national priority, and House Resolution 124 will help accomplish that. I also appreciate you shaping the bill around the framework of the five promises in America's Promise. We truly believe this will work.''

Finally, Mr. Speaker, just let me thank my colleagues for their strong support. I encourage each of us to make a commitment to honor the groups and individuals in their communities that have made a commitment to young people by celebrating American Youth Day in their districts.

Mr. Speaker, I submit for the RECORD the letter from Governor Racicot I just referred to.

AMERICA'S PROMISE,
Alexandria, VA, June 8, 2001.

Hon. ANDER CRENSHAW,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN CRENSHAW: Thank you for your kind letter welcoming me to America's Promise. I am delighted and honored to lead an organization doing such important work for young people.

I was grateful to learn of your support of America's Promise and the work we are doing. As you know, our goal here is to make youth the number one national priority, and H. Res. 124 will help accomplish that.

I also appreciate you shaping the bill around the framework of the Five Promises and America's Promise. We truly believe, and research proves, that this is the right solution. Your bill will help us share our message with millions and we are thankful for the opportunity.

Thank you for your dedication to youth and for your leadership in Congress on this important national priority. I very much look forward to working with you on legislation to build the character and competence of our nation's young people.

With best wishes,
Sincerely,

MARC RACIOT,
Chairman.

Mr. GEORGE MILLER of California. Mr. Speaker, I reserve the balance of my time.

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. KELLER), and wish to thank our earlier speaker, the sponsor of the bill, another gentleman from Florida (Mr. CRENSHAW).

Mr. KELLER. Mr. Speaker, I rise today in support of the resolution introduced by the gentleman from Florida (Mr. CRENSHAW), a fellow Floridian.

Today we are recognizing the importance of children in the United States and supporting the goals and ideas of American Youth Day. America's Promise, the nonprofit organization created by Secretary of State Colin Powell, is dedicated to building and strengthening the character of children by fulfilling five promises.

The first of those promises is to provide mentoring programs throughout this country, and it is that promise that I would like to direct my remarks to today. Specifically, I would like to talk about the educational and crime prevention benefits of mentoring.

First, the educational benefits, and I will tell my colleagues why it is so important to me. I had the happy privilege of serving as the volunteer chairman of the board of the Orlando/Orange County Compact Program, which is the largest mentoring program in the State of Florida. I also had the privilege of serving as a mentor myself to two students at Boone High School. From these experiences, I learned firsthand how important mentoring is.

In the State of Florida, we had a big problem. We had the worst graduation rate in the country, with only 53 percent of our students graduating from high school. We decided to do something about it by starting this Compact Mentoring Program, which matches up students at risk of dropping out of high school with business people, sort of like a Big Brother, Big Sister program. The results were dramatic. Over the last 10 years, 95 percent of the children in the Compact Mentoring Program have graduated from high school, The number one graduation rate in the country.

Let me give an example, so we are not just dealing with statistics. A young man, 16 years old, African American, named Lenard, went to an inner-city school called Jones High School. He had been arrested for selling drugs, was making D's and F's, was skipping school, and said he was going to drop out. He said he would be in the Compact Mentoring Program on one condition; ''Just don't give me a white mentor.''

Well, to help Lenard reach out a little bit, we assigned him a white mentor, an AT&T executive named Paul Hurley. He worked with Lenard every week, developed a friendship and, to make a long story short, by his senior year, Lenard's grades went up, his attendance went up, and he went on to become Orange County Student of the Year for the Compact Program.

In his senior year, Lenard won two tickets to the Orlando Magic basketball game. He called his mentor and said, ''Hey, I just won two front row tickets to the big game tonight.'' His mentor said, ''That's great. Why don't you invite your best friend.'' Lenard said, ''That's why I called you.''

Mentoring truly does make a difference one person at a time. That is why I joined with the gentleman from Nebraska (Mr. OSBORNE), or Coach OSBORNE, earlier this year in sponsoring the Mentoring for Success Act, which now will become law, as it passed in H.R. 1 over in the Senate as part of the President's education reform will.

In summary, recognizing America's Youth Day and fulfilling the five promises will make a meaningful difference

in the lives of young people, will prevent crime, will save us money, and I urge my colleagues to vote ''yes'' on this important resolution.

Mr. CASTLE. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from New Jersey (Mrs. ROUKEMA).

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

Mrs. ROUKEMA. Mr. Speaker, I thank the gentleman from Delaware (Mr. CASTLE) for yielding me this time, and I do want to identify myself with the compelling statements made by both the gentleman from Delaware (Mr. CASTLE) and the gentleman from California (Mr. GEORGE MILLER). They made compelling statements for the need for this resolution, and not only this resolution but going on to other legislation that can help implement our goals here. Certainly they have been outlined very well here, the critical resources that we need, and identified in America's Promise, founded by Secretary of State Colin Powell.

As people can observe, we have been referencing the little red wagon, but it is important to understand that this is more than just a symbol. It is a way of translating into action. And to quote Secretary Powell, he said, ''The little red wagon could be filled with a child's hopes and dreams or weighed down with their burdens. Millions of American children need our help to pull that wagon along. Let us all pull together.'' That is a good way of stating it. And of course I want to congratulate the gentleman from Florida (Mr. CRENSHAW) for spotlighting this need.

I want to stress, as I believe the gentleman from California (Mr. GEORGE MILLER) stressed, and I want to identify myself with the next step. This is only a first step. The next step, the really promising step, is to implement the legislation H.R. 17, the Younger Americans Act, and put into law the rhetoric of this particular resolution.

I want to advise the gentleman from California (Mr. GEORGE MILLER) that I will do everything I can to work with my House leadership on this side of the aisle to expedite consideration of the Younger Americans Act and hopefully get it enacted this year or in this Congress.

Again, I thank the gentleman from Delaware (Mr. CASTLE), I thank the gentleman from Florida (Mr. CRENSHAW), and all those working here, but it has to be more than rhetoric. We have to translate this into action and promise for America's youth.

Mrs. CLAYTON. Mr. Speaker, today's youth are the future of this country. However, the children of this country today are faced with many more difficult and dangerous situations than any previous generation. They are in need of strong guidance and leadership from adults in their community. America's Promise helps the children of America develop the skills they need in order to be the leaders of tomorrow.

American Youth Day will provide an opportunity for citizens to recognize one specific day as a day to devote to the youth of this country. It will allow the communities to become aware of the ''Five Promises'' that America's Promise has made to our children.

Each one of the ''Five Promises'' represents an essential way to assist the youth of this country. Children need to build strong relationships with caring adults in order to learn how to become caring adults themselves. They need places to go and things to do during nonschool hours so that they are not left alone without supervision. They deserve a healthy start and an equal opportunity for a prosperous future. They need the chance to learn the types of skills that they will need in the job market. And they need to learn the joy of giving back to the community through service.

We must do all that we can to support the youth of this country. They need more than just the guidance of their parents. They need the support of their communities. And they need an education system that will recognize each child as an individual, one that will adapt to the specific needs of each child.

One way to allow the education system to meet the needs of a greater number of people is the reform of the GED program. The GED does not give individuals the increased earning power that a high school diploma gives. We need to improve the GED program to allow those individuals who decide to pursue a GED the types of skills that employers look for today.

The youth of today need our assistance. I rise today in strong support of H. Res. 124 and American Youth Day and I urge my colleagues to do the same.

Mr. OSBORNE. Mr. Speaker, I rise in strong support of the resolution introduced by Representative CRENSHAW to establish American Youth Day. As a long-time teacher, mentor, and coach of young people, I have seen the difference that caring adults can make in the lives of our young people. I believe that the principles set forth by H. Res. 124 will help our country to provide a better environment for the development of young people.

This resolution would encourage communities to set aside a Saturday prior to the beginning of the next school year in order to participate in activities that highlight our children and share their successes in our communities where there is a commitment to youth. One of the commitments our communities can make to youth is to provide support through mentoring. A mentor can make an enormous difference in the life of a child by providing a strong positive role model for that child.

I have known many young people who testify that they have become the successful people they are today because caring, involved, qualified mentors took the time to get involved in their lives. I was recently able to help include a mentoring program that I introduced in H.R. 1, the reauthorization of the Elementary and Secondary Education Act. This program would provide $50 million in competitive grants to mentoring programs across the nation that work to link children with mentors who have undergone background checks and are interested in working with youth. Although ESEA and the appropriations process is far from over, I hope that several hundred thousand young people will benefit from this grant program.

This resolution would also serve to highlight the accomplishments of hundreds of youth organizations around the country—including 4–H and others—that work full-time, year round to provide healthy opportunities for young people. Additional investment in programs that serve young people and provide them with healthy, constructive activities—the type of investment encouraged by the Younger Americans Act, of which I am a cosponsor—would help extend opportunities to even more of our country's youth.

Investment in our children is probably the best investment we can make. While a child's potential and self-esteem cannot be measured by a bottom-line, the cost of incarceration and absenteeism far outweighs the cost of investing in youth programs. In my state of Nebraska, it costs $21,219 per year to incarcerate an offender in the Nebraska State Penitentiary and $29,200 per year to house an arrested juvenile.

Supporting our young people as they navigate the challenging terrain of becoming adults is such a worthwhile and rewarding effort. H. Res. 124 is a great first step. I strongly support H. Res. 124 to create an American Youth Day and I encourage my colleagues to do the same.

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

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

The SPEAKER pro tempore (Mr. SHAYS). The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the resolution, House Resolution 124.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

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

EXPRESSING SENSE OF HOUSE HONORING NATIVE AMERICANS

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 168) expressing the sense of the House of Representatives that the Nation's schools should honor Native Americans for their contributions to American history, culture, and education.

The Clerk read as follows:

H. RES. 168

Whereas Native Americans have given much to this country;

Whereas an emphasis on freedom, justice, patriotism, and representative government have always been elements of Native American culture;

Whereas Native Americans have shown their willingness to fight and die for this Nation in foreign lands;

Whereas Native Americans honor the American flag at every powwow and at many gatherings and remember all veterans through song, music, and dance;

Whereas Native Americans honor, through song, the men and women of this country who have fought for freedom;

Whereas Native Americans love the land that has nurtured their parents, grandparents, and unnamed elders since the beginning of their recorded history; and

Whereas Native Americans honor the Earth that has brought life to the people since time immemorial: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the Nation's schools should honor Native Americans for their contributions to American history, culture, and education.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentlewoman from Minnesota (Ms. MCCOLLUM) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 168.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H. Res. 168, a resolution expressing the sense of the House of Representatives that the Nation's schools should honor Native Americans for their contributions to American history, culture and education, offered by my colleague, the gentleman from California (Mr. BACA).

As we all will recall, our Founding Fathers benefitted greatly from the assistance given to them by Indian tribes early in the establishment of our Nation. Many of the basic principles of democracy in our Constitution can be traced to practices and customs already in use by American Indian tribal governments, including the doctrines of free speech and the separation of powers.

In addition, the early explorers relied heavily on Native Americans to help them navigate the New World. Among the most famous of these guides is Sacajewea, who accompanied Lewis and Clark on their expedition to explore and map the West, and who now graces the obverse side of the $1 coin.

Native Americans also served with distinction in United States military actions for more than 200 years, beginning with the American Revolution. Specifically, Native Americans fought in the Civil War, the Spanish-American War, and World War I. And during World War II, more than 44,000 Native Americans out of a total population of less than 350,000 served in both the European and Pacific theaters of war. In addition, another 40,000 Native Americans left their reservations to work in ordnance depots, factories, and other war industries.

The Native Americans' strong sense of patriotism and courage emerged once again during the Vietnam era, when more than 42,000 Native Americans, more than 90 percent of them volunteers, fought in Vietnam. Native American service continues even today with many seeing action in Grenada, Panama, Somalia, and the Persian Gulf, often at rates that exceed the participation of any other single group of Americans. In fact, one out of every four Native American males is a military veteran, and many gave their lives even before they were granted citizenship in 1924.

The list of contributions made to our Nation by Native Americans is truly impressive. They are recognized for their contributions as artists, sculptors, scientists and scholars, and their efforts have contributed to our understanding and appreciation of agriculture, medicine, music and art. In addition, many of the words in our language have been borrowed from Native languages, including the names of the rivers, cities and States across our Nation.

In my home State of Delaware, the Nanticoke tribe of the eastern United States holds its annual powwow in Millsboro the first weekend after Labor Day, and thousands of people, Indians and others, attend to learn more about the Nanticoke and the Linni-Lenape, among others, who settled the Delaware River Valley from Cape Henlopen, Delaware north to the west side of the lower Hudson Valley in southern New York.

As we celebrate the culture and contributions of our Native Americans, we must also recall with great sadness the suffering they endured as a result of past policies and actions. The heritage of the Native Americans is intertwined and forever linked with our own heritage, and it is appropriate to honor it today.

Let us now work together with our schools and communities to help protect and support the perpetuation of Native American culture and community and vote ''yes'' on H. Res. 168.

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

□ 1100

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

Mr. Speaker, I join the gentleman from Delaware (Mr. CASTLE) in supporting H. Res. 168, and I commend the gentleman from California (Mr. BACA) for authoring this resolution.

As a teacher of American history, it is important that our schools embrace our collective history, including our Nation's history before the Mayflower landed. The heritage and customs of my home State of Minnesota have been greatly influenced by Native Americans. The name Minnesota itself comes from Dakota meaning the waters that reflect the sky.

Native American have strengthened our collective Nation in many ways. During World War II, about 400 Navaho tribe members served as code talkers for the U.S. Marine Corps. They transmitted messages by telephone and radio in their native language, a code that the Japanese never broke. Navaho is an unwritten language of extreme complexity, and one estimate is that fewer than 300 non-Navahos could understand the language at the outbreak of World War II. Navahos demonstrated that they could encode, transmit, and decode three lines of message in English in just 20 seconds. Machines at that time required 30 minutes to do the same job.

Mr. Speaker, throughout our Nation's history, Native Americans have demonstrated that very kind of selflessness and heroism that is sadly reflected too little in our history books.

This resolution does great justice by recognizing the contributions of these great people to our Nation's collective history, culture, and educational system. I agree with the gentleman from Delaware, as we approach our Nation's 200th anniversary of the Louisiana Purchase, we should gratefully remember and learn the undaunted courage of a Native American woman, Sacajawea, who enabled Lewis and Clark to explore the land we call home.

Mr. Speaker, I urge all Members to support this very important resolution, and I reserve the balance of my time.

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

Ms. MCCOLLUM. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. BACA).

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

Mr. BACA. Mr. Speaker, I thank the gentlewoman from Minnesota (Ms. MCCOLLUM) for yielding me this time. I appreciate her strong support for Native American issues, and the personal interest she has taken in this legislation. She is well-informed on the issues, and Congress will benefit from her scholar and commitment.

Mr. Speaker, I sponsored H. Res. 168 to ask schools to honor Native Americans for their contributions to American history, culture, and education. This resolution is a first step in seeking a Native American holiday similar to the legislation I carried in California legislation.

Native Americans have given so much to this country. Freedom, justice, patriotism and representatives of government have always been part of their culture. Long before the voyage of Christopher Columbus and the development of the first English settlement at Jamestown, Native American groups and tribes had developed their own language, literature, history, government, dance, music, art, agriculture, and architecture. That is why I am proud to be a member of the Congressional Native American Caucus.

Native Americans have shown their willingness to fight and die for this Nation in foreign lands. They honor the American flag at every powwow and at many gatherings and remember all veterans through song, music and dance.

Native Americans love the land that has nurtured their parents, their

grandparents, and their elders since the beginning of their recorded history. Native Americans honor the Earth that has brought life to their people.

We need to educate and sensitize our Nation to all that Native Americans have done for this Nation. We need to take up the cause of Native American sovereignty.

Mr. Speaker, I experienced poverty firsthand as a child, so I recognize the hardship that Native Americans have faced for shelter, for health, for care, and schooling. Native American reservations have a 31 percent rate of poverty, as well as unemployment rates 6 times the national average.

Since we have provided Native Americans with a means of self-sufficiency, they have been able to provide food, basic health care, and modern conveniences that most of us take for granted. They have moved people off welfare and reduced unemployment.

Mr. Speaker, this resolution is about justice. It is about schools respecting Native Americans; and it is very important when we say respecting in schools. When a child goes to school, he or she wants to make sure that they are honored and respected with dignity. Many times it was very difficult for a Native American to identify that he or she was Native American based on the materials that existed.

This resolution honors Native Americans for their contribution. It honors the different tribes that exist throughout our country that we recognize as well. There are a combination of tribes, and the history in our books do not reveal the many, many tribes and their contributions to the land that we love so much. We enjoy the dances, we enjoy the music, we enjoy the culture. We enjoy the heritage. This resolution is about Americans respecting Americans.

Mr. Speaker, it is time that we honor and recognize those who have given so much to enrich our country; and Native Americans have for generations and generations. I salute Native American tribes that have worked to make this resolution a reality, and to them I say this is just the beginning. We will continue the struggle. Fight the fight. We will not stop. We will not rest until there is a Native American holiday, and this is the beginning of recognizing our neighbors, people who have been here and respecting one another. We owe that to them. We owe it to our country.

Mr. Speaker, I want to thank Members on both sides of the aisle for coming forward with this resolution and honoring Native Americans. It is important that we recognize the people that were here, the land that we enjoy so much, and the land that we take for granted. It is this land in America where they have taken that land and made it very valuable in each area, whether it is a reservation, whether it is contributions back to our communities.

Mr. CASTLE. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CAMP).

Mr. CAMP. Mr. Speaker, I rise in support of H. Res. 168 expressing the sense of the House that the Nation should honor Native Americans for their contributions to American history, culture, and education.

We are privileged to share this country with Native Americans. Their contributions to democracy, the arts, agriculture, the environment, and many other endeavors are many. American Indians have been active, contributing members of society from the beginning of our country to the present, including service in our armed forces.

I am fortunate enough to have the Saginaw Chippewa Indian tribe located in my district. While historically living, trading, and hunting in the southern and midwestern areas of what is today the State of Michigan, the tribe now calls the Mount Pleasant area home.

Today's proud Saginaw Chippewa Indian tribe works with the greater Central Michigan area to promote education and programs for not only Native Americans of the area, but for all community members. The tribe works to further the progress of other Indian nations as well by working through State and Federal legislation. Being located in the middle of Michigan where they have lived for over 100 years and close to their historic land base, the members of the Saginaw Chippewa Indian Tribe remain focused on the present and future, while still remembering the past.

The Saginaw Chippewa Tribe has contributed to mid-Michigan, the State, and the entire country. Their efforts to preserve Native American heritage, share their history and help the community make me proud to represent them.

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

Ms. MCCOLLUM. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentlewoman from Minnesota for managing this legislation on the floor; and I thank the gentleman from Delaware (Mr. CASTLE) for bring this measure to the floor. And I thank the gentleman from California (Mr. BACA) for authoring this resolution.

Mr. Speaker, clearly we have got to make every effort to ensure that we teach young children the great extent to which Native Americans have influenced this country through their heritage and customs and contributions and the positive impact on our development. We must get them to fully understand that Native Americans have always emphasized the key principles of democracy in their own culture, freedom, justice, patriotism, and representative government.

We must get them to understand the great contributions that individual Native Americans have made to this country throughout our entire history. At the same time, we must get people to understand that all is not well in Native America, if you will. On many of our reservations, we have very serious, serious problems, and they are problems which must be addressed by this government in its trust responsibility to those Native American tribes and nations.

We must understand that 40 percent of the housing on Indian reservations is considered substandard as compared to 5 or 6 percent of the housing nationwide. That is an obligation of this government. Indian reservations have a 31 percent poverty rate, unemployment is 46 percent on many reservations.

Most frightening of all is the fact that U.S. Native Americans suffer a death rate of 533 percent higher for tuberculosis, 249 percent for diabetes, 627 percent higher for alcoholism, and 71 percent higher for influenza and pneumonia.

Clearly the residents of these reservations, the Native Americans of this country, deserve much better care than this. This struggle will be played out in the appropriations process in this Congress. It will be played out in the budget process between the administration and the Congress. But clearly we must meet our obligation to these individuals. It is very difficult on one hand to say we must pay them great honor for all of their contributions, and then define on the other hand the incredible ignoring of the problems, the turning away from the problems that beset these very same tribes and peoples.

If we look in the jurisdiction of this committee, the Committee on Education and the Workforce, BIA-funded schools are approximately $3,800 per student. That is about half of the national average in other public school systems. The only source of funding for those schools in most instances because of poverty on the reservation is the BIA. Why should Indian children have half of the resources dedicated to their education as other children in this Nation?

We have got to understand also the fact that they go to schools of much lesser quality than we would provide for our own children.

Mr. Speaker, finally the most difficult task in this resolution, the education of young children about the contribution of Native Americans to American society, these are sovereign Nations. Long before we came here, these were the Indian nations of this continent. They were conquered in the process of settling America. Treaties were entered into that recognized the sovereign nature of these nations. So the Indian tribes in the country today are recognition of great nations, and they do in fact have their own sovereignty. That was the arrangement. Those are the treaty guarantees.

Mr. Speaker, it is a difficult arrangement as America continues to expand and grow; but it is an arrangement

that we must honor under the law, under the Constitution and under the treaties of this land. We must get young people to understand that that is the relationship. In fact, in times past when tribal leaders came to the Nation's Capital, they were greeted at the State Department as representatives of independent Nations.

Mr. Speaker, that may be the most difficult lesson, not only for the school children of this Nation, but for Members of Congress to understand the sanctity of that relationship and the importance of independence to these Indian tribes.

□ 1115

Ms. MCCOLLUM. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Oklahoma (Mr. CARSON).

Mr. CARSON of Oklahoma. Mr. Speaker, I am honored today to speak in support of House Resolution 168, introduced by the gentleman from California (Mr. BACA). I would also like to commend the leadership of the gentlewoman from Minnesota (Ms. MCCOLLUM), the gentleman from California (Mr. GEORGE MILLER), and the gentleman from Delaware (Mr. CASTLE) as well for their great interest in this legislation.

Recognition by the Nation's schools of the unique role that Native Americans have played in American history, culture and education is long overdue. In 1994, President Clinton invited all of the tribal leaders in America to the White House, and it was the first such gathering since the Presidency of James Monroe in the 1820s. Similarly, President Clinton was the first President, in 1999, to visit Indian country since Franklin Delano Roosevelt did more than 50 years earlier.

Native Americans have played integral roles in the history and culture of the United States, ranging from Maria Tall Chief from my own congressional district who was the muse of George Balanchine to contemporary novelists like Louise Erdrich, N. Scott Momaday, and James Welch.

The gentlewoman from Minnesota (Ms. MCCOLLUM) eloquently spoke of the contribution to our national security of the Navajo code talkers whose contributions to our Nation have only recently been recognized. The code talkers, as she pointed out, used a special code based on the Navajo language to transmit messages rendering all attempts by the Japanese to decipher American battle messages about the time and place of attack futile. Of course they were just working on the history of American Indians in combat.

The Choctaw Indians from Mississippi and Oklahoma had also used their own language as a code during World War I. About 400 Navajos served from 1942 through 1945 as code talkers, taking part in every assault that the U.S. Marines undertook in the Pacific theater. One major was quoted as saying, ''Were it not for the Navajos, the Marines would never have taken Iwo Jima.''

The incredible service of American Indians has certainly not been limited to the Navajo Tribe. In the 20th century, five American Indians have been among those few soldiers to be distinguished with the Medal of Honor, given for military service above and beyond the call of duty. Two of those were from Oklahoma, a Cherokee from Oklahoma and a Creek as well. Also a Choctaw from Mississippi, a Winnebago from Wisconsin, and a Cherokee from the Eastern Band in North Carolina were awarded our highest military decoration. As we approach Independence Day, it is fitting that we now pass House Resolution 168, considering the critical role that Native Americans have played and will play in protecting our country and the principles Americans have adhered to since our own independence.

Ms. MCCOLLUM. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

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

Mr. Speaker, as cochair of the Native American Caucus, I am very happy to support this resolution. The American Indian, Native Americans, occupy a unique position in this country and in the Constitution of the United States. You and I have two citizenships: I am a citizen of the United States and a citizen of the State of Michigan. Native Americans under the Constitution and under the Supreme Court decisions have thee citizenships. They are citizens of the United States and they have proven that over and over again in our wars; they are citizens of the sovereign States in which they live; and they are citizens of the sovereign tribes in which they live.

The Constitution says Congress shall have power to regulate commerce with foreign nations and among the several States and with the Indian tribes. Those three sovereignties are listed there. John Marshall in 1832 stated in his Supreme Court decision, the Indian nations had always been considered as distinct independent political communities retaining their original natural rights. They are a retained sovereignty.

We have an obligation under the Constitution, under the laws, and under the interpretation of the Supreme Court to make sure we keep our responsibilities to Native Americans.

Ms. MCCOLLUM. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Mexico (Mr. UDALL).

Mr. UDALL of New Mexico. Mr. Speaker, let me recognize the leadership of the gentleman from California (Mr. BACA) on this and also the gentlewoman from Minnesota (Ms. MCCOLLUM) for their effort.

I rise today to express my support for H. Res. 168 which sends an unequivocal message that our Nation's schools should honor the Native American men, women, and children of this country for their lasting contributions to American history, culture, and education. It is only fitting that we honor them for their unique contribution which is evident in every aspect of American history and culture.

For centuries, Native Americans have experienced untold hardships and trials at the hands of many. Yet their contributions to the United States and their support for our Nation are without doubt. Native Americans have and continue to share with all Americans a profound love and respect for this great country.

In New Mexico, Native Americans account for 9 percent of the State's population and in my congressional district, 20 percent. I am proud to represent such a large indigenous Native American population.

With the passage of this resolution, I believe this body is taking an important step toward a time when Native American history and culture will be embraced and taught in the schools nationwide. I urge my colleagues to support this resolution.

Ms. MCCOLLUM. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Guam (Mr. UNDERWOOD).

Mr. UNDERWOOD. I thank the gentlewoman from Minnesota for yielding me this time.

Mr. Speaker, I want to stand in very strong support of the resolution introduced by the gentleman from California (Mr. BACA) in order for all Americans and schools to learn about the role that Native Americans have played in American history and culture. I too want to associate my remarks to make sure that proper attention is drawn as we celebrate and honor their activities, that we also educate America about the conditions that Native Americans face today.

I also want to take this opportunity to educate my colleagues about other indigenous populations under U.S. jurisdiction. One of the features of this debate, this discussion, is that the term Native American is primarily synonymous with American Indian, but I also want to let the House know that the term Native American, meaning indigenous American, also includes Alaska natives, native Hawaiians, American Samoans, the Chamorro people from Guam and the Northern Marianas and the Carolinian people of the Northern Marianas as well.

Most Americans consider Native Americans to be limited to the term American Indian and Alaska native, but even in Federal legislation we acknowledge that the term Native American is broader than that. In fact, Federal programs like the Native American Programs Act and the Native American Veterans Home Loan Equity Act have included other Native Americans, notably Pacific islanders from the territories and the State of Hawaii.

I think part of the problem may arise from our varying political status, particularly in the case of the territories. It could also stem from the fact that we are geographically so far away from the continental United States that it is

easy to forget about the entire panoply of indigenous Americans that exist under the American flag.

I want to take the time to point out that in 1993, the House and Senate passed S. Con. Res. 44 which expressed the sense of Congress that the United States should support the establishment of international standards on the rights of indigenous peoples. These indigenous people referred to in there included all the people that I have mentioned. I stand in strong support of this resolution.

Ms. MCCOLLUM. Mr. Speaker, I am pleased to yield 30 seconds to the gentleman from Utah (Mr. MATHESON).

Mr. CASTLE. Mr. Speaker, I yield 30 seconds to the gentleman from Utah (Mr. MATHESON).

The SPEAKER pro tempore (Mr. SHAW). The gentleman from Utah is recognized for 1 minute.

Mr. MATHESON. Mr. Speaker, it is with great pleasure that I speak in support of H. Res. 168. I would like to take advantage of this time to acknowledge the contributions and history of the Native American population in my State of Utah. Five major tribes have roots in Utah: the Utes for which my State is named, the Dine or Navajo, the Goshute, the Paiute, and the Shoshoni. These great tribes represent very different cultural heritages.

While the Utes and Shoshoni adapted well to the introduction of the horse and lived in the northern plains areas of Utah, the Goshute, Paiute, and Navajo developed a culture in the desert. Though the differences between desert culture and plains culture are great, one thing has bound Utah Native Americans and that is the adversity that they have faced. With the expansion of the West, these tribes have maintained their cultural identity while dealing with great hardship. I commend the leadership of these organizations as they continue to find ways to help their members and to progress despite the difficulties of the past.

Recently, a book entitled ''A History of Utah's American Indians'' was published detailing the history of these people. I commend the work involved in this project and thank the Utah State Division of Indian Affairs for their leadership in making this book possible.

Ms. MCCOLLUM. Mr. Speaker, I am pleased to yield the balance of my time to the gentleman from New Jersey (Mr. PALLONE).

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 2 minutes.

Mr. PALLONE. Mr. Speaker, we need to shift our educational focus to the proud Native Americans who have endured a long history of struggles and hardships and at the same time contributed so richly to the United States. In our schools, we can begin to educate children in the elementary and secondary grades about the history, culture, traditions, language and government of America's own indigenous people. Recently setting the pace on the State level is Penobscot Representative Donna Loring from Maine. She celebrated the signing of her bill last week requiring Maine Native American history and culture to be taught in all elementary and secondary schools.

Mr. Speaker, Native Americans have given much to their country. They developed well-tuned techniques for sustainable management of ecosystems. They basically pioneered, Mr. Speaker, star and constellation knowledge through their tribal religions. Their arts and crafts, basketry, pottery, and carving are world renowned. They have made significant contributions and knowledge with regard to fishing, hunting, and agricultural techniques. Their medicinal knowledge is outstanding and is more frequently used today to complement traditional medical treatment.

Mr. Speaker, Native Americans are a proud people who are still here today despite over 500 years of struggle. It is time that we begin to honor and respect Native Americans for their rich history and contributions to the United States, which is what this resolution seeks to accomplish. The best place to begin this is in the elementary and secondary schools of America.

Mr. Speaker, finally I want to say that while we are recognizing the importance of Native American contributions and history and culture, we should also give serious consideration to creating a day of honor for America's indigenous people. Now is the time to create a legal public Native American holiday.

Mr. CASTLE. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank my colleague from Delaware for yielding me this time, and I thank the authors of this resolution for bringing it to the floor.

Mr. Speaker, I am honored to represent the Sixth Congressional District in Arizona, an area in square mileage almost the size of the Commonwealth of Pennsylvania. Nearly one out of every four of my constituents is Native American. I appreciate that designation and that distinction. Ofttimes I call the American Indians the first Americans.

Mr. Speaker, I think for too long, in too many ways, the first Americans have become the forgotten Americans.

It was my privilege early in my time in Congress to welcome a member of the San Carlos Apache tribe to my district. He was a proud veteran of Vietnam. He talked about coming to Washington and seeing the different monuments, retracing the names of those with whom he served in Vietnam who paid the ultimate price, visiting the Mall and seeing the grand memorials to so many different figures in American history. Yet that afternoon when he came to my office, he was troubled because he said to me, ''Congressman, where's the Indian?''

Of course to score debating points, I suppose I could have pointed out that Ira Hayes, a Pima Indian, is forever memorialized in that brilliant scene from Iwo Jima that we see, the Marine Memorial, as the flag is raised there on Mount Suribachi. But that was not his point. His point was the first Americans have played a vital role in our Nation. Indeed, Mr. Speaker, as we check, those who now serve in our all-volunteer force, no racial group, no ethnic group answers the call to duty more than the first Americans.

□ 1130

This legislation asks us to help remember people who are too often forgotten. I hope on many days at school, children of the elementary- and secondary-level students will learn of the code talkers from the great Navajo Nation who helped us win the war in the Pacific in World War II.

Yes, Hollywood is prepared to memorialize it in a motion picture called ''Wind Talkers,'' but there needs to be a supplement beyond entertainment in the classroom. Most of us fail to realize that the Navajo Tribal Council, nearly 1 year prior to the Japanese attack on Pearl Harbor, passed a resolution asking the United States of America to enter World War II on the side of the allies because from their vantage point in Window Rock, Arizona, in a sovereign nation that transcends the boundaries of four of our States, remote in the mindset of many Americans but from that distance and from a proud history a sound perspective.

Mr. Speaker, think of the valuable lessons that can be learned from the first Americans. I mentioned only what has transpired within the last century. This is part and parcel of our heritage, and if we are what we learn, if what is passed is prologue, then this is a laudable goal and something this House of Representatives should heartily endorse and pass overwhelmingly because the first Americans should not be forgotten.

Their legacy of honor not only in armed conflict but in so many different endeavors of human experience cannot be treated as some sort of novel concept, something that need be shuttled off on the shelf, to be thought of almost as trivia. It is central to our American experience.

So I am pleased to endorse this legislation and ask all of my colleagues, regardless of political philosophy or partisan dispensation, to support it as well.

Mr. CASTLE. Mr. Speaker, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Speaker, I want to express my sincere thanks to the gentleman from Delaware (Mr. CASTLE). I thank him so much for his help in this.

Today we are taking a step forward just on the House floor with providing an educational opportunity for all Americans and for people all over the

world who visit our Nation's Capitol today to learn more about our native Americans and our collective Nation, our one Nation, the United States.

I am just going to, in closing, mention a few States besides Minnesota, which I mentioned, that reflect greatly our Native American heritage. Minnesota means the waters that reflect the sky. Iowa is the Dakota word for beautiful land; Wyoming, a Native American word for large prairie; Michigan, a Native American word for great water; Nebraska, the Omaha word for flat or broad river; Connecticut, a word for long river; Ohio, good river; Oregon, beautiful water; Texas, a word for friend; Dakota, the word friend; Missouri, the word for water flowing along. We are one Nation, a beautiful Nation, and our Native American language reflects that in the names that we have chosen for our States.

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

Mr. Speaker, I thank the gentlewoman from Minnesota (Ms. MCCOLLUM) for her courtesy in managing this and the gentleman from California (Mr. BACA), who has supported and sponsored it. I obviously urge everybody in the House to support the legislation.

Mr. KIND. Mr. Speaker, I rise today in support of H. Res. 168, a resolution conveying the sense of the House of Representatives that America's schools should honor the contributions of native Americans to our history, culture, and education.

As our Nation enters into the 21st century, it is important that we recognize the elements that have shaped our history and our culture. The contributions made by native Americans represent a significant aspect of American heritage, not only in a cultural sense, but also in the sacrifices, dedication, and patriotism displayed throughout our history. I am a cosponsor of this legislation because our Nation's schools present the most opportune situation for young people to recognize and appreciate the diverse society in which we live, and understand the history that has brought us to where we are.

In my home State of Wisconsin, there are 11 federally recognized tribes representing close to 50,000 American citizens. In addition, a large number of Wisconsin cities, counties, lakes, and rivers hold names representative of the strong native American heritage in the area. To strengthen understanding of the issues relating to native American history in the State, Wisconsin passed language in the 1989–91 biennial budget requiring schools teach students about the culture, history, sovereignty, and treaty rights of Wisconsin Indian Tribes, as well as providing training to teachers on these issues.

This legislation encourages teachers, administrators, and students around the Nation to lead community efforts honoring native American contributions to our national history and culture. As a member of the native American caucus, I appreciate the focus this resolution puts on accomplishments made by schools in teaching social history lessons that recognize the role of native Americans, and I am hopeful such efforts continue.

Mr. CRANE. Mr. Speaker, I would like to voice my support for H. Res. 168. This resolution would show the House of Representative's dedication to respecting the first inhabitants of this great nation by calling on our citizenry to honor native Americans for all of their accomplishments and contributions to society. American Indians have influenced every aspect of American life. It is our duty as Americans to recognize and honor the impact that native Americans have had in the shaping of our nation.

By exploring these lands thousands of years prior to any Europeans, native Americans were able to develop the techniques and strategies necessary to survive on this continent. Without the instruction and aid from neighboring native American communities, the Mayflower pilgrims and original settlers would not have survived the brutal American winters and would have been unable to build the foundation that our country is built upon. The legacy of the native American reaches much further than the original settlers, however. From the fight for independence from Britain to the battlefields of Nazi-occupied Europe, native Americans have proven that they will heed a call to arms to defend the basic American principles of democracy and freedom. The influence of native American culture can be seen throughout America today. Great American cities, states, and rivers are still referred to today by names granted to them by native Americans hundreds of years ago. The proud history of the native American can be found in the classrooms of America and the museums of the world. It is time that the American people honor our native American brethren for the contributions they have provided to our great nation.

As a descendant of the Cherokee nation, I hold deep feelings of love and respect for both the American Indians of the past and the present. I understand the true beauty of the native American and recognize first hand the troubles and turmoil that have plagued these peoples since the introduction of European influence. Unfortunately, the lifestyle of the American Indian did not fit with that of the white man and many natives suffered and died from relocation and disease sparked by the presence of the European. My own ancestors were forced to give up their land and livelihood and march from North Carolina to Oklahoma on the infamous Trail of Tears. Native Americans have dealt with negative stereotypes and stigma for too long. H. Res. 168 is the first step in bringing out awareness of the true beauty of native American culture. In conclusion, I call on all Americans to show respect and honor to all native Americans, as their accomplishments, in all areas, have been major influences in the construction of the complete American culture.

Mr. OSBORNE. Mr. Speaker, I rise in support of H. Res. 101, which recognizes the contributions of Native Americans to American history, culture, and education. I represent the Third District of Nebraska and a number of Native American communities.

The history of my state has deep roots in Native American history. Before Nebraska was settled by Europeans, 40,000 members of the Pawnee, Omaha, Oto, Ponca, Santee Sioux, Dakota Sioux, Oglala Sioux, Cheyenne, Potawatome, Arapahoe, Sac, Comanche, Brule, and Fox tribes lived in what would become the state of Nebraska. Today, there are approximately 9,000 Native Americans living in Nebraska, including those who live on the Santee, Winnebago, and Omaha reservations.

As this resolution suggests, Native Americans have richly enhanced our country culturally and politically. They deserve the recognition this resolution offers. Native Americans have greatly influenced the creation of our government and were among the first to implement the principles upon which democracy is based, such as freedom of speech and separation of church and state.

In addition to recognizing the contributions of Native Americans to American history, culture, and education, today offers an opportunity to voice our support for Native American communities and their causes. We must increase our support for the Impact Aid program, which supports public schools whose tax bases are affected by the presence of the federal government. In my Congressional District, the Santee Public School, located on the Santee Sioux reservation, depends heavily on impact aid funding for general operating expenses. Because Native American communities often lack a strong local tax base from which to raise revenue, support from the federal government is crucial.

In addition, we need to focus on ways to improve the quality of life for Native Americans, particularly for those living on or near reservations. We need to provide support for the Indian Health Service so that more Native Americans can receive adequate and timely health care. Native Americans have high rates of many physical problems ranging from diabetes to alcoholism. In addition, a number of social factors impact their communities. High school dropout rates are high, and truancy in schools is rampant. Native American communities also lack economic resources, and poverty is a serious problem. I don't pretend to have the answers that address the challenges faced by some Native American communities—including many in my Congressional district—but raising awareness of the proud history and culture of Native Americans and looking to Native American leadership are two excellent places to start.

This resolution will raise awareness of the proud traditions of Native American culture, which have contributed much to the success of our country. I am pleased to support this resolution, and I encourage my colleagues to do the same.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H. Res. 168 and commend its sponsors for their work in bringing it to the floor today. This resolution, which recognizes and honors the contributions of Native Americans, is long overdue.

Mr. Speaker, the contributions of Native Americans have been crucial to the history of our nation and of the world and should be recognized. Acknowledging that many values of this nation were already widely held beliefs and practices among Native Americans and that they are not new ideas is an important statement and affirms the fact that Native Americans already had civilized and structured societies before the introduction of western culture.

Traditional Native American legal systems have influenced today's Democratic ideals. Items such as checks and balances and a voting system are overtones of Native American traditional practices of government.

It is only right that we honor and recognize Native American nations because they honor and recognize the United States. Many Native American Nations have long incorporated

symbolic American items, such as the American flag, into their traditional ceremonies, but the respect and dedication that Native Americans have for this country goes way beyond the symbols they show consideration for.

Their respect and dedication to this land is prevalent in Native American stories and cultural practices. Native Americans attitude toward the earth and this country's land in particular is highly respectful. Their respect for the earth can be seen today in Native Americans participation in environmental protection and conservation practices. Conservation and land protection practice is important to many Natives, especially because many still survive from the resources that this land provides. In addition, the land is also the location of their origin and the center of many creation stories.

Hopefully this resolution will be a step in the right direction and the history taught in schools will be accurate and complete. In order to honor Native Americans accuracy is key in order to provide a dimension of history that will enrich the education that people of this nation receive. This resolution is a steppingstone for other underrepresented voices to be heard and a chance for other unacknowledged history to become known.

I urge my colleagues to support adoption of this important resolution.

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

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the resolution, H. Res. 168.

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

A motion to reconsider was laid on the table.

M. CALDWELL BUTLER POST OFFICE BUILDING

Mr. WELDON of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1753) to designate the facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, as the ''M. Caldwell Butler Post Office Building''.

The Clerk read as follows:

H.R. 1753

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

SECTION 1. M. CALDWELL BUTLER POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 419 Rutherford Avenue, N.E., in Roanoke, Virginia, shall be known and designated as the ''M. Caldwell Butler Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the M. Caldwell Butler Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. WELDON) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

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

GENERAL LEAVE

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1753.

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

There was no objection.

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

Mr. Speaker, H.R. 1753, introduced by the gentleman from Virginia (Mr. GOODLATTE) on May 8, 2001, designates the facility of the United States Postal Service located at 419 Rutherford Avenue in Roanoke, Virginia, as the M. Caldwell Butler Post Office Building.

Pursuant to the policy of the Committee on Government Reform, all Members of the House delegation of the Commonwealth of Virginia are cosponsors of this measure.

Mr. Speaker, it is with great pleasure that I rise today to pay tribute to a former Member of this institution, M. Caldwell Butler. Like many young men of his generation, Mr. Butler served as an officer in the United States Navy during World War II. After completing his military service, Mr. Butler graduated from the University of Richmond and later received his law degree from the University of Virginia. He began his career in public service in the Virginia House of Delegates, serving from 1962 until 1972, where he served as minority leader.

Mr. Butler was subsequently elected to the United States Congress in 1972, where he served the people of the Sixth District of Virginia for 10 years.

Mr. Butler was a member of both the Judiciary and the Government Operations Committees during his time in the House.

After retiring from Congress, Mr. Butler continued in his service to country and community by serving as a member of the board of directors of the John Marshall Foundation and on the board of trustees of the Virginia Historical Society.

Mr. Speaker, it is a fitting tribute to name a post office in Roanoke, Virginia, after the distinguished gentleman who represented that city and who selflessly served the interests of his constituents in both the State house and in Congress for so many years. I urge our colleagues to support this legislation.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I want to associate myself with the resolution that was just approved in the House. I think it is seriously important and speaks to the development of our country.

Mr. Speaker, as a member of the Committee on Government Reform, I join with my colleagues in the consideration of H.R. 1753, legislation naming the post office located at 419 Rutherford Avenue, Northeast, in Roanoke, Virginia, as the M. Caldwell Butler Post Office Building. This measure was introduced by the gentleman from Virginia (Mr. GOODLATTE) on May 8, 2001, and has the support and cosponsorship of the entire Virginia delegation.

Mr. Butler is a former representative of Congress representing the Sixth Congressional District of Virginia for five terms in the U.S. House of Representatives. Representative Butler served with distinction on the House Judiciary and Government Operations Committee. Upon his retirement, he returned home to Roanoke, Virginia, and practiced law until 1998.

I must note that the sponsor of this measure, the gentleman from Virginia (Mr. GOODLATTE), had the honor of working for Representative Butler as his district director from 1977 to 1979. Obviously, this was, indeed, and always is a tremendous honor.

It also gives one the opportunity to observe firsthand what is taking place, what is happening, and maybe in some instances inspire and motivate them to follow in the same footsteps. It is obvious the kind of feeling, the kind of recognition, the kind of honor that the gentleman from Virginia (Mr. GOODLATTE) has had and must have felt as he has had the opportunity to follow in the footsteps of a predecessor with whom he also had the opportunity to work with and for.

So, Mr. Speaker, I am pleased to support this resolution and would urge its adoption.

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

Mr. WELDON of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Florida (Mr. WELDON) for his forbearance. I am trying to be too many places at one time today.

Mr. Speaker, it is with great pleasure that I rise today in support of legislation that I have introduced to name the United States Post Office at 419 Rutherford Avenue in Roanoke, Virginia, for my good friend, former Congressman M. Caldwell Butler.

Congressman Butler is a gentleman whom I greatly admire. He served as a United States Naval officer in World War II. He received his undergraduate degree from the University of Richmond in 1948 where he was elected to Phi Beta Kappa and Omicron Delta Kappa. In 1950, he received a law degree from the University of Virginia School of Law where he was elected to the Order of the Coif, and in 1978 he received an honorary degree of Doctor of Laws from my alma mater, Washington and Lee University.

Mr. Butler served with distinction in the Virginia House of Delegates from 1962 until 1972, where he was the minority leader. He practiced law in Roanoke

from 1950 until his election to Congress in 1972. He served five full terms in the House of Representatives, representing the Sixth District of Virginia. It was my privilege to serve as Congressman Butler's district director from 1977 until 1979. While in Congress, Mr. Butler was a member of the House Committee on the Judiciary and the Government Operations Committee. His start in Congress was memorable. As a member of the House Committee on the Judiciary, he was part of the panel that conducted impeachment hearings involving President Richard Nixon.

Following his service to our Nation, Mr. Butler returned to his home in Roanoke to practice law as a partner in the firm of Woods, Rogers & Hazelgrove, which he continued to do until his retirement in 1998. In addition, he contributed his expertise on a national level by serving as a member of the National Bankruptcy Review Commission from 1995 until 1997.

Mr. Butler is a pillar of Roanoke's civic organizations, serving as a member of the board of directors of the John Marshall Foundation and the board of trustees of the Virginia Historical Society, a fellow of the American Bar Foundation, a fellow of the American College of Bankruptcy, and a fellow of the Virginia Law Foundation.

Mr. Butler has shown great leadership and personal integrity in his service as a member of the Virginia General Assembly and as a United States Congressman.

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It is with great pleasure that I ask my colleagues to join me in honoring a true public servant by supporting legislation that will make Roanoke, Virginia, home to the M. Caldwell Butler Post Office Building.

Mr. HYDE. Mr. Speaker, it is a great pleasure to take the floor today not only to support the naming of a Post Office Building, but to celebrate the public service of a truly dedicated man. Naming the Post Office Building in Roanoke is the least we can do to recognize the public career and contributions to his country that Caldwell Butler has made.

I had the pleasure of serving with Caldwell on the Committee on the Judiciary. As I got to know him during our years together on that committee, I was deeply impressed with his knowledge of the law, and all of the complex issues which came before the committee. Caldwell was a student of public policy during his service as a Member of Congress, and served as a great sounding board for the discussion of ideas for other Members. On many issues, we turned to him for advice and leadership.

His ability to synthesize the legal, practical, and political consequences of legislative proposals served as a model for us all in attempting to understand both our roles as Members of the House, and of the Committee on the Judiciary. He was always gracious in sharing his time and his thoughts with his colleagues.

He was also extremely articulate in explaining what he was doing, and what the ramifications of those actions could be. We could be less concerned about unintended consequences of legislation when we had a chance to talk it over with Caldwell.

It is a pleasure for me to support this resolution, as I often supported the man. He gave a great deal to this House and to me personally, and I want to thank him publicly for that.

I urge all my colleagues to support this resolution.

Mr. WOLF. Mr. Speaker, I rise today to join my Virginia colleague, Representative BOB GOODLATTE, in support of this bill to name the main Roanoke United States Post Office at 419 Rutherford Avenue in Roanoke, Virginia, for our former colleague, Congressman M. Caldwell Butler. I commend Congressman GOODLATTE, who served as Caldwell Butler's district director in the late 1970's for sponsoring this tribute.

I had the pleasure of serving with Caldwell in my freshman term in the House in the 97th Congress. His dedicated public service was an inspiration to me and I will always be grateful to him for his wise counsel during my early days in Congress.

His distinguished career of service began as a United States naval officer during World War II. He received his undergraduate degree from the University of Richmond in 1948 where he was elected to Phi Beta Kappa and Omicron Delta Kappa. In 1950 he received an LL.B degree from the University of Virginia School of Law where he was elected to the Order of the Coif. In 1978, he received an honorary degree of Doctor of Laws from Washington and Lee University.

He practiced law in Roanoke from 1950 until his election to Congress in 1972. His elective office service began in the Virginia House of Delegates where he served from 1962 until 1972, including the position of minority leader. He served five full terms in the House of Representatives, representing the Sixth District of Virginia.

Our colleagues may recall that Congressman Butler was a member of the house Committee on the Judiciary and the Committee on Government Operations. In his first term as a member of the Judiciary Committee, he served with distinction as part of the panel that conducted the Nixon impeachment hearings.

When he retired from the House in 1983, he returned home to Roanoke to practice law which he continued to do until his retirement in 1998. He served as a member of the National Bankruptcy Review Commission from 1995 until 1997.

Caldwell Butler's life epitomizes leadership, integrity and service. To honor this outstanding Virginia and public servant, it is very appropriate that the post office building in his home of Roanoke bear his name. I urge my colleagues to give this legislation a unanimous vote in recognition of the service to his country of M. Caldwell Butler.

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

The SPEAKER pro tempore (Mr. SHAW). The question is on the motion offered by the gentleman from Florida (Mr. WELDON) that the House suspend the rules and pass the bill, H.R. 1753.

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

A motion to reconsider was laid on the table.

DONALD J. PEASE FEDERAL BUILDING

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 819) to designate the Federal building located at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building''.

The Clerk read as follows:

H.R. 819

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

SECTION 1. DESIGNATION.

The Federal building located at 143 West Liberty Street, Medina, Ohio, shall be known and designated as the ''Donald J. Pease Federal Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ''Donald J. Pease Federal Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Mr. Speaker, H.R. 819 designates the Federal building at 143 West Liberty Street, Medina, Ohio, as the ''Donald J. Pease Federal Building.''

Mr. Speaker, I want to commend my colleague the gentleman from Ohio (Mr. BROWN), a neighbor, for reintroducing this legislation this year. I am pleased to be a cosponsor of this important legislation, along with many of our colleagues from the Ohio delegation.

Last year the House passed similar legislation, but, unfortunately, the Senate never had the opportunity to act on it. It is my hope we can get this through the other body and signed into law by President Bush this year.

Congressman Pease was born in Toledo, Ohio, where he attended public schools. He earned his undergraduate and Master's Degrees from the Ohio University in Athens, Ohio, before becoming a Fulbright scholar at Kings College, University of Durham, England.

Congressman Pease served in the United States Army from 1955 until 1957, at which time he returned to Ohio to work at the Oberlin News-Tribune. He was first co-editor and publisher, before becoming its editor. He was editor from 1969 until 1976, during which time Congressman Pease also served on the Oberlin City Council, the Ohio State House of Representatives and in the Ohio State Senate before being elected to the United States House of Representatives in 1976. He served in this House from 1977 until his retirement in 1993.

Congressman Pease began his Congressional career on the Committee on

International Relations advocating human rights. He later secured a spot on the Committee on Ways and Means, and, by the 102nd Congress, earned one of three seats on the Committee on the Budget reserved for members of the Committee on Ways and Means. Congressman Pease's determination to work with both sides of the aisle included service on the conference committee for the tax reform bill of 1986.

This is a fitting tribute to a former Member of the House. I support the bill, and urge my colleagues to join in support.

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

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

Mr. Speaker, H.R. 819 is a bill to designate the Federal building located at 143 West Liberty Street in Medina, Ohio, in honor of our former colleague, Congressman Don Pease. I join my chairman, the gentleman from Ohio (Chairman LATOURETTE), in honoring Don Pease, who served the citizens of northern Ohio with distinction, hard work and diligence for 14 years. I also commend the gentleman from Ohio (Mr. BROWN) for introducing the bill.

Don Pease is a native Ohioan, born in Toledo in 1931. He attended local public schools and in 1953 graduated from the University of Ohio in Athens, Ohio. While at Ohio State University, he was the editor of the student newspaper and the student reporter for the local newspaper, the Athens Messenger. In 1955, he joined the Army and was stationed in Fort Lee, Virginia, before he was honorably discharged in 1957.

Don began his public career in 1961 upon his election to the Oberlin City Council. In 1964 he ran for the State Senate against an incumbent and was elected to a 4-year term. As a State Senator he gained a reputation as an effective legislator, concentrating on education legislation.

In 1976, he set his sights on Congress when the seat in the 13th Congressional District became vacant. During his seven terms in Congress, Don Pease worked hard for tax reform and better tax policy. His record on ensuring human rights through the application of foreign policy is highlighted with numerous success stories. He approached politics as an ethical pursuit and legislation as an intellectual exercise.

Don served on the House Committee on International Relations and the House Committee on Science and Technology. In 1981, he was selected to serve on the House Committee on Ways and Means and was picked as one of the 11 conferees on the landmark Tax Reform Act of 1986.

Don fought for welfare reform and strongly supported sunshine rules for open government. He firmly believed in consensus decision making and worked both sides of the aisle to craft legislation to benefit middle Americans.

I support H.R. 819, and join our colleagues from Ohio in honoring Don Pease with this designation.

Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend from Illinois for yielding me time, and I especially thank the gentleman from Ohio (Mr. LATOURETTE), the chair of the subcommittee, for his support on this and bipartisan support on many the other issues.

Mr. Speaker, I rise in support of H.R. 819, which recognizes the many terrific achievements of former Congressman Don Pease and honors him by designating the Medina Federal Building as the Donald J. Pease Federal Building.

A native of Oberlin, Ohio, Don Pease graduated, as the gentleman from Illinois (Mr. COSTELLO) said, from Ohio University. He served as editor of the Oberlin News-Tribune, was elected to Oberlin City Council, the Ohio House of Representatives, and served in the Ohio Senate during my first term in the Ohio House in 1975–1976.

In 1976, he was elected to represent Ohio's 13th Congressional District. In his first term, while on the Committee on International Relations, Don Pease spearheaded the fight for human rights protections. Later, as a member of the House Committee on Ways and Means, Don dedicated himself to a variety of tax fairness issues, and he was the first Member of this body to seriously pursue the enforcement of labor standards in developing countries and international trade agreements. His work has come to fruition in the last couple of Congresses as larger and larger numbers of Members of Congress have fought for those kind of labor protections in international trade agreements.

His efforts, as the gentleman from Ohio (Mr. LATOURETTE) said, to work with both sides of the aisle include serving on the conference committee for the hotly debated Tax Reform Act of 1986, mediating between Congressional leaders in the first Bush administration on a variety of tax policy issues, and his work on China's Most Favored Nation status.

After leaving Congress, Don returned home to Ohio. He has served on the board of Amtrak. He currently serves as a Visiting Distinguished Professor at Oberlin College's Department of Politics.

Don Pease was, and still is, committed to Ohio's working families. His efforts to improve education, expand access to health care and support workers have made a profound difference in our lives.

By renaming the Medina Federal Building at 143 West Liberty Street in Medina as the Donald Pease Federal Building, this bill honors his hard work, and is a testament also to the hard work and community commitment of his wife Jeanie and honors the work he did in the district he and Jeanie love so much.

Don was held in high regards as both an ethical and able legislator. He devoted 16 years of service to our district, to the State of Ohio and our country. I am pleased to join my colleagues in Ohio, Democrats and Republicans alike, in recognizing Don Pease's dedication to improving people's lives. I urge my colleagues to vote for H.R. 819.

Mr. OBERSTAR. Mr. Speaker, H.R. 819 designates the federal building in Medina, Ohio, in honor of former Congressman Donald Pease from the 13th district of Ohio. This simple act honors a man whose life embodies the American ideals of hard work personal sacrifice, and service to others.

Congressman Pease rose from a typical American background to do uncommon things for his fellow Americans. Growing up, Congressman Pease attended public schools and worked as a newsboy. While in college, he was the editor of the school newspaper, worked for the Athens messenger as a student reporter, and was President of his class. During the summers, he worked as a laborer at an oil refinery to help support himself and pay for college. He went on to earn a masters degree in government from Ohio University, and was a Fulbright Scholar. At 24, Congressman Pease entered the U.S. Army and served for two years, achieving the rank of first lieutenant.

Upon leaving the Army, Mr. Pease became co-editor and publisher of the Oberlin News-Tribune, and he remained editor/publisher of the paper until 1972, and as editor until 1976. During that time, the paper received more than 85 awards in journalism, and was voted the best newspaper in Ohio nine times, and the best newspaper in the Nation in its circulation class four times.

Congressman Pease began his career in public service in 1960, first as Chairman of the Oberlin Public Utilities Commission, and then serving on the Oberlin City Council. In the 1960's and 1970's, Congressman Pease served in the Ohio General Assembly and the State Senate, where he focused on education issues and became chairman of the House Education Committee and vice chairman of the Education Review Commission. He also championed tough campaign finance laws long before that issue became the popular mantra of today.

In 1976, Congressman Pease was elected to represent the 13th district of Ohio in the 95th Congress. Despite a successful career that now placed him near the pinnacle of American politics, Congressman Pease remained faithful to helping people, and committed to serving those he represented. He took an immediate leadership role in Congress as chairman of the New Members Caucus, and served on the House International Relations Committee, and the House Science and Technology Committee.

During his service in Congress, Mr. Pease became a champion of human rights throughout the world. He led the drive to get Congress to ban imports of Ugandan coffee to protest the actions of that oppressive regime. He consistently fought for international labor standards and, as a Member of the International Relations Committee, he led the fight to include human rights protections in international trade agreements.

In 1981, Congressman Pease was selected to serve on the House Ways and Means Committee where he continued to focus on human rights and became a key player in trade issues. As an active member of the Trade

Subcommittee, Congressman Pease focused on helping Americans who had lost their jobs due to foreign competition, and he fought hard to help the industrial district he represented make it through changing times. Congressman Pease was also one of the architects of the Omnibus Trade and Competitiveness Act of 1988, which was the most comprehensive overhaul of U.S. trade laws in twenty years.

After he retired from Congress, Mr. Pease has continued his dedication to public service by serving as a visiting professor at Oberlin College, and as a Member of the Amtrak Board of Directors.

Throughout his life and service in Congress, Congressman Pease has always demonstrated an uncompromising desire to help others, an unquestioned ability to lead, and an ability to bring people together to get things done to benefit the Nation.

This bill is a modest proposal to honor a man who has given so much to this institution and to the American people. It has bipartisan support, and I commend the Gentleman from Ohio (Mr. BROWN) for sponsoring this bill, together with our distinguished Subcommittee Chairman, Mr. LATOURETTE, and many other Members of the Ohio delegation.

I urge my colleagues to join me in supporting this bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 819.

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

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR NATIONAL BOOK FESTIVAL

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 41) authorizing the use of the Capitol Grounds for the National Book Festival.

The Clerk read as follows:

S. CON. RES. 41

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. AUTHORIZATION OF USE OF CAPITOL GROUNDS FOR NATIONAL BOOK FESTIVAL.

(a) IN GENERAL.—The Library of Congress (in this resolution referred to as the 'sponsor'), in cooperation with the First Lady, may sponsor the National Book Festival (in this resolution referred to as the 'event') on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on September 8, 2001, or on such other date as the Senate Committee on Rules and Administration and the Speaker of the House of Representatives jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event authorized under section 1 shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

(a) STRUCTURES AND EQUIPMENT.—Subject to the approval of the Architect of the Capitol, the sponsor may cause to be placed on the Capitol Grounds such stage, seating, booths, sound amplification and video devices, and other related structures and equipment as may be required for the event, including equipment for the broadcast of the event over radio, television, and other media outlets.

(b) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board may make any additional arrangements as may be required to carry out the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 4 of the Act of July 31, 1946 (40 U.S.C. 193d; 60 Stat. 718), concerning sales, displays, advertisements, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Mr. Speaker, I am pleased that we are here today to consider this important resolution. Earlier in the House, House Concurrent Resolution 134 was also introduced, which contained similar language to authorize the same event. However, I want to acknowledge that we are considering the Senate version today in the interests of time so that the Library of Congress and the First Lady can begin firming up any remaining details of the event.

Senate Concurrent Resolution 41 authorizes the use of the Capitol Grounds for a National Book Festival to be held on September 8, 2001, or on such date as the Speaker of the House of Representatives and the Senate Committee on Rules and Administration jointly designate.

The resolution authorizes the Library of Congress, the sponsor of the event, to negotiate the necessary arrangements for carrying out the event, in complete compliance with the rules and regulations governing the use of the Capitol Grounds. The event is open to the public and free of charge, and the sponsor will assume full responsibility for all expenses and liabilities related to the event. In addition, sales, advertisements and solicitations are explicitly prohibited on the Capitol Grounds for this event.

The National Book Festival is a 2-day event that will educate promoting the use of libraries and encouraging the joys of reading. On September 7, Friday afternoon, the First Lady will launch the first-ever National Book Festival by connecting with children all across America through satellite hookups, web casting, and/or television. This will be hosted from the Main Reading Room at the Library of Congress for a captivating afternoon reading program.

On September 8, Saturday, the reading celebration continues at the Thomas Jefferson Building and on the Grounds of the United States Capitol. There will be readings by a wide variety of authors, in addition to artists performing American story telling through music, from folk to jazz and blues.

Much of the weekend's festivities are modeled after the First Lady's successfully founded book festival in Texas. The President and the First Lady have been strong advocates of education, especially reading.

I would encourage any of our colleagues who are in town that weekend to attend this event with their young family members, in addition to having Members encourage their constituents who are either visiting Washington or schools in the home district to participate in this important event.

I support the resolution, and urge my colleagues to do the same.

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

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

Mr. Speaker, I join the gentleman from Ohio (Chairman LATOURETTE) in support of S. Con. Res. 41, to authorize use of the Capitol Grounds on September 8 for a National Book Festival.

The event, jointly hosted by the Library of Congress and First Lady Laura Bush, is intended to promote the Nation's libraries and celebrate the joys of reading. The event begins on Friday, September 7, at the Library of Congress. Through a satellite hookup, children across the country will have a front row seat in the Library's Main Reading Room to enjoy an interactive reading program. On Saturday, September 8, on the Capitol Grounds, the event will host special activities promoting reading, which include book signings and book readings. The celebration will culminate with a series of performances by well-known artists and authors.

As with all events on the Capitol Grounds, the National Book Festival is open to the public and is free of charge and has the support of the Joint Committee on the Library. The sponsors of this event will coordinate with the Architect of the Capitol and the Capitol Police.

The Book Festival is a very worthwhile endeavor, and I join the gentleman from Ohio (Chairman LATOURETTE) in supporting the Senate concurrent resolution.

Mr. OBERSTAR. Mr. Speaker, I join Subcommittee Chairman LATOURETTE, Subcommittee Ranking Member COSTELLO, and

Chairman YOUNG, in support of this resolution that authorizes use of the Capitol Grounds on Saturday, September 8, for activities associated with the National Book Festival. This is a two-day event hosted jointly by the Library of Congress and First Lady Laura Bush.

On Friday, September 7, children in classrooms and libraries across the country will enjoy an interactive reading session with the First Lady at the Library of Congress through satellite communication. On Friday evening, Members of Congress, recognized authors, publishers, and community leaders will gather in the Library's Thomas Jefferson Building for a performance by leading authors and actors bringing to life memorable American stories.

On Saturday, September 8, on the Capitol Grounds, distinguished authors and actors and national celebrities will treat the public to special readings and book signings. Performances by well-known artists, drawing on the Library's collection of American music, will close the event.

I support the resolution and urge my colleagues to join me in support of the book festival.

Mr. WATTS of Oklahoma. Mr. Speaker, today I rise in support of S. Con. Res. 41, and support reading and literacy programs all over this great nation.

Mr. Speaker, I commend the First Lady, Laura Bush and her initiative to get our country reading. Reading is fundamental to the development of the nation's young minds. There is no skill that can be attained like reading. Once you have learned to read, you will never stop.

Mr. Speaker what better place for a festival of books and reading than on the Capitol grounds, the pinnacle of American freedom and what better person to lead the charge than the First Lady of the United States, Mrs. Laura Bush. As a former teacher, no one understands the importance of reading more than Mrs. Laura Bush.

Mr. Speaker, I urge all of my colleagues to stand in support of Mrs. Bush and reading by voting for S. Con. Res. 41.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 41.

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

A motion to reconsider was laid on the table.

□ 1159

GENERAL LEAVE

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. Con. Res. 41 and H.R. 819, the measures just considered by the House.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at noon), the House stood in recess subject to the call of the Chair.

□ 1300

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. FOLEY) at 1 p.m.

PROVIDING FOR CONSIDERATION OF H.R. 2216, 2001 SUPPLEMENTAL APPROPRIATIONS ACT

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 171, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 171

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in part A of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI are waived. The amendment printed in part B of the report of the Committee on Rules may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment printed in part B of the report are waived. During consideration of the bill for further amendment, the Chairman of the Committee on the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. During consideration of the bill, as amended, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

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

Yesterday the Committee on Rules met and granted an open rule for H.R. 2216. The rule waives all points of order against consideration of the bill. It provides for one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule provides that an amendment printed in Part A of the Committee on Rules report accompanying the rule shall be considered as adopted. The rule waives points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI, prohibiting unauthorized appropriations or legislative provisions in a general appropriations bill.

The rule provides that the bill will be considered for amendment by paragraph. The rule makes in order the amendment printed in part B of the Committee on Rules report, which may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered as read, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The rule waives all points of order against the amendment printed in part B of the Committee on Rules report. The rule waives points of order during consideration of the bill against amendments for failure to comply with clause 2(e) of rule XXI, prohibiting nonemergency designated amendments to be offered to an appropriations bill containing an emergency designation.

The rule authorizes the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. And finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, this should not be a controversial rule. It is totally open. Members can offer all of the amendments that they want, as long as the amendments comply with the regular rules of this House.

Meanwhile, the underlying bill provides vital relief to our Nation's Armed Forces and aid to areas that have been devastated by natural disasters; and, unfortunately, we had a lot of that last year.

My friend, the gentleman from Texas (Mr. FROST), who is managing this rule for the minority, has always been a strong advocate for the military; and I am sure that he appreciates the defense items in this bill.

Without help from Congress, our Nation may fall short on its promise to provide adequate health care for our men and women in uniform. So today, we will provide an additional $1.4 billion for Department of Defense health programs.

At the same time, we are providing an additional $6.3 billion largely to help our military maintain its facilities and its top-notch training and equipment. We know we have had a problem with that in the last few years. Interestingly, we will also allocate a small amount of funds to make the U.S.S. *Cole*, which was bombed by terrorists in Yemen, seaworthy again.

We are not only taking care of the emergency needs of our military, though. Several communities in the Midwest have been devastated by floods and tornadoes, so we are giving the Army Corps of Engineers $116 million to mitigate the damages from these natural disasters.

I urge my colleagues to support this open rule and to support the underlying bill. This legislation is a strong step forward, as we work to take care of our military personnel and take care of those who are hurting here at home.

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

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

Mr. Speaker, I rise in opposition to one of the most unfair, bizarre, and partisan rules reported by the Committee on Rules in a very long time. If the issues were not so serious, this rule would be laughable.

Let us start with the unfair part. Repeatedly during the Presidential campaign last year, then-candidate President Bush told the American public, and especially every man and woman in uniform, ''help is on the way'' for our military. Many who serve in our armed services as well as many others concerned about our national defense believed what candidate Bush promised. Many other Republicans ran last fall making the same kind of promises. This rule proves those campaign promises were made with a wink.

Last night on a straight party-line vote, the Committee on Rules refused to give our colleague, the gentleman from Missouri (Mr. SKELTON) the ranking Democrat on the Committee on Armed Services, the opportunity to offer an amendment that would increase supplemental funding for the Department of Defense by $2.7 billion. The gentleman from Missouri (Mr. SKELTON) is a strong advocate for our military but he is especially an advocate for the soldiers, sailors, airmen, and Marines who serve their Nation and each and every one of us. The $2.7 billion he included in his amendment is some but certainly not all that the Department of Defense desperately needs for readiness and quality of life issues.

If we do not appropriate the funds the gentleman from Missouri (Mr. SKELTON) is seeking, our armed services will not have the resources they need for training for the rest of the year, nor will there be funds to move forward on improving housing or making other quality of life improvements for our troops.

Mr. Speaker, every single Republican on the Committee on Rules voted against the President's promise that help is on the way. Every single Democrat on the committee voted in favor of the men and women who serve our Nation and to provide them with the help they need to ensure our national defense is second to none.

Now let us examine the bizarre part of the rule. Everyone in this country knows what tropical storm Allison did in Houston, in parts of Texas and Louisiana and now in Pennsylvania. This storm has left a major disaster in its wake. What did the Keystone Cops on the other side of the aisle do on this bill and rule? First, the Committee on Appropriations cut the money for the Federal Emergency Management Administration just after this disaster hit the Gulf Coast and at the very beginning of the hurricane and tornado system. They cut the money for FEMA. The committee cut $389 million out of the money available for the rest of the fiscal year, money that had already been appropriated by this Congress just when the extent of the disaster in Houston has been preliminarily estimated to total $2 billion and will very likely continue to rise.

And that figure, Mr. Speaker, does not even take into account the damage in Louisiana, other areas affected along the Gulf Coast, and what will be needed to clean up in Pennsylvania. So the committee cut $389 million from FEMA. What did the Committee on Rules do? Their solution is even more bizarre than the action taken by the Committee on Appropriations.

Last night the Republicans on the Committee on Rules made in order an amendment offered by the gentleman from Pennsylvania (Mr. TOOMEY) which would restore the cuts in FEMA funding, but that comes at a very steep price. The House is being offered the chance to restore the $389 million in FEMA, only if we are willing to make over $1 billion in cuts in nondefense discretionary programs in the current year.

To translate this, that means that we can restore FEMA emergency money only if we are willing to cut Head Start, cut funds for education, $70 million from the Veterans' Administration medical program, cut public safety officers for our schools and neighborhood health centers. What have these people been smoking, Mr. Speaker?

All the Republicans on the Committee on Rules had to do was make in order a bipartisan amendment by the gentleman from North Carolina (Mr. JONES), a Republican; by the gentleman from Texas (Mr. BENTSEN), a Democrat; and the gentleman from Pennsylvania (Mr. HOEFFEL), a Democrat. Their amendment would simply have restored these funds to FEMA, funds which have previously been appropriated by this Congress. Just ask the constituents of the gentleman from North Carolina (Mr. JONES) or the constituents of the gentleman from Texas (Mr. BENTSEN) in Houston or the people outside of Philadelphia represented by the gentleman from Pennsylvania (Mr. HOEFFEL). They know firsthand how important the Federal Government can be, especially when disaster strikes close to home.

It is beyond me, and many Members of this body as well, why it is necessary to cut 2½ times more out of the budget already approved by the Congress in order to restore funds already appropriated by this Congress that helps thousands of Americans who have been affected by this storm.

I cannot find a good reason to justify cutting $70 million out of the medical services for the Veterans' Administration in order to not make cuts in disaster assistance. This move on the part of the Republicans on the Committee on Rules is truly one of the most bizarre and mean-spirited things they have done in a very long time. Let me be very clear what we are talking about.

The Congress appropriated this money for FEMA. That was last year. Appropriated this money. And then the Congress, the Committee on Appropriations, came in and said we want to cut this money that was already appropriated last year, we want to take it away from FEMA so they do not have enough money to help the people down in Houston and Louisiana and Pennsylvania. The Committee on Rules said we should not cut this money, we should not take away the money from FEMA that Congress already appropriated, so let us give it back to FEMA but let us take it out of Head Start and community police officers and veterans' medical care. What a crazy result, Mr. Speaker.

Finally, let us talk about the partisan nature of this rule. West Coast Democrats appeared before the committee to seek permission to offer the Inslee-Pelosi amendment that would require the Federal Energy Regulatory Commission to impose cost-based pricing for electricity in the Western power market. Now on Monday FERC did order some relief for electricity customers on the West Coast. But even though their order is an improvement over the current pricing mechanism, there are many who believe this action will not offer enough relief to consumers and businesses on the West Coast as we move into the hottest summer months.

□ 1315

Our colleagues, the gentleman from Washington (Mr. INSLEE), the gentlewoman from California (Ms. PELOSI),

the gentlewoman from California (Ms. ESHOO), and many, many others asked for the opportunity for the House to at least debate this issue. This supplemental is the only train leaving the station, and it represents the only real opportunity the House will have to debate equitable, just, and reasonable pricing for electricity. This bill represents the only opportunity to debate the issue of refunds for overcharges FERC admits were made but for which it will not provide a remedy.

With the most partisan of intent, the Republicans on the Committee on Rules rejected these requests made by west coast Democrats seeking to find some relief for their constituents. For example, the gentleman from Washington (Mr. BAIRD) also requested that an amendment be made in order that could help local school districts who in the coming months may be forced to lay off teachers, cancel purchases of new books or computers, shut down after-school programs or cancel arts, music or technology classes in order to pay for the rising cost of heating and cooling schools. But instead of putting children first, the Republican majority on the Committee on Rules refused to make this important amendment in order. This is partisan politics at its worst, Mr. Speaker. For that reason, I will oppose the previous question on this rule.

It is my intention to oppose the previous question in order to be able to offer an amendment to this rule that would make it less partisan, less unfair, and certainly a lot less bizarre. The House should have the opportunity to debate adding funds for the Department of Defense to meet its highest priorities in the remaining month of the fiscal year; the House should have an opportunity to restore funds to FEMA without cutting Head Start and veterans' medical care; and the House should debate the energy issues that are so disastrous to so many communities on the west coast.

Therefore, Mr. Speaker, I urge my colleagues to oppose the previous question and oppose the passage of this rule.

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

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

I do want to remind my colleagues that this is an open rule. It is the first I have heard an open rule called bizarre and mean-spirited. It does quite honestly provide $5.5 billion for urgent defense needs. But I want to remind my colleagues, we are waiting on the Rumsfeld report before we do the defense budget; and then we will be dealing with the other needs of the military, as well as we are going to be doing an energy bill, and that is the appropriate time to deal with the energy question that we are facing now.

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

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding me this time.

Mr. Speaker, I rise in strong support of this rule and the underlying legislation. Today, I would like to focus on the provisions within this bill dealing with nuclear cleanup. As the chairman of the Nuclear Cleanup Caucus, I have expressed clear reservations with the administration's initial budget request for this program. I am very pleased that they now have requested, and the Committee on Appropriations has included, $180 million in supplemental funding for this vital effort. Specifically, over $50 million of this money will provide a necessary bridge at the Hanford site for this fiscal year to prevent layoffs. I would hope that our field managers be provided with the maximum flexibility to mitigate shortfalls and reduce impacts with this money.

The administration should be commended for including this money in their supplemental request. After submitting their initial budget, I have had multiple opportunities to meet with Office of Management and Budget Director Daniels regarding the legal, contractual, and moral obligation the government has to ensure the cleanup program stays on schedule throughout this Nation. Recognizing the shortfall in the administration's request, the congressional budget resolution provides for up to $1 billion in additional money for nuclear cleanup in fiscal year 2002. The inclusion of this money in the supplemental is the first step in fulfillment of that requirement.

I would also like to commend the Committee on Appropriations for their commitment to environmental cleanup. Throughout this process, the Committee on Appropriations, and specifically the gentleman from Alabama (Mr. CALLAHAN), has worked with me and other caucus members to ensure that adequate funding is provided in fiscal year 2002. Yesterday's markup of Energy and Water appropriations to me is a great step in ensuring that this shortfall is eliminated. I look forward to working with the gentleman from Florida (Mr. YOUNG) and the gentleman from Alabama (Mr. CALLAHAN) in the future to ensure that this funding is a reality.

Accordingly, I urge my colleagues to support this open rule and the underlying legislation.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in opposition to this rule because it blocks critical amendments which would have helped vulnerable Americans with soaring energy bills. My amendment would have provided $600 million this year for emergency low-income heating energy assistance, a funding increase of $300 million. It would have provided $1.4 billion in these emergency low-income energy assistance funds for next year. It would have restored $300 million to the Federal Emergency Management Agency, FEMA's, disaster relief fund. These funds are critical for Americans who are facing skyrocketing energy bills this summer and those communities that have been devastated by Tropical Storm Allison.

Low-income energy funds appropriated for this year have all been released. We have 19 States that have exhausted all of their LIHEAP funds, or they soon will. This amendment would have provided immediate relief for those States that are trying to deal with delinquent energy payments and that are preparing for the scorching temperatures this summer.

This past winter, 3.6 million families in nearly half of the United States risked having their energy cut off because of outrageous energy costs. It really is incredible and it is wrong. Further, the amendment would have provided advance funding for later this year, after September 30. There will be no Labor-HHS bill at that time. That means that people who are going to be struggling with energy costs into the winter are going to have to just suck it up because there will not be funding there until this body makes a decision to deal with low-income energy funds in the future.

Finally, the amendment would have said to FEMA, we will restore $300 million of your resources to deal with Tropical Storm Allison. Today, the director of FEMA has said that it will take not the $2 billion that he thought but now $4 billion to deal with the cleanup and to deal with what is happening with mosquitoes following that storm. And what do we want to do at this juncture? Instead of making that money available for the folks in this Nation, we are rescinding the money, taking back $300 million, in fact, so that the people of this country, people in the South and who are suffering from what happened with Tropical Storm Allison are going to be on their own.

I oppose this rule because it jeopardizes our most vulnerable populations. Vote it down.

Mrs. MYRICK. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Speaker, I listened with interest to my colleague from Connecticut wanting to offer further amendments to expand LIHEAP, which is the low-income heating assistance program. This bill increases LIHEAP by $300 million, which is twice what the President requested, and the gentlewoman from Connecticut can offer her amendment as long as there is an offset. It is an open rule. I think that is a very reasonable approach to this problem.

There has been some criticism that we are not waiving the rules of the

House which are long established here to deal with the problem of electricity and energy in this country.

On Monday, the Federal Energy Regulatory Commission passed an order that extended their price mitigation and price monitoring program in California and across the West. I think that is a wonderful step and will probably ensure that consumers in California and the West are going to be paying reasonable prices for electricity in the West. In fact, in the other body, Senator FEINSTEIN of California, who coauthored the bill on price caps, said yesterday that the FERC action was a giant step forward and they do not intend to move forward and press this issue. It is only a small number of folks in the House that seem to be wanting to move in that direction. The reality is, in the Committee on Energy and Commerce for about a 2-week period, we struggled privately and in a bipartisan way with the issue of what we can do to reduce the cost and the price of electricity in California and the West.

Through that process, I think a lot of us came to realize just how badly we could mess this up if we try to go back to a system of setting prices at the Federal level from the Congress. FERC has a lot more flexibility, a lot more expertise and latitude than we do in this body. We should not set price caps in legislation. Trying to solve the problem with price caps is going to make the supply problem even worse and prolong the crisis. It would probably deny electricity to California because States like New Mexico would not sell on the spot market to California if they were going to be forced to sell below their own cost. As a result, we would see more blackouts, more problems in the State of California, a lack of investment in the real problem, which is a shortage of supply and California's failure to build for the future.

Price caps never produced another kilowatt of electricity. It is unreasonable when we are going to be facing major energy legislation in this Congress, sometime in the next 6 weeks, to ask to put this price cap measure on something completely unrelated and to ask us as a House to waive the longstanding rules of the House to make this up today rather than the context of what we really should be doing, which is a long-term, balanced approach to national energy policy, an approach that includes conservation, that includes increased supply, that fixes our aging infrastructure, and that includes government reform.

I look forward to that debate and to bringing that comprehensive bill to the floor of the House. But today is not the day. I do not think we should be willing to waive the longstanding rules of the House to take this up in a mishmash fashion.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. GEPHARDT).

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

Mr. GEPHARDT. Mr. Speaker, I rise to ask Members to oppose the previous question and rule so that we can give people immediate relief with their energy needs. Today, we have an opportunity to do something to help millions of Americans. We should vote to put temporary caps on wholesale electric prices in the western United States and take a commonsense step to give consumers substantial help with low-income energy assistance.

Unfortunately, the Republican majority has been unwilling to take real action on this critical issue. They continue to ignore people's real needs and today will not even let us take a vote on one of the most compelling problems facing America.

In San Francisco last month, one small business owner lost between $3,000 and $4,000 in 1 hour during a rolling blackout. This bill does nothing for him. Thousands of people are on life support machines on the west coast. This bill does nothing for them. Millions of people are paying through the nose for a commodity that is like air and water in their lives. This bill does nothing for them. A large percentage of small businesses in the San Diego area are at or near bankruptcy. This bill does nothing for them. Thousands of families in California and the west coast have seen their residential energy prices go up twice, three times, five times, in some cases 10 times. This bill does nothing for them.

We have an emergency in our country. Yet the Republican leadership treats it as if it does not exist. We are glad that Federal regulators are finally listening and moving in the right direction. But their recent order is still a day late and a dollar short. It lets generators continue to make record profits and does nothing to help those affected by overcharges recover their losses. It opens the door to market manipulation and does nothing to stop the blackouts that are threatening people even this week.

□ 1330

So the time has come for sensible steps that will actually do something for people. We have been regulating utilities for decades, including wholesale electric prices; and we have one of the best power systems in the world. All we say is that we need temporary relief to this historic model so we can stabilize the market and give people real relief. We recognize this is not a long-term answer to the problem. In California, the Governor has permitted 16 new plants to bring in new supply. Four of them will be online this summer. Help is on the way, but help is needed now. This is a financial emergency. We need to address this emergency in this bill. It is unreasonable to bring a supplemental appropriation out on this floor and not even allow the minority the right to debate and vote on such a measure.

I urge Members to vote against the previous question and vote against the rule.

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for yielding me this time.

Mr. Speaker, under the President's leadership, the country is beginning to focus on the need to take firm steps to enhance our energy security. The President is putting people over politics. I wish the minority would do the same.

Across the Nation, we are seeing the predictable consequences of allowing regulatory red tape and government intrusions to constrain our ability to produce the energy that we need.

Mr. Speaker, our energy security sustains our quality of life. The amendments offered by the minority threaten our freedom and our energy security, and that is why they should be rejected and not allowed in this rule. We need to solve the shortage of energy with a broad and a balanced plan. We need to encourage initiatives to reduce demand by conserving energy. We need to encourage the introduction of new technology that will allow us to accomplish more with the energy that we use. But there should be no confusion about the unmistakable need to expand the diversity of supply and to increase the production of energy.

Unfortunately, the electricity crisis in California offers an object lesson in the danger of allowing political half measures to be substituted for a successful market-based solution. We are talking about price caps.

Today, politicians in California are demanding additional government regulation as the pathway to relief from the consequences of earlier government regulation. Let us be clear about this. In every place government price controls have been tried, those price controls have failed to achieve the results that their supporters have promised. They failed when Republican Presidents used them; they failed when Democrat Presidents used them. All government price controls can offer California is the specter of longer and more frequent blackouts.

The electricity marketplace in California, as we all know, is severely dysfunctional. The people of California are suffering today because the demand of electricity exceeds the available supply. Until that fundamental imbalance is resolved, their problems will continue. It happened because politicians in California place so much red tape and regulation on the energy sector that energy suppliers could not build the power plants needed to supply California's energy-hungry economy. That is the fundamental problem in California.

Government price controls cannot work because all they do is prolong and exacerbate the problem. California

must begin building the capacity it needs to create the additional electricity that its markets demand. That is the only way out. Price controls will not create an additional, not one additional, megawatt of electricity. What they will do is discourage the construction of new power plants and dissuade electricity generators from investing in the improvements and advancements that will actually increase the supply of electricity in California.

Government price controls fly in the face of the most basic laws of economics. They swim against supply and demand. Members should reject that siren song of price caps. Remember this, government price controls will mean more blackouts. I urge the adoption of this rule and reject the opposition.

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

Mr. Speaker, my friend, the gentleman from Texas (Mr. DELAY), has actually made some very interesting points, points that ought to be debated on the floor. What the Committee on Rules is doing is saying, no, we are not going to let the gentleman from Texas (Mr. DELAY) speak at length about his points, or people that believe the way he does; and we are not going to let people from California, the west coast, speak on the other side. They will not even permit this debate to occur; and that is why we object to this rule, and that is why we are going to fight the previous question.

I think the gentleman from Texas (Mr. DELAY) ought to have lots of time to make his arguments, and I think people on the other side ought to have an equal amount of time. Their rule would prevent that from happening.

Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I thank the gentleman from Texas (Mr. FROST) for yielding this time to me.

Mr. Speaker, I rise in strong opposition to the rule considering the supplemental appropriation bill that is before us. Although many of my colleagues are upset because the rule does not permit various amendments as it relates to the energy crisis or disaster relief, my reason for opposing the rule is quite simple. It does not permit an amendment that would allow us to do more for our American men and women in uniform. This is a serious matter.

At the outset, I want to note that the $5.6 billion included in the bill for the Defense Department by the Committee on Appropriations, which is recommended by the OMB, is helpful but not adequate to address acute funding shortfalls that all the military services are experiencing.

I proposed an amendment to the bill to increase funding for the Department by $2.7 billion. That amendment has not been made in order by the rule and protected against points of order, and that is a shame.

Mr. Speaker, it is no secret to anyone that the armed services are called on to perform a myriad of missions all around the world, many of them on short notice. Whether it is defending against adversaries like Saddam Hussein or protecting our allies in Korea, or building a democracy in the Balkans, our military does a wonderful job, a great job, of protecting our national security interests. We owe it to our servicemen and women to ensure that they are trained and ready to perform those missions, that they have the best equipment we can provide and have adequate compensation and quality of life for their families.

The roofs are leaking on the family housing. The spare-parts bins are empty. The training is being curtailed, and unfortunately this supplemental bill as reported does not go far enough in meeting these goals, and follows the OMB recommendations. My amendment would add $2.74 billion to the bill all for additional defense appropriations. Of this total, the vast majority, about $2 billion, would be for operation and maintenance for flying hours and spare parts and real property maintenance and depot maintenance and uniforms, the unglamorous nuts and bolts, essentials that really make our military work. Another $400 million would fund military personnel and priorities, subsistence allowances, housing allowances, to keep our service members off food stamps, to pay for unbudgeted National Guard and Reserve personnel costs.

My amendment would also add about $300 million for high-priority procurement costs. For example, I would add $65 million to replace the EP–3 that is being cut to pieces on Hainan Island, China, and $49 million in additional funds to expedite the repair of the U.S.S. *Cole*.

Finally, my amendment would appropriate additional funds for ammunition. I oppose this rule.

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG), our chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. Mr. Speaker, I rise in support of the rule, and I rise in support of the previous question and also will be rising in support of the supplemental appropriations bill.

There are 435 of us in this Chamber and if each one of us were to write our own version of this supplemental, there would probably be 435 different versions; and we cannot have that. In our process, that is not the way it works. So the Committee on Appropriations, in an effort to allow Members to make a major contribution to the final product, the Committee on Appropriations asks for an open rule. I have never asked the Committee on Rules to give me a closed rule on any appropriations bill.

This is an open rule, meaning that any Member who has an amendment that is germane to the bill, that is an appropriations item, that they will be able to offer that amendment.

We would possibly agree with some; possibly we will not agree with some. We will make that determination once the debate takes place.

As an announcement to our Members, I wanted to tell them that although we were late getting our numbers, specific numbers, from the administration, we are still well under way. This is the first appropriations bill of the season. However, if we look at it technically, it is the last appropriations because of the fiscal year 2001 season because it is a fiscal year 2001 supplemental. For the benefit of the Members, the Committee on Appropriations has reported out this supplemental, plus three other of the major appropriations bills for fiscal year 2002. The fourth appropriations bill has already been reported by the subcommittee, and next week there will be four additional subcommittee markups. I say this so that Members will know that the Committee on Appropriations is moving expeditiously, despite the fact that we got off to a very, very late start.

I listened with interest to what the gentleman from Missouri (Mr. SKELTON) said on the amendment that he would offer, and I cannot disagree with him. There is a large list of shortfalls in our military services. There are many things that they need that we are not providing. We are anticipating a very substantial budget amendment from the President sometime within the next couple of weeks that will address many of the issues that the amendment of the gentleman from Missouri (Mr. SKELTON) raises. Those of us who work with national defense issues every day of our legislative lives are concerned that there are tremendous shortfalls in the needs of our national defense establishment, shortfalls in the needs of quality-of-life issues for our men and women who serve in uniform, and we are going to address those.

The bill that we provide today has certain budgetary constraints. The budget resolution for fiscal year 2001 sets certain budgetary restraints. The $6.5 billion presented by this bill is the top line in those budgetary constraints. There is not much we can do about that. So we present a bill with the best advice and consent that we could have from the appropriations members to use that $6.5 billion in a cost-effective way.

Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for giving me this opportunity, and I do hope that we can expedite consideration of the previous question, the rule and get right to the bill. This could be a long day.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. Speaker, I asked the Committee on Rules for a rather simple amendment that would have allowed for the

House to vote on whether or not to strike the rescission in the supplemental of $389 million from the FEMA disaster account. Now, the distinguished chairman of the committee just spoke, and I know he worked very hard on putting this bill together, and he talked about the budgetary constraints.

I appreciate that fact, but we have to remember some of the budgetary constraints in this bill are self-imposed by the committee because the committee added $273 million in spending in the defense accounts that was not requested by the administration. It added $469 million in nondefense accounts that was not requested by the administration, and then it found the impetus to declare $388 million in spending emergency but in order to meet the constraints it took the money that the Congress had appropriated and been signed into law for emergency relief and rescinded it and then it says, well, that money is not needed; we are not going to need it. If we need it, we will get it later.

□ 1345

But that is not a real savings. Mathematically, you know we are going to spend that money. But the fact is, FEMA does not have sufficient money. The storm in Harris County is now estimated to cost $4 billion. FEMA has already put out a couple of hundred million dollars, and they expect to put out another $130 million in the next 30 days.

There are storms happening all over the country. The district of the gentleman from Wisconsin (Mr. OBEY) just got hit yesterday with a storm. The gentleman from North Carolina (Mr. JONES), a Republican, was there asking for the same waiver, because FEMA is still paying for Hurricane Floyd that happened 2 years ago.

Now we are playing budget politics with FEMA money. Fifty thousand people in Harris County have either been displaced from their homes or are having to replace their homes. FEMA is estimating that the number of claims is going to rise to 90,000, and the three major hospitals and the largest medical center in the world are effectively shut down. The estimated damage to the Texas Medical Center alone will probably equal $2 billion.

Yet the committee thought it would make sense to cut at least a quarter and ultimately really a third of the available FEMA money in the current fiscal year in order to pay for additional spending on other projects that the White House did not even ask for. Here is a letter from the White House. They agree. They say they are puzzled. They are puzzled by the action taken by the committee.

I know the committee worked very hard. In fact, when the committee did this, Allison had not even occurred yet. But it has occurred now, and we can very simply fix this matter. You were able to declare sufficient funding for projects you thought were important emergencies. Do it for another 39 million, but put back the money that the Congress voted on, that the President signed into law, so it can be spent on disaster assistance, because I assure you we will be back. It will take more. This is like the California earthquake in 1992 and 1993.

Mr. Speaker, I urge my colleagues to defeat the previous question and defeat the rule.

Mr. Speaker, I rise today in opposition to the rule. The Emergency Supplemental is a paradox in its truest of forms. While donning the mask of emergency relief, this bill actually rescinds funding from FEMA's Disaster Recovery Fund in order to finance new and often unrequested projects.

Mr. Speaker, in the wake of Tropical Storm Allison, more than 50,000 Texans from Harris County, are either in temporary housing or working to make their homes livable again. With preliminary damage assessments totaling $4.88 billion in Harris County alone, now is not the time to rescind $389 million from FEMA's Disaster Recovery Fund. According to FEMA's latest estimates, the amount of Disaster Recovery Funds necessary to assist the state of Texas total $1.98 billion. And that cost will certainly rise. This legislation is setting all of us up for another messy supplemental down the road. We are just 19 days into hurricane season, a recision of nearly one-third of FEMA's available assistance funding is unconscionable.

This measure has not garnered the support of the Administration. In fact, OMB Director Daniels said, "this action would preclude prompt assistance" for future disasters. The Disaster Recovery Fund is appropriated for the specific purpose of assisting local communities in the event of unforeseen disasters. The authors of this bill felt this account to be money burning a hole in their pockets. The Disaster Recovery Fund is not a savings account for new projects. This money is critical to the recovery process of hard-working taxpayers in the wake of natural disasters.

To impede or delay FEMA aid in favor of new spending is a desertion of our duty in this body. I urge my colleagues to vote against this rule because it fails to protect the amendment I offered and a similar proposal offered by my colleague from North Carolina, Mr. JONES. Furthermore, it protects an amendment that inexplicably, calls for offsetting previously appropriated disaster funds.

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

Mr. Speaker, I would like to remind my colleagues that there is an amendment being offered to replace the FEMA money in this bill.

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

Mr. Speaker, I would remind my friend from North Carolina that the peculiar amendment that the Committee on Rules made in order to restore the FEMA money takes it out of Head Start and takes it out of Community Policing. We are saying that is a legitimate emergency. There is no reason to do that in the bizarre and peculiar way in which they have put the money back in.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, one would have thought that this emergency supplemental bill coming up when it did right on the heels of the storm damage and flooding to Houston, it would have provided an opportunity for this Congress to speak very clearly to the people in that area that their contract with our country is one that, in time of distress or natural disaster, we are there for them. Instead, we are sending the exact opposite message, a message of no confidence, by reducing the funding in FEMA.

As a person who represents an area beset by earthquakes, I know how important the message from Washington is in the recovery. As a grandmother of grandchildren in Houston seeing the onset of mosquitos following the flood, I know personally the need for the increased funding in the emergency bill, and am bewildered, again from my own experience representing an area that is disaster-prone, that this committee would not rise to the occasion.

So I rise in opposition to the rule on the supplemental appropriations bill because it misses opportunities on many scores. All we were asking for was a legitimate debate on spending priorities that are of an emergency nature for this Congress to address.

We have missed the opportunity because of this rule to have the chance to stabilize the electricity markets in the western United States. We have missed the opportunity to discuss the Eshoo amendment to ensure refunds for electricity charges in the western regions that were not just and reasonable. In fact, there are about $8.9 billion in refunds. We have missed the opportunity to ensure that the DeLauro amendment would be discussed, which would increase the LIHEAP funding so it would be available to low income families throughout the summer and fall. Finally, we have missed the opportunity to provide the leadership required for this country in the fight to treat AIDS and prevent new infections globally.

Mr. Speaker, I urge my colleagues to defeat the rule because it is a gag rule on discussion of issues of an emergency nature.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Speaker, I am pleased that the Coast Guard is included in the supplemental budget, but I am very concerned about the direction of the 2002 Coast Guard budget. If there are no changes, it is predictable that we will be standing here again this time next year, hat in hand, advocating for the Coast Guard, just as happened last year, when we painted ourselves into the same corner requiring $655 million in supplemental Coast Guard funding.

Now, everyone knows that budget constraints have been so severe and chronic that the Coast Guard can barely keep its fleet in the water and its planes in the air. By the way, the Coast Guard operates the second oldest major naval fleet in the world, 39th out of 40. That is shameful.

We reduce operational funding while cutting back on capital investment; we short-change housing, health coverage and retirement. Then we wonder why retention and training suffer. We admire the rescues, such as depicted in the movie ''Perfect Storm,'' but divert assets away from the core mission of saving lives. And, remember, the Coast Guard saves 5,000 lives each and every year.

The 2002 authorization bill passed by this House just 2 weeks ago responded to these challenges by boosting the Coast Guard's operating budget for next year by $300 million. That promise stands unfulfilled thus far in the appropriations process. The funding bill approved since by the Subcommittee on Appropriations cut that $300 million, as well as an additional $60 million to embark on a program of replacing aging Coast Guard cutters that, on the average, are 27 years old.

The consequences are real, Mr. Speaker. Just this week came reports that the Coast Guard recalled port security forces that were sent overseas to protect U.S. naval units after the Destroyer Cole was attacked. Why? Because we cannot afford it any more.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, the Federal Energy Regulatory Commission on Monday ruled that they are not going to offer any true relief to California. What they said was that they were going to engage in a faith-based energy policy. They would pray for consumers in California and across the West, but they really would not do anything for them.

In the TV game show, the weakest link gets kicked off the show. But on Monday, the Republican-controlled FERC decided that the weakest link gets to set the prices for the entire western electricity market. This FERC order perpetuates the nonsense of having the least efficient generator of electricity set the benchmark price for all of the other generators.

This is a formula for allowing energy generators to continue to tip consumers across the West upside down and to shake money out of their pockets. While saying we are going to mitigate the size of the windfall, it does not in any way deal with the fact that a windfall will be enjoyed by these energy producers of historic size. Instead, they should have imposed a cost of service time-out on California and the West.

That is why the gentlewoman from California (Ms. PELOSI) and the gentlewoman from California (Ms. ESHOO) and the gentleman from Washington (Mr. INSLEE) wanted to bring amendments out here on the floor to deal with the pricing issues, to deal with the refunds for overcharges. But they have been denied. That is why, in a larger sense, Congresswoman DELAURO wanted to bring out a LIHEAP amendment of an additional $600 million for emergency funding and $1.2 billion for the year 2002. We should reject this proposal.

Mrs. MYRICK. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. BARTON).

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

Mr. BARTON of Texas. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, my good friend the gentleman from Massachusetts (Mr. MARKEY), and he is my good friend, we work together on privacy issues and telecommunications issues, this is one we agree to disagree on.

The great State of California has buy-cap authority today. If the Governor of California thinks that electricity prices are too high, since the State is buying all the wholesale power, all he has got to do is pick up the phone and call the gentleman who is negotiating these contracts, I do not know if it is on a day-to-day basis, but it is generally a man named David Freeman, a very smart individual, and say do not pay more than $100 a megawatt, or more than $50, or more than $200, whatever it is. The Governor of California has buy-cap authority right now.

What has happened? What has happened is in the last 6 months, as California began to grapple with the fact that they are a part of the real world, they cannot suspend economic laws, they have begun to negotiate contracts, and long-term contracts from 1 year to 5 years to 10 years, some of those contracts are becoming public and they are finding out they are paying above market prices.

Now, I do not think the political leadership in the great State of California started out to pay above market prices. I think just the opposite. But it is fundamental; if you try to pick a political price for any commodity, and, almost by definition, you are going to pick the wrong price, because markets change. Every time we have tried price caps on any commodity in this country for any length of time, the only certainty has been it has led to shortages, disruptions, it has led to unequal distribution of that commodity.

So I think the Committee on Rules was eminently fair. This is a spending supplemental. It is not a policy supplemental. We should not have extraneous amendments on items like price caps that do not make sense in the real world, and I hope we vote for the rule.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I appreciate my colleague yielding. I want my colleagues to know that the gentleman who chairs the subcommittee, the appropriate subcommittee in this policy arena, has been more than cooperative with those of us from California worried about the challenges that we face in the West. Indeed, he spent hours and hours trying to examine where in the Federal law we might make changes that would improve that condition.

Finally he came to the conclusion that, outside of the FERC taking a temporary action to try to help California, that literally the flexibility was available already. The reality, as the chairman has said, is that over months now, and indeed years now, California has been headed towards a crisis that finally we are bearing the fruit of. I want the chairman to know how much we appreciate his cooperation, his efforts to help us. I want the body to know I very much appreciate the gentleman's efforts to try to cooperate with us, and in turn he has essentially sent the message, you have the flexibility at home; solve the problem at home where it started in the first place.

Mr. BARTON of Texas. Mr. Speaker, reclaiming my time, I want to thank the gentleman.

Briefly, the recent Federal Energy Regulatory Commission on Friday was unanimous, three Republicans, two Democrats; the old commissioners, the new commissioners. It is a price mitigation strategy that lets the market work, but it does not let any particular supplier manipulate the market.

The partial version of this that was put in back in April has been working. This version, which goes 7 days a week, 24 hours a day, will help California and the West Coast this summer.

□ 1400

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

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, I am proud to represent the Eighth District of Texas. We have had many homes and businesses destroyed in Tropical Storm Allison. Let me tell the Members, the last thing people in Houston need are politicians trying to score points off our misery. That is exactly what we have heard here today.

I am 100 percent certain, and FEMA is 100 percent certain, that there is today and will continue to be sufficient funding within our Federal aid and FEMA to ensure disaster aid to victims of Tropical Storm Allison. My colleagues in Congress who are using scare tactics to needlessly heap even more misery onto the families and businesses harmed by Allison ought to be ashamed of themselves.

The only debate is whether Congress will fund future FEMA emergencies, future FEMA emergencies out of this

bill now, or within the FEMA budget that will be taken up in a few short weeks. I believe that playing petty politics when people's lives have been destroyed is absolutely despicable.

My advice to my friends on the other side is to knock it off. Let us work together for the sake of our State and communities. Let us stop pointing fingers. Let us join hands, Republicans and Democrats alike, to help those in our Houston region, the Texas Medical Center, our families, and our businesses that desperately need help today, and to knock off the politics and stop trying to score points off their misery.

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

Mr. Speaker, perhaps the previous speaker was confused. Perhaps he did not realize that this supplemental bill has money in it for this fiscal year. We are talking about the fiscal year that is currently in process, fiscal year 2001, and it is the money that the Republicans sought to strip from this bill. They now have a bizarre scheme to back the money back in, but are taking it out of other domestic programs, like Head Start and community policing.

We are just saying, do the right thing, the rational thing: just permit the money to be restored. It is an emergency. Do not take it out of other programs.

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

Mr. FROST. I yield to the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Speaker, no one is playing politics with this. This is the White House position, and they are Republicans. On the other side, the junior Senator from our home State, who is a Republican, is talking about adding money to FEMA, not taking money out.

All we are saying is, strike the rescission. The fact is, the committee is the one that added money above what the White House requested. They are using the FEMA money to pay for it.

My colleague knows, even from today's Houston Chronicle, FEMA has already spent about $400 million. FEMA tells us that of the $1.6 billion in the account, there is only about $1.1 billion left. If we have this rescission, that takes the amount of money available down to $700 million. That means the amount of money FEMA has to just do what they are doing right now is going to be reduced. FEMA is going to need money to move quickly while they are still paying for North Carolina, while they are still paying for other things.

There is no politics in this. If politics is standing up for one's constituents to get what they need to get back on their feet, than I am guilty of those kinds of politics, and so is Mr. Bush in the White House, because we are of the same position.

The fact is, we are not pointing fingers at anybody. All we are saying, make in order an amendment so it is not subject to a point of order. They can find the money elsewhere. They made this designation before the storm occurred.

Mrs. MYRICK. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana (Mr. TAUZIN).

Mr. BRADY of Texas. Mr. Speaker, will the gentleman yield?

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

Mr. BRADY of Texas. Let me state the facts directly from FEMA, those on the ground and working:

''FEMA's disaster account has sufficient funding to ensure disaster aid to those victims of Tropical Storm Allison flooding. FEMA assures those in Texas, Louisiana, Florida, fighting to recover now, that FEMA stands ready and able to help them.''

This issue deals with affecting future response efforts and our ability to help them.

The fact of the matter is, the gentleman and I are friends, but the gentleman is playing politics at a time when our community simply cannot afford it. We need to work together.

Mr. TAUZIN. Mr. Speaker, I wanted to quickly address a subject in support of this rule that has arisen on the floor regarding California.

Our committee, led by the gentleman from Texas (Mr. BARTON), did a marvelous job of producing a set of solutions that could help the California problem out that included both demand reduction and supply increases, getting the QS back on, getting the Governor and the President to make some administrative decisions that have helped California, I think, a great deal.

One of the recommendations we made in that bill and passed on to the FERC was the recommendations to do price mitigation on a 24-hour basis 7 days a week. Unanimously, Democrats and Republicans have now endorsed that proposal. It is now the order of the FERC. Senator FEINSTEIN has said with this order in place she is not even asking for the price control bill that she originally sponsored on the Senate side.

This notion of putting price controls into this debate is absolutely ludicrous. The reason California got in trouble was because California had price caps at the retail level, and attempted price caps at the wholesale level. Those price caps did something very remarkable. Those price caps reduced conservation in California by 8 percent, encouraged excessive demand, a 6 percent growth, the highest in the Nation, and put California in a shortage position where it did not have enough power plants to supply the needs of that economy.

This price mitigation plan now adopted by the FERC, as recommended by our committee, together with 17 Members of the Republican California delegation, a plan first suggested to us by the gentleman from California (Mr. OSE), is now in place and will serve to make sure that price spikes do not occur in those periods of time when California is really short.

This has been a rough and tumble negotiated process, but we have produced a solution that does in fact help order that market without doing what California did incorrectly, without putting hard price caps in place that do nothing but shorten supply, increase demand, and dampen the need for conservation.

Since the price caps on rates have been lifted in California, guess what, conservation has increased 13 percent. Now that the Governor has authorized the construction of new plants in California, put old plants back online, put QS back on, there is less of a danger of blackouts; it is not solved yet, but there is much less of a danger of blackouts.

In short, the work done by the subcommittee led by the gentleman from Texas (Mr. BARTON), with the help and counsel of the California Members of the Republican party and with the President and the FERC now following in a bipartisan fashion the adoption of the price mitigation plan, we are well on our way, at least, to beginning to settle the California problem that unfortunately the policymakers in California put the people of California through.

Let me say something else: California is 12 percent of this Nation's economy. We could not afford not to help. California needs to have a good supply of energy. It needs to have prices people can afford. It needs to have a market that is reasonable, like the rest of America, where supply meets demand; where conservation is encouraged, not dampened or weakened; and where new supplies are always brought on board when there is a real and honest demand for those supplies.

Silicon Valley cannot afford to go dark. America cannot afford to have this new economy darken because we have not solved those problems.

I want to thank the gentleman from Texas (Mr. BARTON) for the courageous work he has done. I want to thank the FERC for making I think a very wise decision in this price mitigation plan. I want to thank all of the Members who agree with me that this issue ought to be put to bed.

Mr. FROST. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge the defeat of the previous question.

There is an amendment to the rule that would have been offered if the previous question is defeated.

The amendment would allow for the consideration of two very important amendments to the supplemental.

The first is the amendment proposed by the gentleman from Missouri (Mr. SKELTON). The Skelton amendment would add $2.7 million to the Department of Defense so in the last 3 months of the fiscal year the Armed Forces are not forced to cut back on training and operations and maintenance because of the shortfall in funds.

The second is the amendment offered by the gentleman from Washington

(Mr. INSLEE) and the gentlewoman from California (Ms. PELOSI). This amendment would require the Federal Energy Regulatory Commission to impose cost-of-service-based rates on electricity in the West.

Mrs. MYRICK. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just want to reiterate what the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Commerce said, that this is not about policy. We have done some good things, along with the gentleman from Texas (Chairman BARTON), and we do appreciate very much their hard work.

Mr. BLUMENAUER. Mr. Speaker, the FY 2001 Supplemental Appropriations bill should be an opportunity for Congress to address some important funding shortfalls facing our country. Instead, we are seeing self-fulfilling prophecy played out that is the direct result of the misguided Republican strategy to disconnect spending for tax policy. The $389 million FEMA disaster relief cut in the FY 2001 Supplemental Appropriations bill is the first manifestation of what's wrong with the Republican budget strategy.

Today's rule limits debate on the bill and prevents important Democratic alternatives from being brought to the floor, rather than having an open debate on the trade-offs that Congress has made to cut taxes and limit spending. We are prevented from voting on amendments aimed at restoring funding to assist the thousands of people needing disaster relief, ensuring that low-income families have access to affordable energy and heating, or addressing the energy crisis that is crippling the West Coast.

The FEMA cut, in particular, could not come at a more inopportune time. Earlier this month we witnessed an example of the type of destructive results that may be a result of global climate change. We are seeing an increase in both frequency and intensity of extreme weather incidents. The devastating efforts of Tropical Storm Allison on Texas, Louisiana, and Florida killed almost 60 people, dumped 3 feet of rain in 6 days, and damaged 20,000 homes. Just today, FEMA director Joe Albaugh stated that the damage from Tropical Storm Allison may be as high as $4 billion to deal with clean-up and related health threats associated with storm damage.

Today's Supplemental Appropriations bill illustrates how we in Congress have put ourselves into a tax cut and budget box. The cuts to FEMA's disaster relief program are one of the most egregious aspects of our short-sighted tax and budget policy. For these reasons, I urge Members to vote against the previous question and oppose the rule.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in opposition to the rule for the supplemental appropriations bill because the Rules Committee failed to protect several key amendments—including the Inslee/Pelosi amendment and the Eshoo amendment—and have prevented us from acting on California's emergency needs today.

There is the mistaken belief by some that the recent action by the Federal Energy Regulatory Commission (FERC) has solved California's energy concerns.

But the FERC decision falls far short of what is needed in California. For example, because FERC based the price caps on the most inefficient operators, Californians will continue to pay high energy costs.

Further, FERC does not address the price gouging that has already taken place. Therefore, it has no provisions for the $6 billion in potential illegal overcharges that have been referred to FERC for action.

These two concerns would have been appropriate for the House to consider today, but the Rules Committee has prevented us from taking up two key amendments that would have addressed them.

Essentially, the Republican leadership has decided that the big electric generators can continue to make windfall profits at the expense of business and residential customers across California.

The impact of this price gouging on the jobs and lives of my constituents has already taken a toll.

L.A. Dye & Print Works Incorporated, one of southern California's largest textile firms, employing 700 people, closed its doors at the end of April. There natural gas costs had soared from about $120,000 per month to over $600,000 per month—that's five times higher than their costs at the start of 2000.

Some have argued that this crisis is one of California's making, but California has stepped forward vigorously to meet this challenge.

We were one of the most energy efficient states—now we've cut energy use by 11 percent during this crisis to become the most energy efficient state in the union.

We've acted to bring additional generating capacity on line as quickly as possible, and 16 major power plants with a generation capacity of over 10,000 megawatts have received siting approval.

Ten of these power plants are currently under construction, and four are scheduled to be on line this summer.

But we have immediate problems because as many as 30 days of rolling black-outs have been predicted for this summer.

The impact of black-outs will be severe on families suffering through California's 100+ degree days without air-conditioning.

The impact will also be severe on the senior citizens who have medications that need refrigeration.

Our businesses and manufacturers face unpredictable electricity shortages, requiring them to shut down operations during black-outs and send workers home.

And let's not a forget a black-out's impact on our public safety officials—our police officers, fire fighters and emergency medical personnel—as they try to cope with a community whose stoplights are suddenly out of order, or whose emergency communications system is inoperative.

We are facing an emergency in California, and that is why we wanted the House to consider emergency provisions today during consideration of the supplemental appropriations bill.

This emergency in California is quickly spilling over to other western states and eventually will make its way to states across this nation.

As the 5th largest economy in the world, California's energy crisis is having an enormous detrimental impact on the nation's economy.

Unfortunately, we have heard the message from the Republican leadership to the 33 million citizens in California and Americans across this country loud and clear.

That message is: we won't discuss your emergency, we don't care about its impact on California and the nation, and therefore we will not support relief for your businesses and citizens.

By preventing amendments affecting millions of Americans from even being debated and voted on, the leadership of the House of Representatives turns their back on every American they have sworn to serve.

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

The SPEAKER pro tempore (Mr. FOLEY). The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 and 9 of rule XX, this 15-minute vote on ordering the previous question will be followed immediately by a 5-minute vote, if ordered, on adoption of the resolution, and a 5-minute vote on the motion to suspend the rules debated earlier today.

The vote was taken by electronic device, and there were—yeas 222, nays 205, not voting 5, as follows:

[Roll No. 169]

YEAS—222

Abercrombie	Davis, Jo Ann	Hayworth
Aderholt	Davis, Tom	Hefley
Akin	Deal	Herger
Armey	DeLay	Hilleary
Bachus	DeMint	Hobson
Baker	Diaz-Balart	Hoekstra
Ballenger	Doolittle	Horn
Barr	Dreier	Hostettler
Bartlett	Duncan	Hulshof
Barton	Dunn	Hunter
Bass	Ehlers	Hutchinson
Bereuter	Ehrlich	Hyde
Biggert	Emerson	Isakson
Bilirakis	English	Issa
Blunt	Everett	Istook
Boehlert	Ferguson	Jenkins
Boehner	Flake	Johnson (CT)
Bonilla	Fletcher	Johnson (IL)
Bono	Foley	Johnson, Sam
Brady (TX)	Fossella	Jones (NC)
Brown (SC)	Frelinghuysen	Keller
Bryant	Gallegly	Kelly
Burr	Ganske	Kennedy (MN)
Burton	Gekas	Kerns
Buyer	Gibbons	King (NY)
Callahan	Gilchrest	Kingston
Calvert	Gillmor	Kirk
Camp	Gilman	Knollenberg
Cannon	Goode	Kolbe
Cantor	Goodlatte	LaHood
Capito	Gordon	Largent
Castle	Goss	Latham
Chabot	Graham	LaTourette
Chambliss	Granger	Leach
Coble	Graves	Lewis (CA)
Collins	Green (WI)	Lewis (KY)
Combest	Greenwood	Linder
Cooksey	Grucci	LoBiondo
Crane	Gutknecht	Lucas (OK)
Crenshaw	Hansen	Manzullo
Cubin	Hart	McCrery
Culberson	Hastings (WA)	McHugh
Cunningham	Hayes	McInnis

McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—205

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—5

Cox
Dooley
Eshoo
Etheridge
Houghton

□ 1433

Messrs. JACKSON of Illinois, LANGEVIN, BACA, DAVIS of Illinois, BERRY, RUSH, TAYLOR of Mississippi, and Ms. BROWN of Florida changed their vote from ''yea'' to ''nay.''

Mr. PORTMAN changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the resolution.

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

RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 223, noes 205, not voting 5, as follows:

[Roll No. 170]

AYES—223

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Carson (OK)
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOES—205

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Clay
Clayton
Clement
Clyburn
Condit
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—5

Conyers
Cox
Eshoo
Houghton
Smith (WA)

□ 1444

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RECOGNIZING AND SUPPORTING GOALS AND IDEAS OF AMERICAN YOUTH DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, House Resolution 124.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and agree to the resolution, House Resolution 124, on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 8, as follows:

[Roll No. 171]

YEAS—424

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Solis
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—8

Berkley
Cox
DeLay
Fletcher
Houghton
Kelly
Schiff
Smith (WA)

□ 1454

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONSIDERING MEMBER AS FIRST SPONSOR OF H.R. 1594, FOREIGN MILITARY TRAINING RESPONSIBILITY ACT

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that I might hereafter be considered as first sponsor of H.R. 1594, a bill originally introduced by Representative Moakley of Massachusetts, for the purposes of adding cosponsors and requesting reprints pursuant to clause 7 of rule XII.

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

There was no objection.

2001 SUPPLEMENTAL APPROPRIATIONS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 171 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2216.

□ 1454

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes, with Mr. BEREUTER in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair has been advised that the gentleman from Wisconsin (Mr. OBEY) has a bit of laryngitis and, for that reason, wishes to pass control of his time to the gentleman from Pennsylvania (Mr. MURTHA). Without objection, it is so ordered.

There was no objection.

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

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

(Mr. YOUNG of Florida asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Florida. Mr. Chairman, I am pleased to bring to the House the 2001 Supplemental Appropriations bill. While this is the first appropriations activity on the floor of this Congress, it is actually the last appropriations action for the last Congress because this is a supplemental dealing with fiscal year 2001 funding.

The bill before us represents our best attempt to address funding shortfalls for our military, provide emergency assistance to communities impacted by natural disasters, and secure relief for

consumers affected by high energy costs.

We have accomplished this within the funding levels requested by the President and approved by the Congress in the budget resolution. In other words, if we were to go above the $6.5 billion provided in this bill, we would be violating budgetary constraints which would cause serious problems. And in the other body, the chairman of the Committee on Appropriations has said publicly that $6.5 billion is the maximum because if they were to go over that, they would be subject to a 60-vote point of order.

Mr. Chairman, let me briefly discuss the highlights of the bill and after the gentleman from Pennsylvania (Mr. MURTHA) makes his comments, I would yield to several of the subcommittee chairmen who have played a major role in preparation of this bill.

The net funding in this bill is $6.5 billion. However, it provides for $6.75 billion to address these urgent defense needs, including rising fuel costs, military health care, readiness and operations requirements, substandard housing for our troops scattered throughout the world and especially in Korea, repair of damages to the U.S.S. *Cole*, disaster assistance for damage to U.S. military installations, and implementation of the Department of Defense's energy conservation plan in California and the western United States.

Also included is $92 million sum for the Coast Guard operational needs. The bill also includes $380 million for emergency natural disaster assistance to the U.S. Army Corps of Engineers, Fish and Wildlife Service for the Forest Service for the recent midwestern floods, ice storms, earthquakes, and wildfire land management.

Additional energy needs are met by adding $150 million to the President's budget request of $150 million for LIHEAP. We doubled that to $300 million. It provides $161 million to implement last year's conference agreement on title I education for the disadvantaged program, $44.2 million to avert a potential deficit in the House Member's representation allowances, and $115 million to enable the Department of the Treasury to mail out the tax rebate checks that go to almost every American taxpayer.

As I said earlier, the bill includes offsets in order to stay within the 2001 budget, so the $6.75 billion is netted at $6.5 billion. There will be an issue discussed at length today in our offsets. We have a one-for-one offset of unobligated FEMA balances to support non-defense emergency spending needs for natural disasters.

FEMA will still have large carryover balances in excess of $1.6 billion even after this rescission. I would say to the Members who are concerned about the use of the emergency designation, normally and in the past, we have declared emergencies which allowed us to spend money over and above the top line in the bill. That is not the case here. These emergency declarations do not increase any funding because they have been offset. The reason we use the emergency designation is because the funds were rescinded or transferred from a fund that was created by an emergency designation in the last Congress.

□ 1500

And so it is a one-for-one offset. The emergency designation is technical. It does not add any additional money to this bill.

Mr. Chairman, those are the highlights of this bill. There is a lot more detail. We have a point paper that indicates all of the major items included in this bill which is available to any Member that would like to have it.

Mr. Chairman, I am pleased to bring to the House the 2001 Supplemental Appropriations Bill.

The bill before you represents our best attempt to address funding shortfalls in our military, provide emergency assistance to communities impacted by natural disasters, and secure relief for consumers affected by high energy costs. We have accomplished this within the funding levels requested by the President and approved by the Congress in the Budget Resolution.

We made a commitment to stay within the $6.5 billion provided under the Budget Resolution even though we had a number of emergency natural disaster requirements and other non-emergency requirements that were not requested by the Administration. We found offsets for the additional spending. So even with emergencies, the FY 2001 cap provided in the Budget Resolution has not been exceeded. The emergencies are offset.

The bill includes over $6.75 billion to address urgent defense needs, including rising fuel costs, military health care program needs, readiness and operations requirements, substandard housing for our troops stationed in Korea, repair of damages to the U.S.S. *Cole*; disaster assistance for damage to U.S. military installations and implementation of DOD's energy conservation plan in California and the Western United States. Also included is $92 million for Coast Guard operational needs.

The bill also includes $389 million for emergency natural disaster assistance to the U.S. Army Corps of Engineers, Fish and Wildlife Service, and the Forest Service from the recent Midwestern floods, ice storms, and earthquakes and for wildland fire management. Funding is also included for the Bureau of Indian Affairs San Carlos Irrigation Project to avert potential electricity blackouts in rural Arizona.

Additional energy needs are met by $300 million included in the bill for the Low Income Home and Energy Assistance Program (LIHEAP), twice the amount requested by the President and highest level in the program's history.

The bill provides $161 million to implement last year's conference agreement on Title 1, Education for the Disadvantaged program; $44.2 million to avert a potential deficit in House Members Representational Allowances and $115 million to enable the Department of Treasury to mail out tax rebate checks.

As I said earlier, the bill includes offsets in order to stay within the FY 2001 budget cap. We have included a one-for-one offset of unobligated FEMA balances to support non-defense emergency spending needs for natural disasters. We believe FEMA still has large carryover balances in excess of $1.6 billion after this reduction which should be sufficient to meet emerging needs, such as the floods in Texas.

There are many other important issues addressed in this bill. The report provides a more complete description of them.

While I recognize that this bill is not going to please everybody, a lot of people need this bill, including us, because of badly needed funds to operate the House of Representatives.

Now, the bill is before the entire House for consideration. One amendment has been made in order under the rule, but I expect that many more will be offered. We will have a long day, and I urge all members to be brief as the House perfects this bill.

The bill as reported by the Committee is a good bill. I hope that throughout the day we can improve it.

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

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

Most of this bill is a bipartisan bill. The defense portion of it, which is the largest section, is bipartisan. But it is late and certainly inadequate. The gentleman from Florida just mentioned the fact that it is inadequate. The chairman of the subcommittee mentions that it is inadequate. In the past normally, we have gone to the emergency side where we were not artificially capped by the legislation and passed an adequate amount of money. But realizing the problems we have not only here but in the other body, we know that it is going to be very difficult to pass anything any larger.

The thing that worries us the most on this side is some of the disaster relief money that is not available and the fact that one of the ways we have found money to fund some of the other programs is take out of FEMA. Yet we have gotten a letter from the OMB Director and also from the FEMA Director that says he estimates demands far in excess of the amount of money that is available. We have nothing in the Federal Highway Administration's emergency relief program. It is out of money completely. Certainly those kind of considerations should have been made. I do not have to say that we always have fires and storms in California or in other places in the Midwest and we always have to fund those programs.

I am disappointed that we do not address the energy crisis, but I know that as we go along, we are getting closer and closer to getting something done. I think public pressure has finally gotten to the point where everybody realizes it. The President has said it is a crisis in California and something needs to be done. All of us recognize that we do not have the answer to it. But as a whole, this bill is in my estimation inadequate. All of us know, though, that voted for the balanced

budget amendment that we have to live within the constraints of what we have.

We have room in this bill, and I am hopeful that in the conference we will be able to make some adjustments. I know that in defense, after the review, we have indications there will be more money to take care of things that are so important to our national security. We have a substantial housing shortage, we have a shortage in the amount of money for health care even though we added to health care.

We have some problems with this bill, but ultimately I am going to support the bill. Depending on the amendments that are offered and accepted, hopefully we will have a better bill and a bill that all of us can vote for when it is finished.

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

Mr. YOUNG of Florida. Mr. Chairman, as the gentleman from Pennsylvania (Mr. MURTHA) has indicated, the largest amount of dollars in this bill goes to the Department of Defense. There are many, many more needs than this bill provides for. However, I would like to yield such time as he may consume to the gentleman from California (Mr. LEWIS), the chairman of the Subcommittee on Defense, to describe in more detail the defense part of this bill.

Mr. LEWIS of California. Mr. Chairman, I thank very much the gentleman for yielding me this time. I must say it is very interesting to be taking up the supplemental and have on the Democratic side the bill actually chaired or being handled by my partner in the Subcommittee on Defense. It is very, very appropriate. There are two things that are appropriate about that: One is the fact that the vast percentage of the dollars within this supplemental involve our national security. And the other is that the ranking member, the gentleman from Wisconsin (Mr. OBEY), is sitting over there taking notes, careful notes, to make sure that the gentleman from Pennsylvania (Mr. MURTHA) and I do not get out of line too much. We very much appreciate the effort of the gentleman from Wisconsin to expedite the process today. I want to thank him personally for his work as well as my chairman.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. This is an interesting thing. The ranking member on our side actually realizes there is a shortage in defense, and it may have something to do with his laryngitis that he cannot get the words out.

Mr. LEWIS of California. I must say he has made an immense contribution today and I appreciate it very much.

Mr. Chairman, the bill, as the gentleman from Florida has indicated, involves supplemental appropriations requirements across the board. With many of the circumstances facing the country but particularly with national defense, this bill addresses the fact that there are shortfalls in a number of areas that essentially are must-pay obligations.

Within the bill there is a total of defense appropriations amounting to some $6.3 billion. With an offset of some $834 million, the net increase is $5.46 billion. The bill reflects a broad cross-section of serious concerns dealing with our military.

I will give just a few examples regarding the elements of this bill and hold back as much as I possibly can on taking time.

An example of high priority on the part of both the President as well as the Chiefs of the various services, the bill includes $550 million to cover the costs associated with military pay and benefits, costs which are being incurred largely because of legislated changes in the pay and benefit package. In addition to that element, there is approximately $1.6 billion for funding shortfalls dealing with defense medical programs, the TRICARE program that helps provide the fundamental medical care available to our military people.

The bill also provides over $3 billion in direct support for ongoing operations and readiness. This includes $670 million to address those increases in energy costs that are being borne by DOD installations across the country. We have had a good deal of discussion already today about the impact of rising energy costs in the West. As our communities are affected, so is the military affected, and this bill attempts to begin to address that subject area.

I might mention, in connection with that, especially to those in the West who are concerned about the energy matter, another component of this appropriations bill as well as the language that goes along with it will attempt to take us in the direction of developing energy independence on our military bases, hopefully moving in the direction of having them have enough capacity to meet their needs but also have supplementary capacity that can help assist in the grid when serious shortfalls take place.

Finally, within the bill, we have provided funds for unexpected costs for a number and variety of immediate challenges and unexpected challenges. For example, the U.S.S. *Cole*, that tragedy that occurred not so long ago, there is a $44 million amount. There is also $40 million for damages at defense facilities resulting from national disasters, but the *Cole* is an obvious illustration of the kind of emergency needs that we are talking about.

We would hope in the months and years ahead to be able to establish guidelines within defense appropriations that will essentially take us to the point of not having to have supplemental appropriations bills. But clearly emergencies do come along. We have illustrations of those in the chairman's statement and mine as well.

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

I know we have set up a unanimous-consent request which will give people time on the amendments. I really think we ought to get into the amendment process since we are going to have a late evening, anyway.

Mr. LAFALCE. Mr. Chairman, I rise as Ranking member of the Financial Services Committee to discuss the housing provisions in this bill.

This bill continues the practice in recent years of diverting affordable housing resources to non-housing programs. Specifically, the bill rescinds $114 million in Section 8 funds. There are two problems with this. First, it is not clear that HUD will have sufficient Section 8 budget authority to meet all its obligations in the current fiscal year if this rescission is adopted.

Secondly, even if there is not a problem in the current fiscal year, this rescission takes away over $100 million in budget authority that could otherwise be used to restore a portion of the billions of dollars of cuts in housing programs proposed in the Administration's fiscal year 2002 budget.

The Administration justified these cuts as necessary to offset technical increases in Section 8 authority. It would be totally unjustified if the majority party brings a VA–HUD appropriations bill to the floor next month which cuts housing funding, citing rising Section 8 costs, while it diverts Section 8 funds today that could be used to restore those cuts.

I would also like to point out that this bill adopts the Administration approach to resolving the FHA multi-family loan crisis—raising premiums which will be passed along in the form of higher rents to working families, and supplementing that with $40 million in credit subsidy. While this means that the program will probably be back up again in 30 days or so, it is the wrong solution to the problem.

First, the FHA shutdown was totally unnecessary. The Administration should have used the $40 million Congress appropriated last year to keep the program running. It is unreasonable that the Administration refused to use that $40 million, but is now requesting a new $40 million. Second, instead of raising premiums, we should have used a tiny portion of the billions of dollars in annual FHA profits as credit subsidy to keep the program running, without fee increases.

Finally, I would note that this bill ignores the funding crises in public housing caused by the huge run-up in utility costs, which have not been reimbursed under the federal operating subsidy.

In so many ways, this bill is a disservice to the Nation's housing needs.

Mr. UDALL of Colorado. Mr. Chairman, I regret that I cannot support this bill today.

I am not saying the bill's provisions are all bad. While I think some things in it are questionable, it does include some very good things.

For example, it would add $100 million for essential environmental restoration and waste management at Savannah River, Hanford, and other sites in the DOE complex and to acquire additional containers for shipping wastes to the Waste Isolation Pilot Plant. These are important for Colorado, because our ability to have the Rocky Flats site cleaned up and closed by 2006 depends on the ability of other

sites in the complex to play their roles in that process. So, I am very appreciative that the appropriations committee has responded to these needs.

Similarly, the additional $300 million for low-income home energy assistance will enable that important program to provide much needed assistance this year, even if it will not meet all needs.

And the bill includes other good and important provisions as well.

But for me all the good things in the bill are outweighed by one glaring omission—the total absence of any funds to pay already-approved claims under the Radiation Exposure Compensation Act, or ''RECA.''

RECA provides for payments to individuals who contracted certain cancers and other serious diseases because of exposure to radiation released during above-ground nuclear weapons tests or as a result of their exposure to radiation during employment in underground uranium mines. Some of my constituents are covered by RECA, as are hundreds of other Coloradans and residents of New Mexico and other states.

Last year, the Congress amended RECA to cover more people and to make other important modifications. I supported those changes. But there was one needed change that was not made—we did not make the payments automatic. Unless and until we make that change, the RECA payments can only be made when Congress appropriates money for that purpose.

And the undeniable fact is that we in the Congress have not appropriated enough money to pay everyone who is entitled to be paid under RECA. As a result, people who should be getting checks are instead getting letters from the Justice Department.

Those letters—IOUs, you could call them—say that payments must await further appropriations. What they mean is that we in the Congress have failed to meet a solemn obligation. We failed to meet it when we passed the regular appropriations bill for the Justice Department—and we are failing to meet it again today.

In February, along with other Members, I wrote President Bush about the problem of RECA payments. I wanted him to be aware of the problem and hoped that he would ask Congress to promptly provide additional funds so that people would not have to wait much longer for payments. I greatly regret that the President did not see fit to make that request—but I regret even more that the appropriations committee has not stepped up to the challenge and has not included RECA funds in this bill.

We need to do better. We should change the law so that future RECA payments will not depend on annual appropriations, but instead will be paid automatically in the way that we now have provided for payments under the new compensation program for certain nuclear-weapons workers made sick by exposure to radiation, beryllium, and other hazards. I have joined in sponsoring legislation to make that change.

But right now, today, we need to provide all the funds needed to pay the claims that have already been approved and all the ones that will be approved during the rest of the fiscal year. To fail to do that is to continue what the Denver Post has correctly described as a ''betrayal'' of sick and dying people that is ''disgusting and dishonorable.''

This bill, as it now stands, would continue that betrayal, and so I cannot support it.

Mr. YOUNG of Florida. Mr. Chairman, I submit the following tables for the RECORD.

H.R. 2216 - SUPPLEMENTAL APPROPRIATIONS ACT FOR FY 2001
(Amounts in thousands)

	Budget request	Recommend in the bill	Bill compared with request
TITLE I - NATIONAL SECURITY MATTERS			
CHAPTER 1			
DEPARTMENT OF DEFENSE - MILITARY			
Military Personnel			
Military Personnel, Army	164,000	164,000	.....
Military Personnel, Navy	84,000	84,000	.....
Military Personnel, Marine Corps	69,000	69,000	.....
Military Personnel, Air Force	126,000	119,500	-6,500
Reserve Personnel, Army	52,000	52,000	.....
Reserve Personnel, Air Force	2,000	8,500	+6,500
National Guard Personnel, Army	6,000	6,000	.....
National Guard Personnel, Air Force	12,000	12,000	.....
Total, Military Personnel	515,000	515,000	.....
Operation and Maintenance			
Operation and Maintenance, Army	655,800	659,600	+3,800
Operation and Maintenance, Navy	953,400	948,100	-5,300
Operation and Maintenance, Marine Corps	54,400	54,400	.....
Operation and Maintenance, Air Force	853,200	840,000	-13,200
Operation and Maintenance, Defense-Wide	93,800	123,100	+29,300
Operation and Maintenance, Army Reserve	20,500	20,500	.....
Operation and Maintenance, Navy Reserve	12,500	12,500	.....
Operation and Maintenance, Marine Corps Reserve	1,900	1,900	.....
Operation and Maintenance, Air Force Reserve	34,000	34,000	.....
Operation and Maintenance, Army National Guard	42,900	38,900	-4,000
Operation and Maintenance, Air National Guard	119,300	119,300	.....
Total, Operation and maintenance	2,841,700	2,852,300	+10,600
Procurement			
Other Procurement, Army	3,000	3,000	.....
Shipbuilding and Conversion, Navy:			
SCN, 1995/2001:			
Carrier Replacement Program	84,000	84,000	.....
DDG-51 Destroyer Program	.....	300	+300
SCN, 1996/2001:			
DDG-51 Destroyer Program	41,000	14,600	-26,400
LPD-17 Amphibious Transport Dock Ship Program	65,000	65,000	.....
SCN, 1997/2001:			
DDG-51 Destroyer Program	.....	12,600	+12,600
SCN, 1998/2001:			
NSSN Program	32,000	32,000	.....
DDG-51 Destroyer Program	.....	13,500	+13,500
Subtotal, SCN	222,000	222,000	.....
Aircraft Procurement, Air Force	84,000	84,000	.....
Missile Procurement, Air Force	.....	15,500	+15,500
Procurement of Ammunition, Air Force	73,000	73,000	.....
Other Procurement, Air Force	162,900	85,400	-77,500
Procurement, Defense-Wide	5,800	5,800	.....
Total, Procurement	550,700	488,700	-62,000

H.R. 2216 - SUPPLEMENTAL APPROPRIATIONS ACT FOR FY 2001
(Amounts in thousands)

	Budget request	Recommend in the bill	Bill compared with request
Research, Development, Test and Evaluation			
Research, Development, Test and Evaluation, Army	.....	5,000	+5,000
Research, Development, Test and Evaluation, Navy	108,000	151,000	+43,000
Research, Development, Test and Evaluation, Air Force	247,500	275,500	+28,000
Research, Development, Test and Evaluation, Defense-Wide	85,000	94,100	+9,100
Total, RDT&E	440,500	525,600	+85,100
Revolving and Management Funds			
Defense Working Capital Funds	178,400	178,400	.....
Other Department of Defense Programs			
Defense Heath Program:			
Operation and maintenance	1,453,400	1,453,400	.....
Military treatment facility optimization	.....	200,000	+200,000
Drug Interdiction and Counter-Drug Activities, Defense	.....	1,900	+1,900
Total, Other DoD Programs	1,453,400	1,655,300	+201,900
General Provisions			
O&M, Navy: U.S.S. Cole repair	44,000	.....	-44,000
Emergency appropriations	.....	44,000	+44,000
Aircraft Procurement, Navy (P.L. 106-259) (rescission)	-235,000	.....	+235,000
Aircraft Procurement, Air Force (P.L. 106-259) (rescission)	-270,000	.....	+270,000
Overseas Contingency Operations Transfer Fund (P.L. 106-259) (rescission)	-61,000	.....	+61,000
Rescissions	.....	-834,000	-834,000
Natural disasters (emergency)	.....	39,900	+39,900
Total, chapter 1 (net)	5,457,700	5,465,200	+7,500
Appropriations	(6,023,700)	(6,215,300)	(+191,600)
Rescissions	(-566,000)	(-834,000)	(-268,000)
Emergency appropriations	.....	(83,900)	(+83,900)
CHAPTER 2			
DEPARTMENT OF ENERGY			
National Nuclear Security Administration			
Weapons Activities	140,000	140,000	.....
Other Defense Related Activities			
Defense Environmental Restoration and Waste Management	100,000	100,000	.....
Defense Facilities Closure Projects	21,000	21,000	.....
Defense Environmental Management Privatization	29,600	27,472	-2,128
Total, chapter 2	290,600	288,472	-2,128
CHAPTER 3			
MILITARY CONSTRUCTION			
Military construction, Army	.....	67,400	+67,400
Military construction, Navy	.....	10,500	+10,500
Military construction, Air Force	18,000	8,000	-10,000
Family Housing, Army	27,200	29,480	+2,280
Family Housing, Navy and Marine Corps	20,300	20,300	.....
Family Housing, Air Force	18,000	18,000	.....
Base realignment and closure account, part IV	9,000	9,000	.....

H.R. 2216 - SUPPLEMENTAL APPROPRIATIONS ACT FOR FY 2001
(Amounts in thousands)

	Budget request	Recommend in the bill	Bill compared with request
General Provisions			
Rescissions	.....	-70,500	-70,500
Total, chapter 3 (net)	92,500	92,180	-320
Appropriations	(92,500)	(162,680)	(+70,180)
Rescissions	.....	(-70,500)	(-70,500)
Total, title I, National Security Matters (net)	5,840,800	5,845,852	+5,052
TITLE II - OTHER SUPPLEMENTAL APPROPRIATIONS			
CHAPTER 1			
DEPARTMENT OF AGRICULTURE			
Animal and Plant Health Inspection Service			
Salaries and expenses	35,000	.....	-35,000
General Provisions			
Klamath Basin	20,000	.....	-20,000
Total, chapter 1	55,000	.....	-55,000
CHAPTER 2			
DISTRICT OF COLUMBIA FUNDS			
General Fund			
Governmental direction and support (including rescission)	(5,150)	(5,150)	.....
Economic development and regulation	(1,625)	(1,625)	.....
Public safety and justice (including rescission)	(8,770)	(8,770)	.....
Public education system	(1,000)	(1,750)	(+750)
(By transfer)	(250)	(250)	.....
Human support services	(28,000)	(28,000)	.....
Public works	(131)	(131)	.....
Workforce investments	(40,500)	(40,500)	.....
Wilson Building	(7,100)	(7,100)	.....
Total, general fund (including transfer)	(92,526)	(93,276)	(+750)
Enterprise and Other Funds			
Water and Sewer Authority and the Washington Aqueduct	(2,151)	(2,151)	.....
Total, chapter 2 (including transfer)	(94,677)	(95,427)	(+750)
CHAPTER 3			
DEPARTMENT OF DEFENSE - CIVIL			
Department of the Army			
Corps of Engineers - Civil			
Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee (emergency)	.....	18,000	+18,000
Operation and Maintenance, General (emergency)	.....	115,500	+115,500
Flood Control and Coastal Emergencies	50,000	.....	-50,000
Emergency appropriations	.....	50,000	+50,000
DEPARTMENT OF ENERGY			
Energy Programs			
Non-Defense Environmental Management	11,400	11,950	+550
Uranium Facilities Maintenance and Remediation	18,000	18,000	.....

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(Amounts in thousands)

	Budget request	Recommend in the bill	Bill compared with request
Power Marketing Administrations			
Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administation	.....	1,578	+1,578
Total, chapter 3	79,400	215,028	+135,628
Appropriations	(79,400)	(31,528)	(-47,872)
Emergency appropriations	.....	(183,500)	(+183,500)
CHAPTER 3A			
INTERNATIONAL ASSISTANCE PROGRAMS			
International Security Assistance			
Economic Support Fund (rescission)	-20,000	.....	+20,000
CHAPTER 4			
DEPARTMENT OF THE INTERIOR			
Bureau of Indian Affairs			
Operation of Indian Programs	50,000	.....	-50,000
Emergency appropriations	.....	50,000	+50,000
United States Fish and Wildlife Service			
Construction (emergency)	.....	17,700	+17,700
National Park Service			
United States Park Police	.....	1,700	+1,700
RELATED AGENCY			
DEPARTMENT OF AGRICULTURE			
Forest Service			
State and Private Forestry (emergency)	.....	22,000	+22,000
National Forest System (emergency)	.....	12,000	+12,000
Wildland Fire Management (emergency)	.....	100,000	+100,000
Capital Improvement and Maintenance (emergency)	.....	4,000	+4,000
Total, chapter 4	50,000	207,400	+157,400
Appropriations	(50,000)	(1,700)	(-48,300)
Emergency appropriations	.....	(205,700)	(+205,700)
CHAPTER 5			
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Administration for Children and Families			
Low Income Home Energy Assistance Program	150,000	300,000	+150,000
DEPARTMENT OF EDUCATION			
Education for the disadvantaged	.....	161,000	+161,000
Total, chapter 5	150,000	461,000	+311,000

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(Amounts in thousands)

	Budget request	Recommend in the bill	Bill compared with request
CHAPTER 6			
LEGISLATIVE BRANCH			
Congressional Operations			
House of Representatives			
Payments to Widows and Heirs of Deceased Members of Congress			
Gratuities, deceased Members (Sisisky, Moakley)	.....	290	+290
Salaries and Expenses			
Members' Representational Allowances, Standing Committees, Special and Select,	47,214	44,214	-3,000
Committee on Appropriations, Allowances and Expenses Salaries, Officers and Employees	14,448	17,448	+3,000
Total	61,662	61,662	.....
Office of Compliance			
Salaries and expenses	35	35	.....
Government Printing Office			
Congressional Printing and Binding	9,900	11,900	+2,000
Government Printing Office Revolving Fund	6,000	6,000	.....
Library of Congress			
Salaries and expenses	.....	600	+600
General Accounting Office			
Salaries and expenses	2,600	.....	-2,600
Total, chapter 6	80,197	80,487	+290
CHAPTER 7			
DEPARTMENT OF TRANSPORTATION			
Federal Aviation Administration			
Grants-in-aid for airports (Airway and Airport Trust Fund) (rescission of contract authorization)	.....	-30,000	-30,000
Coast Guard			
Operating Expenses	92,000	92,000	.....
Total, chapter 7 (net)	92,000	62,000	-30,000
CHAPTER 8			
DEPARTMENT OF THE TREASURY			
Departmental Offices			
Salaries and Expenses (Winter Olympics security)	60,601	.....	-60,601
Tax Rebate Implementation	115,776	.....	-115,776
Financial Management Service			
Salaries and expenses	.....	49,576	+49,576
Internal Revenue Service			
Processing, assistance, and management	.....	66,200	+66,200
Total, chapter 8	176,377	115,776	-60,601

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(Amounts in thousands)

	Budget request	Recommend in the bill	Bill compared with request
CHAPTER 9			
DEPARTMENT OF VETERANS AFFAIRS			
Veterans Benefits Administration			
Compensation and Pensions	589,413	589,413	.....
Readjustment Benefits	347,000	347,000	.....
Departmental Administration			
General Operating Expenses (transfer from Medical Care)	(19,000)	(19,000)	.....
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
Public and Indian Housing			
Housing certificate fund (rescission)	.....	-114,300	-114,300
Housing Programs			
Manufactured housing fees trust fund	.....	6,100	+6,100
Fees collected	.....	-6,100	-6,100
Federal Housing Administration			
FHA--General and Special Risk Program Account	40,000	40,000	.....
DEPARTMENT OF DEFENSE - CIVIL			
Cemeterial Expenses, Army			
Salaries and expenses	.....	243	+243
Federal Emergency Management Agency			
Disaster relief (rescission of emergency appropriations)	.....	-389,200	-389,200
Total, chapter 9 (net)	976,413	473,156	-503,257
Appropriations	(976,413)	(976,656)	(+243)
Rescissions	.....	(-503,500)	(-383,540)
Rescission of emergency appropriations	.....	(-389,200)	(-389,200)
Total, title II, Other Supplementals (net)	1,639,387	1,614,847	-24,540
Grand total (net)	7,480,187	7,460,699	-19,488
Appropriations	(8,066,187)	(8,425,599)	(+359,412)
Rescissions	(-586,000)	(-1,048,800)	(-462,800)
Rescission of emergency appropriations	.....	(-389,200)	(-389,200)
Emergency appropriations	.....	(473,100)	(+473,100)
(By transfer)	(19,000)	(19,000)	.....

Mr. CROWLEY. Mr. Chairman, I am greatly dismayed to see that desperately needed earthquake assistance to both India and El Salvador are missing from this supplemental appropriations bill. We have shortchanged the many men, women and children who lost their homes, their belongings, their very livelihoods because of these two devastating earthquakes.

We all spoke so eloquently in their aftermath but, to date, have delivered a paltry $13 million from existing funds taken from child survival programs at US AID for Indian assistance.

This is an embarrassment.

The Gujarati Indians in my district in Queens and the Bronx are outraged that the U.S. government has done so very little for friends and family members who are suffering in the aftermath of the January earthquake after the promises made to them by our government.

Until the people of Gujarat, India and El Salvador are provided the opportunity to rebuild their lives and their economy, those that were not lost in the earthquakes of January and February, we should not relent in our calls for assistance.

This is a humanitarian issue.

This is a political issue.

This is an economic issue.

Today's Asia times notes that India's gross domestic product is likely to slip below 6 percent in the current fiscal year.

This is attributed, in part, to the significant impact of the earthquake in Gujarat.

The people of India and El Salvador must have our help.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and the amendment printed in part A of House Report 107–102 is adopted.

The amendment printed in part B of the report may be offered only by a Member designated in the report and only at the appropriate point in the reading of the bill, shall be considered read, and shall not be subject to amendment or to a demand for division of the question.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I

NATIONAL SECURITY MATTERS

CHAPTER 1

DEPARTMENT OF DEFENSE-MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $164,000,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $84,000,000.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

I thank the ranking member of both the full committee and the subcommittee and I thank the chairman of the full committee and the subcommittee. I note that the general debate mentioned issues that are of great concern to my community in Houston, Texas, and the surrounding areas. I am pleased that in striking the last word that as this amendment is being discussed, that I am also able to raise these very pertinent issues.

Today as we speak, the FEMA Director, the Governor of my State, the mayor of my city and the county judge are making a second tour and looking at the disaster designation and the terrible pain and impact of Tropical Storm Allison that just a few days ago dropped 36 inches of rain. There is a wide, wide breadth of devastation, from 20,000 homes and displaced residents to the major shutdown of a nationally renowned medical center, to universities being inoperable, schools being inoperable and people out of their homes. I am very disappointed that we could not find the opportunity to be able to put in a mark for Houston or an increased supplemental for FEMA. I am grateful to the Committee on Appropriations for taking note of the devastation in Houston, and I look forward to working with them as we progress.

I would simply say that there is an amendment being put forward that I would be inclined to support. It seems that it is adding back the $389 million to FEMA, if I am correct, but it represents a major across-the-board cut, almost to the extent of asking us to sacrifice many, many national needs for the pain and suffering of Houston.

I have in the RECORD three amendments that I hope to clarify the point of order and may have the opportunity to submit, and, that is, a $50 million increase to FEMA as well as a restoration of the Highway Trust Fund because our roads are in devastation, and additionally one that deals with India disaster.

Mr. Chairman, I am here to say that I appreciate the sensitivity of my colleagues. Many of them have asked about Houston. I appreciate the sensitivity of the Committee on Appropriations, recognizing that we have this terrible, disastrous impact. I would ask that as we proceed in the amendment process, that my amendments may be considered if the point of order has been lifted, but otherwise that we continue to work together so that the community that I represent and surrounding areas along with my colleagues from Texas can have true rehabilitation to be able to get back on their feet.

I thank the Members very much. I thank the gentleman from Pennsylvania (Mr. MURTHA) for the opportunity, the gentleman from Florida (Mr. YOUNG), the gentleman from California (Mr. LEWIS), and the gentleman from Wisconsin (Mr. OBEY) for allowing me to discuss this very important, devastating impact on Houston and the surrounding areas.

Mr. NUSSLE. Mr. Chairman, I move to strike the last word.

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

Mr. NUSSLE. Mr. Chairman, I rise in support of H.R. 2216, a bill providing supplemental appropriations for fiscal year 2001. As the chairman of the Committee on the Budget, I would advise my colleagues that this bill is within the levels established by the budget resolution and complies with the Congressional Budget Act.

H.R. 2216 provides for a net increase in budget authority of $6.5 billion. This amount reflects appropriations of $7.9 billion in new budget authority and a rescission of $1.4 billion. The vast majority of the appropriations provided by this bill is related to national defense.

The Concurrent Resolution on the Budget for Fiscal Year 2002, H. Con. Res. 83, revised the 302(a) allocations to the Committee on Appropriations for fiscal year 2001 to accommodate this supplemental appropriations bill, providing up to $6.5 billion in nonemergency supplemental appropriations.

The bill is within the revised 302(b) allocations to the Committee on Appropriations established by the budget resolution and therefore complies with section 302(f) of the Congressional Budget Act.

□ 1515

This bill deserves our support. The Committee on Appropriations deserves our commendations for meeting our defense and domestic needs while staying within the levels agreed to by the Congress as part of the budget resolution. I compliment the chairman and the committee on doing so and I rise, as I say, in support of this H.R. 2216.

Mrs. ROUKEMA. Mr. Chairman, I move to strike the last word.

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

Mrs. ROUKEMA. Mr. Chairman, as the Chair of the Subcommittee on Housing and Community Opportunity, I want to speak out on the work that is included here, the $40 million in credit subsidy for FHA multifamily loan guarantee program in this supplemental. It certainly is absolutely necessary, and I want to thank the committee for its insightfulness and for its leadership here in including it.

Now with this $40 million credit subsidy, HUD will be able to resume lending under the FHA multifamily housing insurance program; and it will allow us, the Congress, the committee and the full Congress, the time necessary to determine a solution to future funding and operation of this program. It does need reform, and we have to deal with it in the future in a realistic way.

I will not take up any more of the time here, except to say that I look forward to working with Secretary Martinez. He and I have discussed this. We have gone into some depth about it; and I know that they, they being the Department and Secretary Martinez, have recently issued an interim rule to increase the mortgage insurance premium on this program by 30 basis points. Whether or not this will be the final way to deal with it, we are not quite sure; but we have committed to working together on a bipartisan basis.

I want to commend the President and the committee for including $40 million in credit subsidy for the FHA Multifamily loan guarantee program in the Supplemental Appropriations for FY 2001.

Providing this $40 million in credit subsidy now will allow HUD to resume lending under the FHA Multifamily insurance program and allow us the time necessary to determine a solution to future funding and operation of this program. Congress anticipated the need for this additional $40 million in credit subsidy last year when it was included as part of the Legislative Branch Appropriations Act which passed the House on December 21, 2000.

On May 17, I joined with my Ranking Minority Member on the Housing Subcommittee in asking the Secretary to release the $40 million approved by the House last year, so I am particularly pleased to see the $40 million in this legislation today.

This country is facing a growing affordable housing crisis for low- and moderate-income families. Despite the fact that more and more people are sharing in the American dream of home-ownership, many working families are finding it more difficult to find affordable rental housing. It is estimated that $3.5 billion in federally backed loans to build 51,289 affordable rental apartments are in jeopardy unless we take steps to address the current shutdown of this program. This translates into lost construction jobs, unbuilt rental housing units and a significant economic impact which could ripple across the country.

I am anxious to work with Secretary Martinez and the members of this Committee to determine a long-term funding solution for this program. I know that HUD has recently issued an interim rule to increase the Mortgage Insurance Premium on this program by 30 basis points. The goal of this increase in premium is to provide the funding necessary for this program in the future. It is my understanding that this interim rule will take effect when published and will provide the funds necessary to keep the program running for the remainder of fiscal year 2001 and into 2002. However, this rule is not final and there will be an opportunity for comments and changes to this interim rule if deemed necessary.

While I am anxious to take steps to provide a permanent funding source for this program, I want to make sure that the 30 basis point increase is the appropriate action. In addition, I believe it is important to review the calculations used by OMB in determining the level of credit subsidy necessary for a program like this that appears to have a very low default rate. For this reason, I will be asking OMB to rationalize how it assess the risk of this program to the government.

Mr. YOUNG of Florida. Mr. Chairman, I have a unanimous consent request that has been worked out with the minority, and it has to do with amendments that are subject to a point of order. We are more than willing to allow some debate on those amendments before they are either withdrawn or the point of order pressed.

Mr. Chairman, I ask unanimous consent that debate on the following specified amendments to the bill, and any amendments thereto, be limited to the time specified, equally divided and controlled by the proponent and myself:

Number 1, an amendment to be offered by the gentlewoman from California (Ms. PELOSI) regarding energy price caps for 30 minutes;

Number 2, an amendment to be offered by the gentleman from California (Mr. FARR) regarding the national power grid for 20 minutes;

Number 3, an amendment to be offered by the gentlewoman from Connecticut (Ms. DELAURO) relating to LIHEAP for 20 minutes;

Number 4, an amendment to be offered by the gentleman from Indiana (Mr. VISCLOSKY) relating to dams and hydroelectric power for 20 minutes;

Number 5, an amendment to be offered by the gentleman from Texas (Mr. BENTSEN) relating to FEMA for 20 minutes; and

Number 6, an amendment to be offered by the gentleman from Missouri (Mr. SKELTON) relating to funding for the Department of Defense for 20 minutes; and

that such debate may occur pending the reservation of a point of order on each amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. KUCINICH. Reserving the right to object, Mr. Chairman, I would like to ask the gentleman from Florida (Chairman YOUNG) a question.

Mr. Chairman, would the gentleman from Florida (Mr. YOUNG) read the two bills that were energy related, the two amendments that were energy related, one by the gentlewoman from California (Ms. PELOSI) and the other one by the gentleman from Oregon (Mr. DEFAZIO).

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Chairman, I thought we had one by the gentlewoman from California (Ms. PELOSI), one by the gentleman from California (Mr. FARR), and LIHEAP I would think would be considered an energy issue; the Visclosky amendment relating to dams and hydroelectric is certainly energy related.

Mr. KUCINICH. The one on price caps, is that offered by the gentlewoman from California (Ms. PELOSI)?

Mr. YOUNG of Florida. The Pelosi amendment, yes, regarding energy price caps.

Mr. KUCINICH. I was not here earlier, but does the gentlewoman from California (Ms. PELOSI) agree to that limitation?

Mr. YOUNG of Florida. Yes. The point is that these would be subject to a point of order and there could be no debate if we raised the point of order.

Mr. KUCINICH. I understand.

Mr. YOUNG of Florida. So in our spirit of generosity, bipartisanship and comradeship, we are prepared to allow the debate; and then I expect that the amendments would either be withdrawn or the point of order would be pressed.

Mr. KUCINICH. Indeed, the gentleman is a gentleman.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there an objection to the request of the gentleman from Florida?

There was no objection.

Mr. WALDEN of Oregon. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first I want to thank the chairman of the full committee for his assistance and that of the administration for providing upwards of $20 million in disaster relief in this supplemental for the people, the ranchers of Klamath Falls, Oregon, in the Klamath Basin, that includes also over into California. This aid is extraordinarily important.

Saturday, the House Committee on Resources held a hearing in Klamath Falls that had to be moved to the fairgrounds because more than 2,000 people affected by this cutoff of the water turned out to hear what the Federal Government was doing.

Mr. Chairman, as we have discussed, I greatly appreciate all the efforts of the chairman and that of his staff to expedite the delivery of those funds in the form of grants to the farmers that are so affected. As we have talked, however, this is literally a drop in the bucket in terms of the disaster magnitude there. Upwards of $200 million is what they estimate will be the problem.

I wondered, Mr. Chairman, if it might be possible, recognizing this will not be the only vehicle going through this session of Congress, but if possible we could work to increase that disaster aid to these people whose fields are drying out and they are getting foreclosure notices today.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. WALDEN of Oregon. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from Oregon (Mr. WALDEN) for his comments. On page 18 of the committee report, the

gentleman is aware of the language that we put in the report that he had requested; but we are more than willing to cooperate the best we can within whatever budgetary constraint that exists at the time to deal with the gentleman's issues and would like to assure him of that and thank him very much for having discussed this with us well in advance and he gave us an opportunity to actually provide the language that he requested in the report.

Mr. WALDEN of Oregon. Mr. Chairman, I thank the gentleman from Florida (Mr. YOUNG) for his consideration. I appreciate, again, the work of his staff and himself and the other committee members for recognizing the extraordinary loss that is occurring here and the dramatic situation we are engaged in.

Mr. WATKINS of Oklahoma. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage the gentleman from Florida (Mr. YOUNG) in a colloquy. I know the gentleman has gone through a tremendous amount of work, his staff and everyone else, trying to meet the emergencies and the disasters and all the problems that we have had in this country this past year. As the gentleman knows from our earlier discussion, a devastating, once-in-a-lifetime ice storm struck southeast Oklahoma, the northeast part of Texas, Arkansas, northern Louisiana on Christmas Day 2000. Approximately $115 million was included in this bill to address the emergency funding needs of the Army Corps of Engineers.

Within this $115 million, may I inquire, does this include approximately the $10 million necessary to restore the Tulsa District of the Corps of Engineers to the levels of operations prior to the December ice storm?

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. WATKINS of Oklahoma. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would like to say, yes, the gentlemen is accurate. Approximately $10 million is included within emergency funding for the Tulsa District of the Army Corps of Engineers as aid to combat damages suffered in last winter's ice storm. I would like to add that I really appreciate the gentleman's very persuasive presentation to the committee; and because of that, we did include the $10 million to deal with that issue.

Mr. WATKINS of Oklahoma. Mr. Chairman, I thank the gentleman very much. The Army Corps of Engineers lands and the project areas within the third district of Oklahoma sustained at least $6 million in damages, and I am grateful to the committee for providing funds to address this emergency need. Like I say, it was a once-in-a-lifetime ice storm throughout the Tulsa District of the Corps of Engineers.

Mr. Chairman, I again want to thank the gentleman from Florida (Mr. YOUNG) from the depths of my heart. He and this committee and the staff have done an excellent job of working this, and I support him fully in this effort.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $69,000,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $119,500,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $52,000,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $8,500,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $6,000,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $12,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $659,600,000: *Provided*, That of the funds made available under this heading, $6,800,000 shall remain available for obligation until September 30, 2002.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for ''Operation and Maintenance, Navy'', $948,100,000: *Provided*, That of the funds made available under this heading, $7,200,000 shall remain available for obligation until September 30, 2002.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $54,400,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $840,000,000: *Provided*, That of the funds made available under this heading, $3,000,000 shall remain available for obligation until September 30, 2002.

AMENDMENT NO. 1 OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. DEFAZIO:

In chapter 1 of title I, in the paragraph under the heading ''Operation and Maintenance, Air Force'', after the aggregate dollar amount, insert the following: ''(reduced by $24,500,000)''.

Mr. DEFAZIO. Mr. Chairman, like many of my colleagues, I am concerned about the readiness of our Nation's military and the quality of life for our men and women in uniform. So of this long list just read, I have no objections; but I do have an objection to something that is buried deep within line 23 of this bill.

As John Donnelly, who I had to find out about this from the private sector, exposed in a recent ''Defense Week'' article, hidden in this line item under ''contractor logistic support'' is $24.5 million for a fleet of luxury jets for generals and admirals.

We know there is a very large fleet. In fact, the GAO, through two reports since 1994, has criticized the size of the fleet for far exceeding the wartime requirements, let alone the peacetime requirements, of the generals and admirals at the Pentagon; excessively expensive and excessively large.

Last year, over the objections of the civilians at the Pentagon, a number of generals and admirals requested, and Congress delivered, behind closed doors, eight new jets, 737s, and the special long-range Gulf Streams.

That was just last year. Now suddenly this money is specifically for the eight new jets, not for some of the aging huge fleet the GAO says should be downsized. Perhaps if they did that, they would have the money to maintain the eight new luxury jets for the generals, but this $24.5 million is a specified earmark for the new jets that the Pentagon civilians did not request to add to a fleet that the GAO says is excessively large.

I do not understand how it could cost that much money for new planes, particularly for the few months remaining in this year. I would assume this is not an emergency, unless they do not have money to stock the wet bars or something is wrong in the luxury galleys and they have to upgrade to Jennaire or something like that.

I am not quite sure why it is we suddenly need $24.5 million for eight generals and admirals' luxury jets that the Pentagon civilians did not even ask for, that Congress gave them. If they do not have enough money in this special fleet budget, then they should retire some of the aging high-cost aircraft that the GAO says are superfluous to the wartime needs, let alone the peacetime needs. I am not aware that we are currently at war anywhere in the world, although we certainly do have some extensive deployments overseas, of which I have been critical.

This line item is not an emergency. There are dozens of things in this bill on which the money could be better spent or if we chose not to spend the money we could save it to help bolster up our quickly shrinking surplus so we can move through the regular appropriations process here in the House of Representatives, without slashing domestic programs and things that the American people want to see funded.

So I suggest to my colleagues strongly that in a budget of $300 billion the Pentagon can find $24.5 million for these new luxury jets to outfit them or do whatever else is necessary, or maybe they are going to wait until next year to use them and ask for the money in their regular budget, or maybe they need to retire some obsolete aircraft from this oversized fleet.

One way or another, this is an expenditure that should not go forward, particularly stealth, an amendment hidden deep in the bill and only discovered by one very diligent reporter who ferreted this out and got some folks at the Pentagon to fess up.

□ 1530

Mr. Chairman, I would urge strongly that my colleagues support this amendment.

Mr. LEWIS of California. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is a relatively simple matter to stand and oppose new airplanes that one can designate as ''airplanes purchased for generals'' and describe them as ''luxury jets.''

The reality is that we do have a number of aircraft purchased over a number of years that are used by the leaders of all the forces within the Department of Defense and the individual branches. In this case, over the last several years we tried to replace several of those older aircraft. Some of them are as old as 40 years of age. The new aircraft that have been put in as replacements are smaller, they are modern, they are commercial, they allow the senior military leaders within the branches to carry out their very serious responsibilities in providing leadership for our national defense systems.

The Air Force budgeted $6 million in fiscal year 2001 of the President's budget for the C–37A provided for in the Fiscal Year 1999 appropriations. However, total operating costs for that C–37A have exceeded estimates, plus start-up costs for a number of other aircraft put us in a position where the total cost involved for this fiscal year is some $30.5 million. The military had already budgeted some $6 million, leaving us with a shortfall of $24.5 million.

If we were to cancel that funding, essentially we would have new aircraft in place, but no way to effectively use them in the fashion they were designed to be used in the first place.

This appropriation was considered and passed by the Congress in the past. I urge the Members to recognize the reality of this need among the leadership of the branches and urge a ''no'' vote on the amendment.

Mr. MURTHA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. I was the one that personally offered the amendment in subcommittee for both these airplanes. I talked to the CINC Central Command who has responsibility for Saudi Arabia, who was flying in an airplane where he had no communications. This is a battlefield commander in a sense. He had no communications at all, he had an antiquated 40-year-old airplane, and he could not take his entire staff to make his decisions.

General Zinni happened to be the CINC at that time. He convinced me, I convinced the subcommittee, and we have, as the chairman just said, two airplanes in place and we need the logistics systems to support those two airplanes. So it would be a mistake, in my estimation, to cut this money, and I would oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) will be postponed.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage in a colloquy with the distinguished chairman of the Committee on Appropriations, also with my colleague, the ranking member of the Subcommittee on Treasury, Postal Service and General Government, and the gentleman from Utah, who is a representative of the host State of the 2002 Winter Olympics.

Mr. Chairman, the Winter Olympics of 2002 have been designated as a National Special Security Event. That designation was made in August of 1999. Under Presidential Decision Directive 62, and now in statute under Title 18, Section 3056 of the United States Code, the United States Secret Service now has responsibility for planning security and operations for the entire event and the venues of the Winter Olympics to be held in Utah in 2002. In addition, the Secret Service has to concurrently provide for their traditional missions of protection and investigation.

Although almost 2 years has passed, Mr. Chairman, since the designation of this as a National Special Security Event, the President's submitted budget for Fiscal Year 2002 did not include necessary funding set aside for the planning of security and operations of the Treasury law enforcement for the 2002 Winter Olympics, in particular, the Secret Service, as well as related agencies.

In contrast, Mr. Chairman, as you know, the original Fiscal Year 2002 budget did include funding for security-related requirements of other Federal agencies, such as the FBI and the Federal Emergency Management Administration.

I am pleased that the supplemental request sent by the President for 2002 does fund the requirements to meet the security at the Olympics of Treasury law enforcement and, in particular, the United States Secret Service. However, Mr. Chairman, as you know and we have discussed, the committee in this particular bill has not provided that funding, although it was part of the President's request.

This colloquy is for the purpose of explaining why, less it be misunderstood. Quite simply, the money is not needed in the current fiscal year, which ends September 30. The funds will be required to cover activities that take place during the time period shortly before and during the Olympics in February of 2002. So what I wish to make clear, Mr. Chairman, is that certainly as chairman of the relevant subcommittee for providing this funding, I fully support the President's request to provide the funds for security at the Winter Olympics, and I want to affirm my intention to include the full necessary amount in the regular appropriation bill for fiscal year 2002.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. ISTOOK. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I thank the chairman for yielding, and I want to join him, my colleague from Oklahoma, in underscoring the importance of the funding for the security of the 2002 Winter Olympic games. This primary component of our public safety and anti-terrorism policy is essential to uphold public confidence and to ensure that no situation ever develops that would require the services of the FBI or FEMA.

My friend the gentleman from Utah (Mr. MATHESON) has been talking to me about this, and I know that you, Mr. Chairman, as well as the gentleman from Utah (Mr. HANSEN), who will be next speaking, have expressed great concern about this issue. I share that. I will continue to work with the gentleman from Oklahoma (Chairman ISTOOK) and the gentleman from Florida (Chairman YOUNG) to see that this funding is provided in a timely fashion.

Mr. HANSEN. Mr. Chairman, will the gentleman yield?

Mr. ISTOOK. I yield to the gentleman from Utah.

Mr. HANSEN. Mr. Chairman, I am pleased to strongly support the funding of the security planning and operations of the 2002 Winter Olympics in my home State of Utah. This funding is essential to ensure that the 2002 Winter Olympic games in Salt Lake City are conducted in safety and openness. I agree that this funding should be included in Fiscal Year 2002 appropriations.

Mr. MATHESON. Mr. Chairman, will the gentleman yield?

Mr. ISTOOK. I yield to the gentleman from Utah.

Mr. MATHESON. Mr. Chairman, I am glad to voice my continued enthusiastic support of this vital program to plan for and implement security operations in our State as we welcome the world to the 2002 Winter Olympic games in Salt Lake City. I greatly appreciate the commitment of the gentleman from Florida (Chairman YOUNG), the gentleman from Oklahoma (Mr. ISTOOK) and the ranking member, the gentleman from Maryland (Mr. HOYER), to ensure this effort is funded in a timely fashion.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for recognizing the need for funding the Secret Service, their security, planning and operations role at the 2002 Winter Olympics. I add my voice to the gentlemen from Oklahoma, Maryland and

Utah in supporting this funding, and also recommend that it be included in the Fiscal Year 2002 appropriations bills.

The CHAIRMAN. The time of the gentleman from Oklahoma (Mr. ISTOOK) has expired.

(By unanimous consent, Mr. ISTOOK was allowed to proceed for 1 additional minute.)

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will yield further, I would like to note the spending allocation provided to the Subcommittee on Treasury, Postal Service and General Government, which the gentleman chairs, for fiscal year 2002 assumes full funding of the upcoming Winter Olympics.

Mr. ISTOOK. Mr. Chairman, reclaiming my time, I thank the chairman very much, and I appreciate the opportunity through the colloquy to assure everyone involved that full necessary funding for security at the Olympics is forthcoming, as this is certainly a major event attracting so many thousands of people from throughout the world. I thank the chairman for providing the assurances and add my own that we will make sure that these needs are fully met to provide that security.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $123,100,000.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $20,500,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $12,500,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $1,900,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $34,000,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $38,900,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $119,300,000.

PROCUREMENT

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $3,000,000.

SHIPBUILDING AND CONVERSION, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Shipbuilding and Conversion, Navy'', $222,000,000, to remain available until September 30, 2001: *Provided*, That upon enactment of this Act, the Secretary of Defense shall transfer such funds to the following appropriations in the amounts specified: *Provided further*, That the amounts transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred:

To:

Under the heading, ''Shipbuilding and Conversion, Navy, 1995/2001'':

Carrier Replacement Program, $84,000,000;

DDG–51 Destroyer Program, $300,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1996/2001'':

DDG–51 Destroyer Program, $14,600,000;

LPD–17 Amphibious Transport Dock Ship Program, $65,000,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1997/2001'':

DDG–51 Destroyer Program, $12,600,000;

Under the heading, ''Shipbuilding and Conversion, Navy, 1998/2001'':

NSSN Program, $32,000,000;

DDG–51 Destroyer Program, $13,500,000.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $84,000,000.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $15,500,000.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $73,000,000.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $85,400,000.

Mr. SANDLIN. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I would like to enter into a brief colloquy with the chairman.

Mr. Chairman, I am pleased that the committee has included assistance for damages incurred by severe southern ice storms last winter. On January 8, 2001, President Clinton issued a major disaster declaration for the State of Texas due to the severity and magnitude of the damage caused by the ice storms. In Texas alone, the United States Department of Agriculture and the Texas Forest Service assessed damages to over 70,000 acres of non-industrialized private forestland with an estimated economic impact of over $46 million.

I want to clarify that the committee recognizes that Texas private and public landowners incurred substantial damage resulting from the ice storms of December 12 to January 8, 2001.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Chairman, the Committee on Appropriations does recognize the impact of last winter's ice storms to private and public landowners in Texas.

Mr. SANDLIN. Mr. Chairman, reclaiming my time, I also want to clarify that the $10 million provided for the U.S. Forest Service, State and private forestry account for emergency activities associated with the ice storm damages includes the States of Arkansas, Oklahoma and Texas. Additionally, I wish to inquire if the omission of the State of Texas from this section of the bill was merely inadvertent?

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will yield further, I would say that it was inadvertent. The committee agrees that the States of Texas, Oklahoma and Arkansas should be eligible for State and private forestry funds contained in this bill. The committee will work with the gentleman from Texas to modify the bill accordingly in a conference between the House and the Senate.

Mr. SANDLIN. Mr. Chairman, I want to thank the gentleman for his leadership and diligence in bringing this bill to the floor. I appreciate the gentleman working on this matter.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $5,800,000.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $5,000,000.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $151,000,000.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $275,500,000.

AMENDMENT NO. 2 OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. KUCINICH:

In chapter 1 of title I, in the paragraph under the heading ''Research, Development, Test and Evaluation, Air Force'', after the aggregate dollar amount, insert the following: ''(reduced by $55,000,000)''.

Mr. KUCINICH. Mr. Chairman, the Air Force's Airborne Laser Program, ABL, seeks to put a laser on a Boeing 747 jet in order to shoot down ballistic missiles. In January 2001 the Air Force claimed the Airborne Laser Program needed $98 million in supplemental appropriations.

□ 1545

This amount is $55 million less than the $153 million currently requested in this supplemental bill.

There have been various congressional requests to the Air Force for an explanation of the extra funding. The Air Force has not provided Congress with a comprehensive answer. According to Air Force officials quoted in the press, some of the money will be used for spares and other equipment to help reduce risk for the overall program and keep it on schedule for its 2003 missile intercept test.

But this 2003 deadline is arbitrary. Moreover, various officials have expressed concern with the ABL's testing

program. Last year, the Pentagon's chief tester concluded that the airborne laser program, testing program, is alarmingly short, allows for no technical problems, and ''cannot all physically be accomplished in the time allotted.'' That is the chief tester.

The GAO has stated that an airborne laser design more realistic than the current model ''may not be achievable using current state-of-the-art technology.'' By appropriating the ABL program $55 million more than the Air Force requested, we are helping to accelerate a flawed testing program.

Appropriating $153 million for the airborne laser in the supplemental does not represent good government, it does not represent smart budgeting, and it may not represent common sense. A full $153 million supplemental appropriation would represent a 65 percent increase over the ABL's 2001 budget of $234 million.

The airborne laser has already received an additional $85 million above the administration's request in the 2001 fiscal year defense appropriations bill, so we are already funding the Air Force's airborne laser program at levels above those requested by the executive branch, and now we are prepared to grant this program's budget a massive midyear increase.

If this additional funding is truly necessary, why not include it in the fiscal year 2002 budget? Including the money in the supplemental only makes the money available a few months earlier than it would be if included in the fiscal year 2002 budget.

Mr. Chairman, this extra $55 million for the airborne laser program will do nothing to provide adequate housing for our servicemen and women, it will do nothing to provide them health care, it will not increase their salaries or benefits. Not a penny of this money will be used for the benefit of the men and women who sacrifice so much to serve their country, and whose needs are not being fully met.

I think it is time for this House of Representatives to begin a new debate over what our defense priorities are. I think it is time that we began to put more money into our basic defense, into our Air Force, into our Navy, into our servicemen and women to see that they are well paid, to make sure they have good housing, decent health care.

That ought to be what describes America's defense, not pouring money into technology which does not work, which cannot work, which throws money away, while the men and women who serve this country are left wanting.

This is a good time to start this debate, and this is a good moment for this Congress to start making a statement about where it stands with our servicemen and servicewomen who have to go begging for help while we pour money into these crazy technological missile programs that feeds a missile mania that cannot be described or countenanced anywhere in this world except somewhere in the Department of Defense.

Mr. LEWIS of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the airborne laser integrates a high power laser on a Boeing 747 aircraft. It is designed to protect our deployed troops from the threat of theater ballistic missiles. The Pentagon requested $153 million to address program shortfalls. The amendment reduces that request by $55 million, leaving an increase of $98 million.

It is true that in the January time frame this year, the Air Force estimated the airborne laser shortfall to be at $98 million. Thirty-four million was part of cost growth, $64 million rephase efforts originally planned for out years.

Since January, the Air Force has identified two additional areas of increased cost which total $55 million as follows: $30 million additional cost growth for the loss of suppliers, technical complexities, et cetera; $25 million additional spares to reduce testing risks.

We have scrutinized these additional costs carefully and have determined that they are necessary to keep the program on track. Failure to fund the additional cost growth could force the contractor to stop work on the program. Failure to fund the additional spares will likely lead to inefficient schedule disruptions that will increase costs further.

The airborne laser already has a very tight schedule for a 2003 lethal demonstration against a theater missile. This is an important program required to protect our troops from weapons of mass destruction. I strongly encourage the Members to vote no on this amendment.

Mr. DICKS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment. The airborne laser integrates a high-powered laser on a Boeing 747 aircraft. It is designed to protect our deployed troops from the threat of theater ballistic missiles.

The Pentagon requested $153 million to address program shortfalls. The amendment reduces this request by $55 million, leaving an increase of $98 million.

It is true that in the January time frame, the Air Force estimated the airborn laser shortfall only to be $98.5 million, but subsequent to that, as the chairman has pointed out, they have identified two additional areas that need $55 million.

The committee has carefully scrutinized this request, and we believe that the failure to fund the additional cost growth would force the contractor to stop work on the program. Failure to fund the additional spares will likely lead to inefficient schedule disruptions that will increase costs further.

Most importantly, we are pushing to get a real test in 2003 for this program. If we do not fund this supplemental request, that question of being able to get the test to see if this will work to protect our troops when they are deployed in the field will be jeopardized.

I would just say to my colleagues, we may have a lot of debate here in Congress about national missile defense, but I think there is bipartisan consensus that we need theater missile defense in order to protect our deployed troops.

We can give somebody a check, we can take care of their health care, we can take care of their pension, but we also have to take care of protecting their life. What we are talking about here is a system that, if it works as advertised, will protect the lives of young men and women when they are deployed abroad.

I urge a no vote on this amendment.

Mr. TIAHRT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Ohio (Mr. KUCINICH). I think it is very important that we know that this reduction would jeopardize all the efforts the Air Force has been putting into play to create an airborne laser program aimed at protecting our troops and interests around the globe.

There are four good points I want to make about why this should be opposed.

Number one, the technology is currently available. It works in the lab. We simply need to complete the project of mounting it on a 747. The technology is there and it works.

Second, this threat is a very real threat. If we just go back 10 years to the Gulf War, the greatest numbers of casualties for our young men and women over in the Gulf area came from a missile that this system is designed to eliminate, a Scud missile that fell on our troops.

Thirdly, the funding for this program, if it is cut, provides an unnecessary delay. It also raises the cost of the program that is inevitable anyway, and it will put in place a stop work situation where contractors will have to literally stop work on this program, send their talent off to other projects, which will make it very difficult to get them back, again resulting in schedule delays and cost delays that are unnecessary.

The fourth thing I think is a more personal note. We ask our young men and women to volunteer to serve our country, to provide for the need that we have as a nation in projecting power. When they do this, they are putting themselves at risk. What we want to do is to make sure that they return home safe and sound to their families. They are volunteers. They are doing our bidding. We must provide them a safe way to get home. This will protect them when they are in a situation of risk.

So Mr. Chairman, it does not have to be this way, with a longer program of higher cost. We are now less than 2

years away from having this speed-of-light theater missile system in place. Congress has the responsibility to field this important system as soon as possible.

The gentleman from Ohio said that this would only delay funding a few months if we push it over to 02. It will stop the program and probably result in a 6-month delay, driving up the costs significantly.

He made a statement that it cannot work. I want to emphasize it has worked in the lab and it will work on the airplane. It is not a crazy missile program, as the gentleman from Ohio stated, it is a commonsense approach to protecting our young men and women who put themselves at risk.

Mr. Chairman, I think there is no doubt that the Kucinich amendment will result in unnecessary delays. I would urge my colleagues to oppose it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $94,100,000.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $178,400,000, to remain available until expended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,453,400,000 for Operation and maintenance: *Provided*, That such funds may be used to cover increases in TRICARE contract costs associated with the provision of health care services to eligible beneficiaries of all the uniformed services.

For an additional amount for ''Defense Health Program'', $200,000,000 for Operation and maintenance, to remain available until expended, only for the use of the Army, Navy, and Air Force Surgeons General to improve the quality of care provided at military treatment facilities, of which $50,000,000 shall be available only to optimize health care services at Army military treatment facilities, $50,000,000 shall be available only to optimize health care services at Navy military treatment facilities, $50,000,000 shall be available only to optimize health care services at Air Force military treatment facilities, and $50,000,000 shall be available only to finance advances in medical practices to be equally divided between the services and to be administered solely by the Surgeons General: *Provided*, That none of the funds provided in this paragraph may be made available for optimization projects or activities unless the Surgeon General of the respective service determines that: (1) such project or activity shall be self-financing within not more than three years of its initiation after which time the project or activity will require no net increase in Defense Health Program funds, or (2) that such project or activity is necessary to address a serious health care deficiency at a military treatment facility that could threaten health care outcomes: *Provided further*, That none of the funds provided in this paragraph may be made available to a service unless the Secretary of Defense certifies to the congressional defense committees that all projects or activities to be financed by that service with said funds will be continued and adequately financed in the Department of Defense six year budget plan known as the Program Objective Memorandum.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $1,900,000.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1101. Except as otherwise specifically provided in this Act, amounts provided to the Department of Defense under each of the headings in this chapter shall be available for the same period as the amounts appropriated under each such heading in the Department of Defense Appropriations Act, 2001 (Public Law 106–259).

SEC. 1102. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

(INCLUDING TRANSFER OF FUNDS)

SEC. 1103. In addition to the amount appropriated in section 308 of Division A, Miscellaneous Appropriations Act, 2001, as enacted by section 1(a)(4) of Public Law 106–554 (114 Stat. 2763A–181 and 182), $44,000,000 is hereby appropriated for ''Operation and Maintenance, Navy'', to remain available until expended: *Provided*, That such amount, and the amount previously appropriated in section 308, shall be for costs associated with the stabilization, return, refitting, necessary force protection upgrades, and repair of the U.S.S. COLE, including any costs previously incurred for such purposes: *Provided further*, That the Secretary of Defense may transfer these funds to appropriations accounts for procurement: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That the transfer authority provided herein is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(RESCISSIONS)

SEC. 1104. Of the funds made available in Department of Defense Appropriations Acts, the following funds are hereby rescinded, from the following accounts in the specified amounts:

''Procurement, Marine Corps, 2000/2002'', $3,000,000;

''Overseas Contingency Operations Transfer Fund, 2001'', $81,000,000;

''Aircraft Procurement, Navy 2001/2003'', $330,000,000;

''Procurement, Marine Corps, 2001/2003'', $5,000,000;

''Aircraft Procurement, Air Force, 2001/2003'', $260,000,000;

''Other Procurement, Air Force, 2001/2003'', $65,000,000;

''Procurement, Defense-Wide, 2001/2003'', $85,000,000; and

''Intelligence Community Management Account, 2001'', $5,000,000.

SEC. 1105. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 2001 (Public Law 106–259), $39,900,000 is hereby appropriated to the Department of Defense, for facilities repair and damages resulting from natural disasters, as follows:

''Operation and Maintenance, Army'', $6,500,000;

''Operation and Maintenance, Navy'', $23,000,000;

''Operation and Maintenance, Air Force'', $8,000,000;

''Operation and Maintenance, Army Reserve'', $200,000;

''Operation and Maintenance, Air Force Reserve'', $200,000;

''Operation and Maintenance, Army National Guard'', $400,000;

''Operation and Maintenance, Air National Guard'', $400,000; and

''Defense Health Program'', $1,200,000:

Provided, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 1106. The authority to purchase or receive services under the demonstration project authorized by section 816 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337) may be exercised through January 31, 2002, notwithstanding subsection (c) of that section.

AMENDMENT OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SKELTON:

At the end of chapter 1 of title I (page 13, after line 4), insert the following new section:

SEC. 1107. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 2001 (Public Law 106–259), $2,736,100,000 is hereby appropriated to the Department of Defense, as follows:

''Military Personnel, Army'', $30,000,000;

''Military Personnel, Navy'', $10,000,000;

''Military Personnel, Air Force'', $332,500,000;

''Reserve Personnel, Army'', $30,000,000;

''Operation and Maintenance, Army'', $916,400,000;

''Operation and Maintenance, Navy'', $514,500,000;

''Operation and Maintenance, Marine Corps'', $295,700,000;

''Operation and Maintenance, Air Force'', $59,600,000;

''Operation and Maintenance, Defense-Wide'', $9,000,000;

''Operation and Maintenance, Army Reserve'', $30,000,000;

''Operation and Maintenance, Army National Guard'', $106,000,000;

''Aircraft Procurement, Army'', $50,000,000;

''Procurement of Weapons and Tracked Vehicles, Army'', $10,000,000.

''Procurement of Ammunition, Army'', $14,000,000;

''Other Procurement, Army'', $40,000,000;

''Aircraft Procurement, Navy'', $65,000,000;

''Aircraft Procurement, Air Force'', $108,100,000;

''Other Procurement, Air Force'', $33,300,000;

''Research, Development, Test and Evaluation, Air Force'', $33,000,000; and

''USS Cole'', $49,000,000:

Provided, That the entire amount made available in this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That

the entire amount under this section shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

Mr. SKELTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Missouri (Mr. SKELTON) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, this amendment that I offer unfortunately is not protected against points of order, as I had hoped it would have been, by the Committee on Rules.

□ 1600

Nevertheless, my amendment would address acute funding shortfalls that all the military services are experiencing. It would increase the funding for the Department of Defense by $2.7 billion.

It is no secret that the armed services are doing a magnificent job protecting the interests of the United States.

This amendment would add $2.7 billion for all additional defense appropriations. Of this total, the vast majority of it, about $2 billion, would be for operations and maintenance and, of course, flying hours and spare parts, real-property maintenance, depot maintenance, uniforms, the unglamorous nuts and bolts essentials that really make our military work.

Another $400 million would fund military personnel priorities, subsistence allowances to keep our service members off food stamps, housing allowances, and to pay for unbudgeted National Guard and Reserve costs.

It would also provide, Mr. Chairman, $300 million for high-priority procurement costs. It would add $65 million to replace the EP–3 that is being cut to pieces on Hainan Island, China; also an additional $49 million to expedite the repair of the U.S.S. *Cole*.

All of these items, plus others, such as rebuild Apache helicopters and for ammunition, are all emergencies. These are high-priority funding, and they are all recommended by the chiefs of staffs of the military services.

Mr. Chairman, last year, during the hearings that we had, request remained of the service chiefs to give us their unfunded requirements to get them through the coming year, and they did so. I reviewed that list, and being conservative, I offered an amendment of merely $2.7 million which, of course, could have been much more.

It reflects some of the differences between the service chiefs' unfunded requirements lists and the portion of items that we have addressed in this bill today.

These are legitimate needs. I only wish that the amendment could have been fully debated and fully voted on by this House.

I know that my amendment is vulnerable to a point of order, and at the appropriate moment, according to my discussion with the gentleman from Florida (Mr. YOUNG), who has reserved the right to object, I will withdraw it at the appropriate moment.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. ORTIZ).

Mr. ORTIZ. Mr. Chairman, I stand up to support the Skeleton amendment to H.R. 2216, the supplemental appropriations Bill. I think that this amendment is a very responsible amendment. We know that when we go and visit the training areas and the different camps, we know that the planes they fly are older than the pilots that fly those planes; and what happened during the past several years is that we have not kept up with the maintenance.

The military, and the Army alone, has a shortfall of $483 million. If we cannot buy at least new planes now, I think that the responsible thing to do is to have sufficient money so that we can buy parts for these planes, so that we can maintain. Time is running late, my friends.

If we do not come with a responsible supplemental, the training stops, no tanks will be running, no planes will be flying; and I think that this is a very responsible amendment. Therefore, I support the Skelton amendment.

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

Mr. Chairman, I might add at this point that there is sufficient funding in the contingency fund for this, according to the CBO.

Mr. Chairman, I yield 2 minutes to the gentleman from North Carolina (Mr. MCINTYRE!).

Mr. MCINTYRE. Mr. Chairman, I would like to express my strong support for the amendment offered by the gentleman from Missouri (Mr. SKELTON) to provide an additional $2.7 billion that is needed to meet the critical needs of our men and women in uniform.

I am extremely disappointed that this amendment was not ruled in order. Why would this House not be willing to stand up on behalf of our Nation's military and provide it with the additional resources it needs to do its job?

How can we send men and women into battle without all of the ammunition, spare parts and tools that they need to get the job done? These are the men and women who put their lives on the line each and every day to defend our freedom. This should not be about us saying one thing and then doing another.

This is about the money needed to buy spare parts to repair equipment that can be as much as 30 years old. This is about money needed to buy bullets, ammunition, so our servicemen and women can get the training they need to prepare for battle.

This is about the money needed to ensure that our military families have decent housing and do not have to depend on food stamps.

Mr. Chairman, I urge my colleagues to support the Skelton amendment and to do the right thing, support fully our men and women in uniform.

Mr. SKELTON. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I rise in strong support of the Skelton amendment. The underlying bill begins to address the hole that was blown in the side of the U.S.S. *Cole*. The Skelton amendment begins to address the hole that has been blown into the spare parts, the ammunition, the basic-training material that we need for our men and women.

It begins to address the hole that has been blown and the promise of decent housing and decent education we have made to their families. But we cannot address the Skelton amendment because of the hole that has been blown in the budget by the tax cut that this House approved just a few weeks ago.

It is the wrong national priority. The right national priority would be to pass the Skelton amendment.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Chairman, I rise in support of the Skelton amendment; and I ask the administration, where is the help? Time and again, the military was told that help is on the way. They waited, and today they are still waiting.

I have a handful of letters from San Diego echoing the same sentiment: help, significant help is required.

Let me share with you this dire situation in California. There are 1,200 highly skilled people all who are vital to the defense, the defense industrial base in San Diego are going to lose their jobs. Why? Why is that?

The Navy requested an additional $375 million for ship-depot maintenance, but political appointees in the Pentagon and at the Office of Management and Budget reduced that amount to $200 million.

Mr. Chairman, $375 million is not an arbitrary amount. It is absolutely essential to complete this year's ship maintenance and overhaul requirements.

This year alone in San Diego, 26 major repairs had to be canceled, and even more were canceled in Hawaii and Washington State and in Virginia. Our

sailors deserve vessels that are adequately maintained, ready to go in harm's way and perform their mission.

Mr. Chairman, a continual decline in the condition of our ships is a real emergency. Clearly this funding emergency jeopardizes national security and preparedness, precipitates the rapid decline of the industrial base in this country. National security should not be a partisan issue. It is not a California issue; it is a national issue, and we are trying to help.

I urge my colleagues to support the Skelton amendment. I am sorry that it is not in order. For having moved it forward, we would be showing our troops that help is on the way.

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

Mr. Chairman, again I must express my disappointment over the fact that the Committee on Rules did not make the amendment in order.

Mr. Chairman, I yield the balance of my time to the gentleman from Rhode Island (Mr. LANGEVIN).

The CHAIRMAN. The gentleman from Rhode Island is recognized for 2 minutes.

Mr. LANGEVIN. Mr. Chairman, today I rise in strong support of the amendment offered by my colleague, the gentleman from Missouri (Mr. SKELTON), the distinguished ranking member of the Committee on Armed Services.

As a member of this committee, I am honored to work with the gentleman to ensure our military is provided the necessary funding to protect America and our allies.

I support this amendment because it provides critical funding for basic maintenance costs, as well as personnel needs for each of the services.

Specifically, this amendment would add a total of $2.7 billion to the supplemental appropriations bill for various defense programs. This funding will be used for flying hours, spare parts, maintenance, housing allowances, and subsistence allowances.

It will also be used to repair or replace the EP–3 supply plane on Hainan Island, much-needed repair of the U.S.S. *Cole* and deployment munitions.

These programs desperately need this funding. Let us make no mistake about it. Mr. SKELTON wrote this amendment based on the service chiefs' fiscal year 2001 unfunded requirements list. It is reasonable and in direct response to the expressed needs of our military.

Mr. Chairman, we must pass this amendment. We owe it not only to our hardworking men and women who have dedicated their lives to ensuring freedom and democracy in this great Nation, but we also owe it to all the Americans who are counting on us to ensure that they are safe.

Mr. Chairman, I urge my colleagues to join me and vote for the Skelton amendment.

Mr. SKELTON. Mr. Chairman, I yield back the balance of my time.

Mr. YOUNG of Florida. Mr. Chairman, I claim the time in opposition to the amendment.

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

I regret that I had to reserve the point of order on this good amendment. I am not opposed to this amendment. As a matter of fact, I could identify to the Members of the House far more needs in our national defense than even the Skelton amendment covers.

The problem is we are constrained by the budget resolution for fiscal year 2001 not to go above the number that we are using in this bill. Other than that, I would tell my colleagues that the gentleman from Missouri (Mr. SKELTON) is a stand-up Member on national defense, and he has always been a stand-up Member for national defense.

He understands the needs of those that work in defense every day. He understands their needs.

I would like to give my colleagues an example of the needs that I have identified. For a couple of years, I have made a list, as the gentleman from Missouri (Mr. SKELTON) has, of unfunded requirements. On this list is a substantial number of items that need to be done for the military, for the Army and the Navy and the Air Force and the Marine Corps.

If the Members can see that list, they will see on this list, if the Members can see that, the blue lines. Those are items that we have been able to take care of in the last couple of years; but there are many, many more items on this list that have not been taken care of yet.

The Skelton amendment would take care of a lot of them. The problem is, we are constrained by the budget resolution for fiscal year 2001. Other than that we would be here enthusiastically supporting the Skelton amendment, because, in fact, it is a good amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. LEWIS), the chairman of the Subcommittee on Defense.

Mr. LEWIS of California. Mr. Chairman, I thank very much the gentleman from Florida (Mr. YOUNG), my full committee chairman, for yielding me the time. Like the gentleman from Florida, I wish that I were the author of this amendment for, indeed, if it were not for those budget limitations that have been mentioned, there is little question that we would have bipartisan support by way of vote, as well as spirit.

There is little question that one of the complications in this process is that under other circumstances, we might very well have exercised emergency provisions to be able to go by our budgetary cap. On the other hand, we face rather sensitive and complicated circumstances in the other body.

If they should find themselves with difficulty, it would require 60 votes in the other body; and it could slow down this very, very important measure. Nevertheless, as the gentleman from Florida has indicated, there is not a Member in the House who is more concerned and dedicated to doing the work that is necessary for the men and women who make up our armed services than the gentleman from Missouri (Mr. SKELTON).

He is my colleague, the ranking member on the authorizing committee. He works very, very closely with us as we go about the appropriations process. I very enthusiastically support his intent here, but I must reserve my vote when the vote actually occurs. And I appreciate the gentleman from Missouri (Mr. SKELTON).

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, there are a few people in this Chamber that all of us respect and one is the gentleman from Missouri (Mr. SKELTON). I love the gentleman. He is a descendent of Daniel Boone.

I also agree with the gentleman from Florida (Mr. YOUNG) that this is very, very noteworthy.

As a matter of fact, the individuals that spoke in favor of his amendment, I cannot see a one of them that is antidefense, that is not there to help our men and women. We asked for $362 million, which the gentleman helped us get for ship repair. The Navy switched that over to nuclear and carrier refueling and then gave us $171 million shortfall in ship repair.

□ 1615

So the mismanagement within the services is a problem as well.

If we look at the basics of the things that have been mentioned here today, this does not even scratch it. And if I had the ability to override the other body and the Senator in the other body, I think we would see all of us supporting that. But we do not have the 60 votes in the other body.

Many of us spoke about, including my friend, the gentleman from Ohio (Mr. KUCINICH), not going along with Izetbegovic in Bosnia. When we talk about the U.S.S. *Cole*, it was those Mujahadeen and Hamas that surrounded Izetbegovic in Sarajevo that blew up the U.S.S. *Cole*. And the 124 deployments that have put us into this position, that many of us fought against, including many of my colleagues on the other side, have put us in this hole. Shalikashvili, previous Secretary of Defense, stated that it just wore our equipment out and tore us down.

I do not think there will be supplementals in the future. That tells me that the services better come up with a clean number so that we can fund them, because there may be limited ability to do that. But I laud my friend and I regretfully oppose his amendment.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would admonish Members they are not to

characterize the intentions of the other body.

Mr. YOUNG of Florida. Mr. Chairman, I regret I must insist on my point of order, and I yield to the gentleman from Missouri (Mr. SKELTON).

Mr. UNDERWOOD. Mr. Chairman, I rise in support of this much needed supplemental bill that seeks to replenish military accounts drawn down by high fuel costs and other training and military readiness requirements.

For months I have joined my colleagues on both sides of the aisle in advocating for additional funding so our troops can continue training, replace spare parts and fix dilapidated infrastructure. While I support this supplemental bill today. I am concerned that it does not solve the many problems that our military faces this year.

H.R. 2216, appropriates $6.5 billion in supplemental funds, $5.5 billion (85 percent) of which will address military readiness, training and other operations requirements. Specifically, $44 million to repair the damage to the U.S.S. *Cole*, which was damaged by a suicide bomb attack last fall while it was docked in Yemen; $970 million to fully fund the flying-hours requirements of Navy and Air Force pilots; $463 million for increased utility costs, especially in California; $100 million for environmental cleanup and waste management; and $33 million for the Navy and Marine Corps to increase security against terrorist attacks.

I am especially pleased that the committee has included $9.4 million for the construction of an emergency submarine repair facility in Guam. This project provides budgetary support to a renewed focus on Guam and the Pacific by military planners and the Bush administration. This facility will play a vital role in providing much needed support for the three navy attack submarines that are to be homeported in Guam starting in April, 2002. Currently, Guam has a very capable shipyard of providing support and maintenance to the surface fleet and submarines. Moreover, the U.S.S. *Frank Cable* is homeported on Guam, and is the only forward deployed submarine tender in the Pacific. While I strongly support this new facility, it is my hope that this will not instigate competition with the existing shipyard on Guam.

Moreover, I would like to express my strong support for Mr. SKELTON's amendment, which unfortunately is not protected from a point of order. This amendment will provide an additional $2.7 billion and reflects the difference between the Service Chiefs FY 01 unfunded requirements lists and the pieces of those lists included in the Appropriations Committee markup of the supplemental.

Specifically, the Skelton amendment would provide nearly $2 billion towards current operations and maintenance accounts; $320 million in procurement, including funding for a new Navy EP–3E aircraft, which was damaged in regards to the accidental collision with a Chinese fighter jet and currently grounded on China's Hainan Island.

As the Bush administration continues to delay sending a defense budget to Congress, it looks all the more likely that the Defense appropriations bill for FY 02 will be the last of the 13 annual spending bills passed this year. Given this predicament, this supplemental is the only vehicle Congress has to address the needs and requirements of our troops in uniform this year, thus punctuating the importance of the Skelton amendment.

We all support increased military funding, but I call into question where the money will come from given the massive and recently passed $1.35 trillion tax cut. Our military is facing several multifaceted challenges that this Congress must address this year. It is my hope that President Bush will back up his campaign promise of ''help is on the way'' when he finally submits his defense budget request later this summer.

With that, I urge all Members to support the Skelton amendment and this measure as it will work towards providing immediate relief to our Armed Forces.

Mr. SKELTON. Mr. Chairman, I ask unanimous consent to withdraw the amendment for the aforestated reasons.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MS. PELOSI

Ms. PELOSI. Mr. Chairman, I offer an amendment, and I ask unanimous consent that it be considered at this point.

The Clerk read as follows:

Amendment offered by Ms. PELOSI:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. (a) For purposes of this section:

(1) The term ''Commission'' means the Federal Energy Regulatory Commission.

(2) The term ''cost-of-service-based rate'' means a rate, charge, or classification for the sale of electric energy that is equal to the sum of the following:

(A) All variable and fixed costs of generating such electric energy.

(B) Either—

(i) a reasonable risk premium, or

(ii) a return on invested capital used to generate and transmit such electric energy that reflects customary returns during the period 1994 through 1999.

(C) Other reasonable costs associated with the acquisition, conservation, and transmission of such electric energy.

(3) The term ''new generation facility'' means any facility generating electric energy that did not generate electric energy at any time prior to January 1, 2001.

(b) Within 30 days after the enactment of this Act, the Commission shall issue an order establishing cost-of-service-based rates for electric energy sold at wholesale subject to the jurisdiction of the Commission under the Federal Power Act for use in that portion of the United States that is covered by the Western Systems Coordinating Council of the North American Electric Reliability Council.

(c) Subsection (b) shall not apply to sales of electric energy after March 1, 2003.

(d) The rates required under subsection (b) shall not apply to any sale of electric energy generated by any new generation facility.

(e)(1) If a State determines that a wholesale rate applicable to delivery of electricity within the State is not in compliance with subsection (b) or is not just and reasonable, the State may bring an action in the appropriate United States district court. Upon adequate showing that a rate is not in compliance with subsection (b) or is not just and reasonable, the court shall order refunds or other relief as appropriate.

(2) Any person who violates any requirement of this section shall be subject to civil penalties equal to 3 times the value of the amount involved in such violation. The Commission shall assess such penalties, after notice and opportunity for public hearing, in accordance with the same provisions as are applicable under section 31(d) of the Federal Power Act in the case of civil penalties assessed under such section 31.

(f) Nothing in this section shall affect any authority of the Commission existing before the enactment of this section.

(g) Section 202(c) of the Federal Power Act (16 U.S.C. 825(c)) is amended by adding the following at the end thereof: ''Except during the continuance of any war, no order may be issued under this subsection unless the payment of compensation or reimbursement to the person subject to such order if fully guaranteed by the United States Government or by a State government.''.

(h) If any provision of this section is found to be unenforceable or invalid, no other provision of this section shall be invalidated thereby.

Ms. PELOSI (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

The CHAIRMAN. Is there objection to the amendment being considered at this point?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California (Ms. PELOSI) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the amendment that we have before us was a product of work done by the gentleman from Washington (Mr. INSLEE) and the gentlewoman from California (Ms. ESHOO) and others in the Committee on Commerce which I was pleased to present to the full committee the other day.

For my colleagues' benefit, the Federal Election Regulatory Commission was established under the Power Act,

and under it the FERC, when it determined that power companies, generators, were charging unjust and unreasonable rates, they would reach a threshold whereby they could do something, they could mitigate for that. The gentleman from Washington (Mr. INSLEE) and the gentlewoman from California (Ms. ESHOO) and others have authored this amendment, and I will yield to him to explain the amendment to our colleagues, but first I wish to thank him for his tremendous leadership on behalf of consumers in the western United States.

Mr. Chairman, I yield 4 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, I am pleased to offer this amendment with the gentlewoman from California (Ms. PELOSI) as a real and a meaningful and a truly effective price mitigation strategy for the West Coast. The West Coast is a great place. We do not have hurricanes like the Southeast, but right now we have an economic tornado that is ripping right up and down the coast of California, Oregon, and Washington.

In Washington, our wholesale prices have gone up not twice, not three, not four times, but by a thousand percent. And while those prices have gone up a thousand percent, while people in the State of Washington, 43,000 of them, may lose their jobs this year in the State of Washington due to this economic tornado, what has the Federal Government done for our citizens on the West Coast? Nothing. In January, when we asked FERC to act, they did nothing. In February, in March, in April, they did nothing. In May and today, when we have asked the majority party to join us, nothing has been done.

This amendment would do something meaningful. What it would do is to set a 2-year period of cost-based pricing for wholesale electrical generators. A reasonable thing to do. We would, by this amendment, simply require FERC to order cost-based pricing on the West Coast of the United States for 2 years. That means generators would charge reasonable rates based on their cost. Each generator would get what they have coming to them, which is the cost to generate the electricity, plus a reasonable degree of profit. That is not too much to ask when we have 43,000 people in the State of Washington that may be coming home with no job.

Now, as my colleagues know, finally, after we have drug this administration and my friends across the aisle kicking and screaming to the price mitigation bar, the FERC finally did something 2 days ago. But FERC doing something does not mean that this House should do nothing. Because what FERC did would essentially adopt a price mitigation strategy that may not mitigate anybody's prices.

Look what they did. They said nobody can charge more than a certain price. But the price they picked was the most expensive generator on the whole West Coast, the least efficient generator on the whole West Coast. Mr. Chairman, it would be the equivalent if we had FERC dealing with two high prices in the automobile industry. If we gave them that job, they would pick the cost of a Rolls Royce Silver Cloud as the price for the limit. That would not help any car buyers, and this is unlikely to help consumers on the western coast of the United States. It is likely to be an ineffective proposal.

So what we have done is to do what historically has been done, which is to adopt cost-based pricing. Something meaningful. When we talk about incentives, think about it from this standpoint. If we are going to send a message to the generators of electricity, the message that FERC sent to the generators is they said turn your most expensive, your least efficient, your environmentally dirtiest plants on first. Is that the message that the U.S. Government wants to send to the industry to adopt their dirtiest most expensive generators first? Yet, that is what the FERC order has done.

To those who argue that economics say we should not adopt price mitigation, I want to quote from Dr. Frank Wolak, who studied this effort. He is an economist from Stanford. This scheme, referring to the FERC order, guarantees that consumers pay more for wholesale electricity than they would pay for cost of service pricing. Under the FERC plan, consumers have the potential to pay significantly more than total production costs to receive the same amount of electricity in order to preserve a market clearing price mechanism which provides incentives.

This is not enough. It is time for this U.S. House to act.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, let me give a little history. Price caps in the 1970s were disastrous. Canada controls a large percentage of the energy coming into California. If we put price caps on, there is nothing that controls Canada in resources for selling power. That is why we ended up with gas lines in the 1970s.

My colleagues, look at what Governor Davis has done to stop power generation, yet he is now trying to shift the blame to the White House. The Governor was warned that deregulation and not buying long-term power would be critical to California. He not only rejected it, he killed it. And at the same time the Governor now has millions of dollars from those same energy companies in his personal campaign. I think that is wrong.

The Governor was warned that San Diego Gas & Electric was a private company and they had to buy excess power from public utilities, but they could not because there was no excess power. He rejected it.

The White House offered the California Governor the GE and Caterpillar generators that could produce thousands of megawatts of power. I quote, ''We do not need it.'' The White House offered the Governor help, and each time he rejected it. The White House said if you make a request in writing, we will do a waiver of the California Clean Air standards just for this emergency period. The Governor would not do that. A year and a half later, he is now thinking about it. We could have turned on 600 generators just for the emergency period, and in the interim worked to clean up those generators.

One generator producer in Los Angeles wanted his license because he cleaned up his system. The Governor said, in response to the gentleman, ''If you unionize your shop, I will give you a license.'' Playing politics. And now the Governor's poll numbers are going down and down and down, and the only thing he can do is try and shift the blame to the White House that was in office 1 week when this hit him.

It has been caused over and over. Some of my critics will say, well, Pete Wilson started it. Gray Davis had the chance to buy long-term power and he did not, and now he is getting campaign money from the very electric companies that are ripping off these folks.

I would say that regardless of what the reason that my colleagues on the other side want price caps, it is detrimental and it will not work, because there is no one that forces those 14 States or Canada to sell power to California. They will sell it elsewhere, and then we will end up with the gas lines like we did in the 1970s.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. ESHOO), who was a very critical part of putting this amendment together.

Ms. ESHOO. Mr. Chairman, I thank the gentlewoman from California (Ms. PELOSI) for her great leadership on this issue in the Committee on Appropriations that affects not only her Congressional District, mine, but all Californians.

I rise today as not only the representative of the 14th Congressional District but someone that loves my State. When I hear the word California, I cannot help but smile. It is a great State and we have done and will continue to do great things. But we know that she is a State that is in crisis, and so I join with my colleague from the Committee on Appropriations, the gentlewoman from California (Ms. PELOSI), in the amendment that she offered because it meant and still means relief for California.

□ 1630

Mr. Chairman, all of my colleagues are thinking, Well, the Federal agency did act on Monday. And I salute them for finally ending their sit-down strike because previously they refused to act on behalf of California's energy consumer.

What I rise to speak about today is the issue of refunds. There has been

some $8.9 billion which is not penny larceny, by the way, which has been exported out of the State of California, the largest export of dollars since the Civil War from one State to another. What the FERC did in their order was to simply say, in 15 days go before an administrative law judge and somehow settle this.

I think it is the responsibility, and that is why I went to the Committee on Rules last evening to ask for an amendment to be debated on the floor today. They did not make that amendment in order. But what I will be offering is legislation that does deal with a refund. If a consumer goes to Macy's or a restaurant and is overcharged, they are going to seek a refund. Californians deserve it. They have been ripped off, and we seek to have this money returned to the good people of California.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. OSE).

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

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

This issue of energy in California is perhaps the most critical issue at the moment in California. The gentlewoman from California (Ms. PELOSI) and some of our friends on the Democratic side have come forward with an idea for price caps. I have read the amendment of the gentlewoman from California (Ms. PELOSI). One of the most important things is figuring how do we bring new supply to market, and how do we do it in a manner that is environmentally acceptable.

This week Senator FEINSTEIN has been good enough to speak the truth, and that is perhaps we ought to let FERC's plan work a little bit and see if it actually works, rather than jumping in and imposing another layer of regulatory standards.

Mr. Chairman, I want to enter into the RECORD a letter that I received from Calpine, which is a national company reknown for its ability to bring efficient, environmentally friendly power to the market.

CALPINE,
Washington, DC, June 18, 2001.

Hon. DOUG OSE,
House of Representatives, Cannon House Office Building, Washington, DC.

DEAR CONGRESSMAN OSE: Thank you for your leadership in helping to resolve the severe electricity crisis in California and the West Coast. Your legislation, H.R. 1974, is a responsible attempt to provide the Federal Energy Regulatory Commission (FERC) with the needed tools that will help it in its effort to stabilize Western states electricity markets.

There has been some misguided criticism of your bill as it relates to the price set during certain market conditions. Under your proposal, the price limitations are based on the FERC order of April 26, 2001. These price limitations are set in relation to the least-efficient generation units entering the market at specific times. Some have claimed that this will encourage inefficiency. The reality is just the opposite: by pegging the price to the least-efficient unit entering the market, it rewards those generators who are more efficient. In addition, it allows the power from these less-efficient units to be sent to the grid when it is most needed, thereby preventing additional blackouts. This will be especially important as we enter the summer, which is when peak demand occurs in California and any blackouts could create serious impacts on public health and safety.

By using the least-efficient units for the price limitations, your legislation actually encourages newer and cleaner plants to be construed. Eventually this will lead to the decommissioning of the oldest and dirtiest plants in the state. It should be noted that Calpine's resources are very efficient, as we do not own or operate the types of plants that are the last to enter the market during times of potential shortfalls.

Calpine looks forward to working with you in resolving this crisis. We want a stable market that provides reliable and affordable electricity to all of the citizens in the West. Whenever you need the perspective of a California-based supplier of clean and reliable electricity, we will be pleased to provide it.

Sincerely,

JOE RONAN,
Vice President—Government and Regulatory Affairs.

They clearly state that price caps just are not going to work. They are, in effect, a reward given to the most inefficient, highly polluting plants that can be used.

Mr. Chairman, here is the concept. Under the gentlewoman's bill, we would have generators regardless of their cost basis who would earn a return on their cost. So if they produce at $10 a megawatt, they make a percentage on that. Over here we may have some other producer who can do it for $5, and under the gentlewoman's proposal, they would get a percentage of that. The guy who can bring power to market for $5 is bringing power to California consumers at half the cost of the $10 person.

If we use the technology that is available to us today, we can bring power to the market, we can do it in a way that allows us to use highly efficient conversion of gas to electricity. We can do it in a way that instead of continuing to pollute our environment in California with these traditional sources that the gentlewoman is attempting to protect, we do it with technology that has significantly lower levels of pollution.

That is what we are arguing about here today, whether to protect the dinosaurs using cost-based rates or to move into the 21st century, protect our environment, protect our consumers from price gouging, bring supply to the market and create jobs in California.

Mr. Chairman, I urge my colleagues to reject the gentlewoman from California's amendment.

Ms. PELOSI. Mr. Chairman, I yield myself 15 seconds to comment on the previous speaker's comments.

Mr. Chairman, clearly the gentleman from California (Mr. OSE) does not understand what our amendment does. What he described and its shortcomings is exactly what the FERC did this week, to give standing to the dirtiest and oldest technology and generators, and thereby making the problem that will certainly be skirted by suppliers. My amendment will do exactly what he described we want to happen. If he had an understanding of both of these, he would realize that and support my amendment.

Ms. PELOSI. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. MCDERMOTT), who has been involved in these issues for a long time.

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

Mr. MCDERMOTT. Mr. Chairman, this is not just a California problem. I repeat, it is not just a California problem. We had the Deputy Secretary of Energy before the Committee on the Budget today, and he said in answer to a direct question, this is not only California, it affects the State of Washington.

Mr. Chairman, we are facing 150 percent increases under BPA. We face the loss of 102,000 jobs in Washington State. Electricity that cost $23 a megawatt last year is between $200 and $300 this year. Some of you are feeling fat and sassy in the Midwest or East and saying it is just the Californians arguing about a big problem. The rest of the Nation is also going to get it because there is a grid that connects the whole energy system in the United States. What is happening to us in Washington State, we are only a thousand miles from California, if my colleagues are within a thousand miles, my colleagues ought to be voting for this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. CALLAHAN), chairman of the Subcommittee on Energy and Water Development for the Committee on Appropriations.

Mr. CALLAHAN. Mr. Chairman, first of all, I do not know of anyone on either side of the aisle who is opposed to helping California get out of this serious problem they are in, or any of the other Western States as well.

We recognize fully that there is a crisis in the West. We recognize fully that this crisis is going to spread even more nationally. We recognize because of the crisis in California and because of the crisis in the West, that it is causing a domino effect even as low down in the South as Alabama because our rates, too, are increasing simply because of supply and demand.

Let me tell my colleagues, I think this administration is trying to do the right thing. We had this issue that came up in our committee, full committee meeting this past week, and we debated it there and the issue was overwhelmingly defeated in committee. And it was overwhelmingly defeated, I think, because the committee was convinced that the administration is doing everything that they possibly can to eliminate this crisis and to stop those rolling blackouts in California.

Mr. Chairman, we all want to do the same thing. We are all trying to get to the same corner of the room, but I think this is the wrong route to take because if we take this route of price caps, there is no doubt in my mind that we are going to encourage even more problems for California because that eliminates the incentives that are being imposed now by the fact that people recognize there is a shortage. We will eliminate the incentive for conservation if indeed we apply price caps. Indeed, this amendment could ultimately increase the problem in California, and I know that is the last thing the gentlewoman from California wants to do, and it is the last thing that anybody on either side of the aisle wants to do. We want to help.

Mr. Chairman, just this week FERC has imposed some price caps the responsible way of imposing them, for all of the 11 Western States. So the administration is moving very aggressive in this direction to help California. We are going to ultimately provide money for new energy sources that we hope will be developed in California to make this a long-term solution.

We cannot do anything that is going to solve this problem overnight and stop a rolling blackout that is going to take place tomorrow. But we can, by working together, provide the necessary resources and encouragement to California and to the Western States and to the energy providers to eliminate this problem; and that is our long-term goal.

But this, Mr. Chairman, is not the way to do it because this amendment will compound the problems that California currently is undergoing. There has been a lot of talk about blame. Who is at fault? I do not care who is at fault. I do not care that I do not live in California. I know that the people in California are suffering financially because of this and for the inconvenience and the danger in some instances it is causing because of some health problems that cannot be addressed without availability of electricity.

This is something we are going to have to work together, Mr. Chairman, to resolve. And we are going to begin working together to resolve it in the bill that will come to the floor hopefully next week, the energy and water appropriations bill of the Committee on Appropriations. We are going to pump money into this issue. We are going to address some of the other crises that are going to be affecting California, and that is the next crisis of water.

Mr. Chairman, the people in California tell me this is an even more dangerous crisis pending than the electrical crisis. We are going to work together in a bipartisan fashion and try to give California the necessary resources and assistance they need to create a long-term solution and a permanent solution to this crisis that they are in.

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

Ms. PELOSI. Mr. Chairman, I would like to inquire about the time remaining?

The CHAIRMAN. The gentlewoman from California (Ms. PELOSI) has 6¾ minutes remaining. The gentleman from Florida (Mr. YOUNG) has 4½ minutes remaining.

Ms. PELOSI. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO), who is an expert on power generation in our country and has been a tremendous resource to us.

Mr. DEFAZIO. Mr. Chairman, interesting debate; but let us talk about the facts. What the gentlewoman's amendment would do is return us to the system that prevailed in this country for two-thirds of the last century, through the Great Depression, World War II, the oil crisis, and made us the greatest industrial power on Earth. It is cost-based rates, and it goes to every individual generator, unlike the gentleman from California (Mr. OSE) who said this would encourage inefficiency and the dirty plants would operate first and everybody would pay the price. No, that is what the Bush Federal Energy Regulatory Commission did. They said the price will be based on the least-efficient plant, and the most-efficient plant will get that price.

So the gentleman from California (Mr. OSE), now knowing the facts, I am certain, will support the gentlewoman's amendment.

The FERC also found in December that the prices were not just and reasonable. They were violating Federal law. And since that time, we have found wholesale prices 10 times that of 2 years ago. We found Texas-based energy conglomerates whose profits are up 1,000 percent in 1 year. The price of energy has gone from $7 billion to $27 billion in California in 1 year, and that is spreading up into the Pacific Northwest.

Mr. Chairman, the market does not exist. It is being manipulated. There is more and more evidence coming to prove that point. The FERC, by adopting a half-baked proposal, admitted that. It is intervening in a dysfunctional market because of market manipulation and price gouging, but what they have done does not solve the problem.

We need to return to a system of cost-based energy which served our Nation so well for two-thirds of a century. We need full refunds, not the partial, maybe refunds that FERC mandated; and we need something that goes for two seasons in California and two seasons in the Pacific Northwest, not two seasons in California and one season in the Pacific Northwest.

Mr. Chairman, we heard the administration is doing everything. They are doing everything but offending the very powerful and generous contributors who are making money hand over fist from consumers who are experiencing price gouging.

Ms. PELOSI. Mr. Chairman, I yield ¾ minute to the gentleman from Washington (Mr. DICKS).

□ 1645

Mr. DICKS. Mr. Chairman, I rise in very strong support of the Pelosi amendment. This has been a real crisis, not just in California but throughout the West and particularly in the Pacific Northwest. My own utility in Tacoma has increased rates by approximately 50 percent and may be faced with another 50 percent increase because of drought conditions affecting Bonneville Power and its power.

I want to associate myself with the gentleman from Oregon's comments. He is exactly right. The idea that we are going to base the cost of power on the output of the weakest plant and the plant that is the most expensive is an outrage. I think we need to stay with this. We need to get this amendment adopted. I urge the House to support the Pelosi amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. LEWIS), chairman of the Subcommittee on Defense.

Mr. LEWIS of California. Mr. Chairman, I appreciate the gentleman yielding me this time. The assumptions being made in the Pelosi amendment relative to the price caps assumes that one way or another that such price caps are going to make sure that the price of energy in California does not rise. The fact is that the price of energy, our utility bills in California, are rising at this moment and it appears they are going to continue to rise because of a history in California of a considerable lack of leadership in planning in terms of our energy needs and how we might meet those needs.

There is little question that the action taken by FERC this last several days and actually over the last several weeks is a very positive step in the right direction. It was not by accident after the FERC ruling that affects the entire West that my colleague in the Senate, DIANNE FEINSTEIN, made a decision to back off of the approach that she was going to be taking relative to the energy crisis at home. She felt we ought to give it some time to work.

It is very apparent that there is a very real risk that if we impose energy caps, two things will occur. First, we will lay the foundation to undermine the long-range solution, the kind of investment that will allow us to develop energy sources in California that we desperately need. But secondly I would point to a report that came forth today from the Department of Energy that indicates that the proposed wholesale electric price controls in California could double the number of rolling blackouts from 113 to 235 hours and increase the number of households in the dark to about 1,575. Minimizing the number of blackouts ought to be our principal goal because more intense blackouts would greatly imperil the health and safety of California's citizens and would undermine the State's economy at least as much as high prices.

The analysis in this report is that blackouts will be worse and last longer if price controls are established. For those reasons, we should strongly oppose the Pelosi amendment.

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

It is very interesting to hear my colleagues from California speak out about this solution to our crisis that we have there. Either they and our colleagues on the Republican side are closing their eyes to a situation which they do not wish to acknowledge, to quote the Music Man, or they refuse to acknowledge the caliber of disaster posed by the exploitation by the power companies who have withheld energy in order to drive up prices to exploit the market and increase costs to the consumers.

This amendment, which is the Inslee amendment, is appropriate to come up on this emergency supplemental because it is an emergency indeed. It does not cost one penny. But what it says is that this body will recognize an emergency. You be the judge. In 1999, Californians spent $7 billion on energy. In 2000, it was $27 billion because of this exploitation. And projected for 2001 is 50 to $60 billion, nearly 10 times.

This is taking a terrible toll on our economy. We will have a revenue bond issue to help cover the cost, to underwrite cost to consumers and businesses, residences and businesses, of about $12 billion, the highest State bond issue ever. What does that mean? It means that our credit rating for our State will be affected by that. And when our State's economy is affected, the economy of the whole country is and certainly that of the western United States as our colleagues from other States in the West have testified to.

We have at this moment homeowners, residences, businesses, which will be driven out of existence. They cannot afford to pay even the cost that is not being underwritten by the State. In some cases their energy bills will go up $400 for a residence and even much more than that for some of the businesses, especially the small businesses will have their very existence threatened. We have 800,000 people who are disabled in California, who depend on energy at all times and will be very affected by not being able to pay their bills and have that source of energy.

So when people want to talk about how we got where we are today, we can have that debate and frankly if we had more time we could have it right here. But the fact is that whatever those reasons, it does not eliminate the fact that power companies withheld energy to drive up the cost, to exploit the market, to have this impact on consumers. So our choice here, Mr. Chairman, is to make a choice between the exploiters and the consumers.

Mr. Chairman, I am pleased to yield the balance of my time to the gentleman from Washington (Mr. INSLEE), who with the gentlewoman from California (Ms. ESHOO) and others from this region is the author of this amendment, which as I say I am pleased as an appropriator to offer and thank him again for his leadership.

The CHAIRMAN. The gentleman from Washington (Mr. INSLEE) is recognized for 1¼ minutes.

Mr. INSLEE. Mr. Chairman, this debate has a bit of an Alice in Wonderland feel to it for this reason: the FERC action of 2 days ago which the administration says they support, which I hear my friends across the aisle say they support, is a price cap. It is a price limitation. It says you cannot spend any more money than this dollar figure of the least efficient, most expensive, dirtiest plant in the whole western United States. It is a cap.

What is wrong with it is it is the wrong cap. It is the wrong limitation. It is like setting the bar at a limbo contest and setting it at the lowest level that Shaquille O'Neal can get through. It is like setting the testing standards for fourth graders, finding the slowest student in America and that is where you set the limitation. It is not going to work, just like the failure of Congress and FERC for the last 6 months. They have not done a darn thing.

I will just close by saying this. There is a famous story, we have heard it, where the grandchild comes to the grandfather's knee and says, ''Grandpa, what did you do during the war?'' And the grandpa tells his story.

When the majority fail to allow us to offer a refund amendment, when the majority fail to allow us to even vote, even vote on something to do about these absurd, outrageous prices, when the majority insist that we do nothing, when your grandchild asks you what you did in the power crisis of 2001, you can tell them, ''Nothing.''

Mr. YOUNG of Florida. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from California (Mr. LEWIS).

Mr. LEWIS of California. I appreciate the gentleman yielding me this time.

Mr. Chairman, I rise again only to say that the history of this is very, very important. Well over a year ago in San Diego, California, as a result of ill-placed policies developed in the State legislature, we found ourselves faced with an energy crisis. Some way, somehow the chairman of our public utilities commission in California advised the Governor that it was not a crisis and as a result of that literally they did nothing. The State legislature and the Governor has done nothing during this last year and a half. Now suddenly they are recognizing the crisis and asking Washington some way to figure out how they got there and how they ought to get out.

The fact is that electrons do not know the limits of San Diego or of California. We are in a regionwide crisis. That crisis is beginning to be dealt with by some actions by FERC, only after long awaiting the Governor and the State legislature to come forth with actions of their own.

Mr. Chairman, there is little question that we face a crisis in the West. But this proposal of price caps will only undermine the short-term efforts that are being made here but could potentially destroy our hope for a long-term solution which involves more and new energy sources in California.

Mr. STARK. Mr. Chairman. California is facing an energy crisis. This problem is not one that California can solve without the help of Federal intervention. The root of the California energy crisis is the soaring wholesale rates for electricity. The spot market price of electricity has increased from $30 per megawatt hour in 1999 to $300 in 2001. Energy prices have soared as high as $1,900 per megawatt hour. For a point of comparison that many of us can better relate to: if the price of a gallon of milk increased at the same rate as California's energy prices, milk that now costs $3 per gallon would cost $190 per gallon. Energy costs are a real problem facing California and our western neighbors. The Inslee-Pelosi amendment can remedy this problem but the Republican leadership will only allow debate on the amendment—they will not allow a vote on the amendment.

Many critics will tell you that price caps hurt the market and will stifle new electrical power generation. However, the Inslee-Pelosi amendment exempts new generating facilities to ensure that the pricing mechanism does not provide a disincentive to new energy generation. The amendment places the Western energy grid under a cost-of-service based rate system. This means that the energy suppliers, most of which are Texas-based friends of the current administration, will be able to recover the cost of producing energy, as well as make a reasonable profit.

The administration realizes that some form of price caps is necessary and allowed the Federal Energy and Regulatory Commission, FERC, to impose a limited price control structure to help mitigate the soaring price spikes. However, more must be done. These energy generators are gaming the deregulated system in order to increase profits, all at the expense of California's families and businesses. FERC has the power to impose effective cost controls now, but they refuse to fulfill their obligation. The recent FERC decision might help California, but price caps are certain to help California's consumers.

Unfortunately, we have a White House that is more sympathetic to the Texas energy producers than to California residents sitting in the dark and the heat, facing skyrocketing electricity rates. The only alternative is congressional action with measures such as the Inslee-Pelosi amendment, since FERC will only provide limited consumer protection.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, as previously announced under my reservation of a point of order, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill and therefore violates clause 2 of rule XXI. The rule states, in pertinent part,

''an amendment to a general appropriations bill shall not be in order if changing existing law.'' The amendment directly amends existing law. I insist on my point of order.

The CHAIRMAN. The gentleman raises a point of order. Does the gentlewoman wish to be heard on the point of order?

Ms. PELOSI. Mr. Chairman, I do not wish to be heard on the point of order.

The CHAIRMAN. The Chair finds that this amendment directly amends existing law. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the amendment is not in order.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I wanted to inquire of the distinguished chairman if there are any other authorizations in this supplemental, emergency supplemental bill.

Mr. YOUNG of Florida. Mr. Chairman, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I would concede to the gentlewoman that there are several that are protected by the rule. This amendment offered by the gentlewoman from California is not protected by the rule and, therefore, is subject to the point of order.

Ms. PELOSI. Would the gentleman be so kind as to inform our colleagues as to how many authorizations are within this bill? Is it something like 30?

Mr. YOUNG of Florida. If the gentlewoman will yield, I will be happy to go through that list and provide that to her in an expeditious time.

Ms. PELOSI. It is my understanding that there are about 30 such authorizations protected by the rule in this emergency supplemental.

Mr. YOUNG of Florida. Any other item that might be considered authorizing on an appropriations bill would have been protected by the rule.

Ms. PELOSI. It is very unfortunate, Mr. Chairman, that while there may be 30 perhaps, the gentleman has not told us an exact figure, but I respect the fact that he will get that information to us, authorizations protected by the rule for this bill, that the majority has chosen to ignore a crisis in California and the western States, our western region as our amendment addresses the West.

This is an emergency for us. Our energy costs have increased 10 times, into the tens of billions of dollars as I mentioned. Hundreds of thousands of disabled people depending on access to energy at all times cannot tolerate rolling blackouts or any other kind, including the high cost of energy. It will have an impact on the credit rating of our State which has now surpassed France as an economy in the world. California has surpassed France as an economy, and we are going to be cavalier about the impact that has on our country and that small businesses and homeowners and residences and all the rest will carry this tremendous burden.

It seems to me our Republican colleagues want to play the blame game instead of trying to find a solution to this problem. No matter how you describe it, the fact is that the suppliers have exploited the market by withholding power to drive up the prices to exploit the consumer. You cannot deny that, as many places as you want to place the blame. The fact is that we have had tremendous growth in our economy in the West. We have also had a real dearth of rainfall and we depend heavily on hydroelectric. There are other reasons why we are in the situation we are in today.

But again I repeat, the remedy that we are suggesting today is for a reasonable cap based on expenses and profit to the suppliers that is just and reasonable. That is what the power law called for. That is what they told and instructed the FERC, the Federal Energy Regulatory Commission, that they could do if there were not just and reasonable rates charged. The FERC determined that the rates were not fair and reasonable. They are almost $9 billion overcharged to consumers in California. With all of that, the FERC has decided to act this week, favoring the dirtiest and oldest technology to make the cap the highest possible cap.

□ 1700

So while they recognize there is a problem, they intervened into the market. They did so in a way that was, as was said earlier by my colleagues, half baked. So for this committee to say that we will object to this on the basis of the fact that it is authorizing on an appropriations bill, when there are at least 30 other authorizations in this bill protected by the rule, but to save the people in the western United States the emergency does not count to us, again we would rather play the blame game than solve the problem, I have serious problems with that, Mr. Chairman. I just wish that the chairman would reconsider his objection on the basis of it being authorizing; but if that is the route the majority chooses to go, as the gentleman from Alabama (Mr. CALLAHAN) said last week, he said the Californians made their bed, then let them lie in it.

The Republicans are making their bed on this issue right now by siding with the exploiters at the expense of the consumers. They are making their bed.

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think everybody in this House knows that when I make an agreement, I keep it. As I said, I think everybody in this Chamber knows that if I make a commitment, I keep it. I agreed not to press the point of order at the beginning of the debate so the gentlewoman could have time, and we agreed that each side would have 15 minutes. She had her 15 minutes and then went on to violate the agreement by taking another 5 minutes.

I am not going to respond in kind or rebut this at all; but the point is, the arguments of the gentlewoman from California (Ms. PELOSI) should be made on an authorizing bill. They should not be made on an appropriations bill.

The other authorizing issues she is concerned about are practically meaningless. This is a very significant change of the basic law.

I would suggest to anyone else listening to this conversation that if we are going to violate the agreement that we had earlier in the day, I will press the point of order on everyone at the beginning of the consideration of the amendment, and I will not provide the additional 20 minutes that I have agreed to. If we are going to make a deal, let us keep the deal. Let us do not violate it.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I apologize because I was part of the unanimous consent agreement. I am sure the gentlewoman from California (Ms. PELOSI) did not mean in any way to violate the agreement, but I agree that we should not have violated the agreement.

We have a legitimate agreement to talk about this. As important as it is, I understand the emotion; but I would hope we would be able to continue on with the other agreements that have been made. I apologize that it is such an emotionally charged issue and that we got a little out of hand here.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 2

DEPARTMENT OF ENERGY

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For an additional amount for ''Weapons Activities'', $140,000,000, to remain available until expended: *Provided*, That funding is authorized for Project 01–D–107, Atlas Relocation and Operations, and Project 01–D–108, Microsystems and Engineering Sciences Application Complex.

AMENDMENT OFFERED BY MR. FARR OF CALIFORNIA

Mr. FARR of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FARR of California:

Page 13, after line 14, insert the following:

ELECTRIC POWER GRID IMPROVEMENT LOANS

The Secretary of Energy is hereby authorized to make direct loans and loan guarantees in an aggregate principal amount not exceeding $350,000,000 for the purpose of improving existing electric power transmission systems within the United States: *Provided*, That such direct loans and loan guarantees may be made only when the Secretary determines that they would maintain or improve electric transmission efficiency, reliability, or capacity necessary to protect public health and safety or to prevent significant economic disruption in regions served by such systems: *Provided further*, That such direct loans and loan guarantees may be made only to States, companies, or other entities

according to terms and conditions established by the Secretary: *Provided further*, That such direct loans and loan guarantees may be made only if the Secretary determines that other commercial financial alternatives are not economically feasible: *Provided further*, That, during a period determined by the Secretary that does not exceed 25 years after the date of enactment of this Act, the Department of Energy shall fully recover, and deposit in the general fund of the Treasury, the cost of any direct loan or loan guarantee made under the authority provided in this paragraph in a manner determined by the Secretary: *Provided further*, That no direct loan or loan guarantee may be made under the authority provided in this paragraph until 30 days after the Secretary (1) notifies the Committees on Appropriations in writing of the proposed direct loan or loan guarantee, and (2) certifies that the costs to be borne by the Government are reasonable and that contractual safeguards will be in place to provide reasonable assurance that the Government will be repaid in full on a timely basis: *Provided further*, That nothing in this paragraph may be construed to provide Federal eminent domain over any land acquisition needed to improve existing electric power transmission systems: *Provided further*, That the Secretary may delegate to other Department of Energy officials the administration of direct loans and loan guarantees conducted under the authority provided in this paragraph: *Provided further*, That the total amount provided under this paragraph is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

Mr. FARR of California (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, I wish to make sure that my reservation on a point of order against the Farr amendment is protected.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) reserves a point of order on the amendment.

Pursuant to the order of the House today, the gentleman from California (Mr. FARR) and the gentleman from Florida (Mr. YOUNG) each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. FARR).

Mr. FARR of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think the interesting debate on this emergency supplemental, which appropriates about $6.7 billion to fix emergencies in the United States, I think it is appropriate that it did that; but I want to point out that the debate all session, since we began in January, has been a lot about the California energy problem, and it now recognizes a national energy problem.

If we watch the debate, it has been for 6 months essentially a Washington, White House-led accusation that the problem in California is Californians; that we have not built enough power plants; that we have too many environmental regulations; that it is essentially a State problem.

Californians, on the other hand, have responded that if we look at the facts, we are using the same amount of energy that we used last year, so the demand is not up. If we look at the national facts, California uses less energy per capita than any other State in the United States.

So this debate, it is California's problem on infrastructure and California's response, it is the Federal Government's problem on not being able to control costs.

Well, guess what? Guess what this bill does? This bill recognizes that it is a cost problem. It recognizes that it is a cost problem for our military, our Federal military installations and the men and women in uniform who work for the military bases. They did not say that they have a problem with the way they are conserving energy. They did not say they have a problem with the way they are producing energy. They said, we have a problem with what we are paying for energy. It is a cost problem. So in this bill, we appropriate $6.8 million for the Army to pay its energy bills; and by the way, we waive points of order on that.

We appropriate $7.2 million for the Navy to pay its electrical bills, and we waive the points of order on that; and we appropriate $3 million for the Air Force to pay its electrical bills, for a total of $17 million.

Now, I support that, but I want it to be known that we are being two-faced here when we say we are going to pay for the military and nobody else; nobody else gets any cost reduction.

The last debate was about how a cap is put on those costs, and I think it was an appropriate debate to have.

Now, the amendment that I am presenting is essentially to answer that other accusation. It is, let us fix the infrastructure. Well, Mr. Chairman, in the United States there are about 13 gridlocks. There are places where the power cannot get through the transmission line. There is too much power on one side and a need for power on the other, and it is too tight. It is too old. It is too archaic. This simple amendment would appropriate $350 million nationally to have applications for those funds on the basis that one could not get a loan anywhere else and that the President would have to declare that these, indeed, gridlocks are an emergency.

It is a simple amendment. It has to be paid back in 25 years, and it answers what this accusation is in Washington: let us fix the transmission problems; let us fix the distribution problem.

The reason they need to have a Federal guarantee is because these gridlocks are owned by a whole consortium of companies. No one of them can stand alone and qualify for those loans. It is a complicated ownership. It is so complicated that these transmission gridlocks, which are pointed out in the President's energy report, are a serious problem; so serious that the Secretary of Energy testified that during the summer of 2000 cool weather in the Midwest and hot temperatures in the South created a heavy north-to-south flow of lower-cost energy to serve air conditioning loads. Because the transmission system was unable to accommodate the heavy loads, regions in the South had to rely on inefficient, older generation units at higher prices. Went on to say, high density urban areas such as Chicago, New York and others have also old, inefficient, obsolete power transmission systems. This amendment would fix that.

Mr. Chairman, I suggest that this amendment is exactly putting money where our mouth has been for the last 6 months.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. CALLAHAN), the chairman of the Subcommittee on Energy and Water Development.

Mr. CALLAHAN. Mr. Chairman, I must admit that I am somewhat confused because on the one hand we see a few minutes ago some on the other side accusing the energy companies of price gouging and making excessive profits during this current energy crisis and seeking to impose a cap on those companies and obtain funds for unjust and unreasonable rates, refunds. Now, in the next minute, they want us to feel sorry for these poor energy companies that are so financially strapped that we have to give them a federally guaranteed loan. I know that there are some who think that this might be a good idea, but it certainly makes no sense. Maybe the distinction being proposed is that we should punish those companies and utilities that made successful business decisions and are making a profit and reward those that made bad business decisions by giving them government loans.

We realize that there are some very serious problems with the transmission grid in the West. We know that. I disagree with the Governor of California. When I was out there 2 or 3 weeks ago, I watched television and the only thing I saw the Governor doing in a progressive sense was point his finger at Washington and to tell George W. Bush this is his fault.

What I would like to tell the Governor and the people of California, this is not George W. Bush's fault. It is not the fault of the Congress of the United States. We are the body and he is the President that is going to provide the relief that is absolutely necessary for the crisis that they are in.

So it is not a question of whether or not we are going to help these companies by giving them loan guarantees that admittedly, based on the statement the gentleman has made, these companies are insolvent. So we are going to give them loan guarantees to continue what they are doing now?

No, we are not. We are going to come through, as the President and the Vice President has come through in his energy policy, and give them a reasonable amount of time to develop a coherent and comprehensive plan for the transmission grid.

On the immediate basis, what we have done in this bill and what we are doing, the supplemental before us today takes action on the most obvious transmission grid problem, the bottleneck called Path 15 in California. Our bill provides $1.5 million so the Western Area Power Administration can complete the necessary planning and environmental studies so this project can go forward. So we have done something about the crisis in California. We do it in this bill. We provide for that major bottleneck, an opportunity to do immediate studies so we can help correct them; but we are coming to help.

We are not the enemy. We are friends. George Bush did not create this. The Congress did not, but George W. Bush and the Congress of the United States are going to help our friends and our beloved people of California in that wonderful, beautiful State have the necessary power and the grids to carry that power.

Mr. FARR of California. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Missouri (Ms. MCCARTHY).

(Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Chairman, I rise in support of the amendment by the gentleman from California (Mr. FARR). This emergency supplemental is exactly the vehicle that should include measures to address the current energy emergency out West and relieve transmission congestion in the Midwest and avoid similar problems in other parts of the country before we have a repeat of this crisis.

The Committee on Energy and Commerce held several hearings on the electric emergency bill over the past couple of months and identified transmission expansion as vital to California's situation. One of the components of the legislation was expansion of the Path 15 transmission lines that could deliver an additional 1,500 megawatts of power to California from the northwest. That measure identified the need for Path 15 expansion at $220 million. During that hearing, I asked witnesses what stood in the way of getting Path 15 transmission lines expanded and upgraded, and the director of that Western Power Association said, an appropriation.

Mr. Chairman, the Committee on Energy and Commerce did not authorize an appropriation, but the chairman indicated that they felt they had that authorization already. We just need to step up to the plate. So funds to upgrade transmission systems all over our country is the most critical problem we can address today for our Nation's energy future. Besides the efforts to upgrade Path 15, the creation of the loan fund in the Farr amendment will allow for investment in other approaches to upgrade the transmission systems that have lacked commercial support.

I urge adoption of the amendment.

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

Mr. FARR of California. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, we are asked to work in a bipartisan way. The gentlewoman from California (Ms. LOFGREN) has a bill on fusion; my friend, the gentleman from California (Mr. FARR). The President spoke about Path 15 and the inability for us to get power transmission. All the positives that the Members on both sides of the aisle are working together with, if we do not have a way to get that power to our constituents, it is all for naught, whether it is ANWR, whether it is electric, whether it is whatever. That is why I think that this is a good amendment.

My colleagues on my own side of the aisle sought not to support this amendment, but I would say that there are many, many bipartisan supporting activities. The exploration of ANWR, some are against it; some are for. The things that we want to do and look at: clean coal, some are for; some are against. We can take all of these positives that we are working on, and I think people would listen and say we are fighting each other on caps.

□ 1715

I think caps historically are wrong and will be detrimental. But the amendment of the gentleman from California (Mr. FARR) is exactly what the President spoke about in his own power projection plan. That is the reason I rise in support.

Mr. FARR of California. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, the gentleman from Alabama said it is not the fault of the Congress. It is the fault of the Congress. It was the 1992 Energy Act, which I opposed, which brought about and enabled the State of California to deregulate and brought about Federal deregulation of wholesale power transmission and generation. It is the fault of the Congress.

They say it is not the fault of the administration. It is the fault of the administration. The buck stops there. The President has appointed a majority of the Federal Energy Regulatory Commission. He appointed the Chair of the Federal Energy Regulatory Commission, who would not do anything, even though his own staff had said they are violating the law, the prices are unjust and unreasonable. So there is plenty of blame to go around on the Federal level.

There should be Federal support to solve this problem. It involves Federal power agencies. The gentleman from another part of the country, he is familiar with TVA. That is a Federal agency. We have WAPA, we have EPA, we have other Federal agencies involved in power transmission in the West. They need funds to enhance that transmission to get us out of this problem and more efficiently use the power west-wide.

What are the jerks at FERC doing? They are proposing a market-based congestion management pricing system which will give us a California every day on the transmission system.

Mr. FARR of California. Mr. Chairman, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes 10 seconds to the gentleman from Washington.

The CHAIRMAN. The gentleman from Washington is recognized for 4 minutes 10 seconds.

Mr. INSLEE. Mr. Chairman, I would like to note the graciousness of the gentleman from Florida (Chairman YOUNG) in allowing us to speak and address this issue in debate today. We appreciate that. But I also want to note that people do not pay us to talk here, although we do that a bit. They pay us for action. And the majority is not allowing a vote by the elected representatives of this Chamber on two or three of the most important issues in the West Coast and that part of the country right now, refunds for consumers and small business people, on inadequate price limitation.

Despite the graciousness on debate of the gentleman from Florida (Mr. YOUNG), which we have had plenty of, we have had plenty of debate, but we are having no votes, and America, in the small democratic tradition, with a small D, ought to have votes.

So I want to yield to the gentleman from Florida (Mr. YOUNG) and ask him a very sincere question: We have many people who have paid literally billions of dollars too much in their electrical bills in the West Coast in the last several months. We have small businesses going out of business because of that.

Does the gentleman join us in asking for a vote on these issues in some bill in the next couple of weeks?

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Chairman, I would respond in this way: This is an important subject. This is an important matter. What I am trying to do is to protect the institution, and the institution provides for appropriations bills and for authorization bills. The way to deal with these issues, because

they are authorizing in nature, they change the law, is to write a bill, introduce it, take it to the committee of jurisdiction and persuade that committee to bring the bill to the floor.

If we do not do that, what happens is every appropriations bill that comes before the Congress is going to get overburdened with amendments that are not appropriations in nature. At the end of every year, Members complain bitterly sometimes that everything is being held up, we cannot come to a conclusion on this or that. Most of the issues that hold us up at the end of a Congress are legislation on appropriations bills, riders that have no place on appropriations bills. We are trying to protect the integrity of the rules of this institution.

Just one further point: All of these amendments that we are talking about here were presented in the committee, and they were debated at great length in the committee, and in fact there were votes on all of these amendments in the committee. So there have been votes at the Committee on Appropriations level.

Mr. INSLEE. Mr. Chairman, reclaiming my time, I appreciate what the gentleman has to say, but the fact of the matter is we have been trying to get a vote for these through the regular order, through an authorization bill, for over 6 months, while my people are dying on the vine paying these extraordinary bills, and yet the majority has not allowed these bills a vote by this Chamber, the elected representatives.

I want to ask a simple question: I just want to ask the gentleman, will the gentleman help us ask the Republican leadership of this House, bring these bills to the floor for consideration in the next couple of weeks so we can have an up or down vote and see where the votes lie?

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would just take the time to advise the gentleman that our leadership knows of the gentleman's concern. As the gentleman has noticed from the debate that has taken place today, there is a strong disagreement as to whether these amendments would actually solve the problem or add to the problem.

Now, this situation deserves hearings, it deserves an opportunity to be investigated by the committee that has jurisdiction and has more knowledge than the Committee on Appropriations.

So, I would be happy to tell the gentleman, the leadership already knows about this debate. I repeat, there is a strong difference of opinion as to what the effect of these amendments would be. Those on our side believe that they would be negative, have the opposite effect of what your side believes. The amendments should be considered by an authorizing committee that has jurisdiction, and they can have hearings and investigate and make the decisions based on what the facts really are.

Mr. FARR of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, for this debate. Let me point out on page 38 of the bill, it says, ''The bill includes several appropriations that are not authorized by law and, as such, may be construed as legislative in nature. The bill includes several emergency appropriation designations that may be construed as legislative in nature,'' and the first three that they list say that language has been included for the Department of Defense, military, in the operation and maintenance, Army, which extends availability of funds for California energy demand reduction, and goes on to repeat that for the Navy and the Air Force. In fact, it goes on and lists 35 waivers.

Now, the point here is that I think that we are all, and this is the problem, we are sort of getting into this blame game, and I hope we can get off the blame game and really help solve the problem.

There has been a suggestion here that in this emergency, which the Secretary of Energy has indicated is a problem, that we ought to appropriate money which the committee of jurisdiction said was an appropriations problem. Here is an appropriations bill that is declared as an emergency that ought to solve that, and points of order have been waived for other provisions recognizing it is an emergency.

That is all that I am trying to point out, is that we have got to deal with the availability of funding. If we are going to talk about infrastructure improvement, let us improve infrastructure. If we are going to talk about cost, let us not just help the military, and I support 100 percent of what we are doing here, but I think we leave it flat by also not helping the civilian community. That is an emergency as well as it is for the military.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law.''

The amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 and as such constitutes legislation in violation of clause 2 of rule XXI.

Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The gentleman insists on his point of order.

Does the gentleman from California wish to be heard on the point of order?

Mr. FARR of California. No, Mr. Chairman.

The CHAIRMAN. The Chair finds that this amendment includes an emergency designation under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

OTHER DEFENSE RELATED ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For an additional amount for ''Defense Environmental Restoration and Waste Management'', $100,000,000, to remain available until expended.

DEFENSE FACILITIES CLOSURE PROJECTS

For an additional amount for ''Defense Facilities Closure Projects'', $21,000,000, to remain available until expended.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

For an additional amount for ''Defense Environmental Management Privatization'', $27,472,000, to remain available until expended.

CHAPTER 3

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $67,400,000: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, NAVY

For an additional amount for ''Military Construction, Navy'', $10,500,000: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $8,000,000: *Provided,* That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law.

FAMILY HOUSING, ARMY

For an additional amount for ''Family Housing, Army'', $29,480,000 for operation and maintenance.

FAMILY HOUSING, NAVY AND MARINE CORPS

For an additional amount for ''Family Housing, Navy and Marine Corps'', $20,300,000 for operation and maintenance.

FAMILY HOUSING, AIR FORCE

For an additional amount for ''Family Housing, Air Force'', $18,000,000 for operation and maintenance.

BASE REALIGNMENT AND CLOSURE ACCOUNT, PART IV

For an additional amount for deposit into the ''Department of Defense Base Realignment and Closure Account 1990'', $9,000,000, to remain available until expended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. (a) CADET PHYSICAL DEVELOPMENT CENTER.—Notwithstanding section 138

of the Military Construction Appropriations Act, 2001 (division A of Public Law 106–246; 114 Stat. 524), the Secretary of the Army may expend appropriated funds in excess of the amount specified by such section to construct and renovate the Cadet Physical Development Center at the United States Military Academy, except that—

(1) such additional expenditures may be used only for the purposes of meeting unanticipated price increases and related construction contingency costs and making minor changes to the project to incorporate design features that result in reducing long-term operating costs; and

(2) such additional expenditures may not exceed the difference between the authorized amount for the project and the amount specified in such section.

(b) LIMITATIONS AND REPORTS.—No sums may be expended for final phase construction of the project until 15 days after the Secretary of the Army submits a report to the congressional defense committees describing the revised cost estimates referred to in subsection (a), the methodology used in making these cost estimates, and the changes in project costs compared to estimates made in October, 2000. Not later than August 1, 2001, the Secretary of the Army shall submit a report to the congressional defense committees explaining the plan of the Department of the Army to expend privately donated funds for capital improvements at the United States Military Academy between fiscal years 2001 and 2011.

SEC. 1302. Except as otherwise specifically provided in this Chapter, amounts provided to the Department of Defense under each of the headings in this Chapter shall be made available for the same time period as the amounts appropriated under each such heading in Public Law 106–246.

(RESCISSION)

SEC. 1303. Of the funds provided in previous Military Construction Appropriations Acts, $70,500,000 is hereby rescinded as of the date of the enactment of this Act.

TITLE II

OTHER SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

GENERAL PROVISION—THIS CHAPTER

SEC. 2101. The paragraph under the heading ''Rural Community Advancement Program'' in title III of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (as enacted by Public Law 106–387; 114 Stat. 1549A–17), is amended—

(1) in the third proviso, by striking ''ability of'' and inserting ''ability of low income rural communities and''; and

(2) in the fourth proviso, by striking ''assistance to'' the first place it appears and inserting ''assistance and to''.

CHAPTER 2

DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA FUNDS

GOVERNMENTAL DIRECTION AND SUPPORT

(INCLUDING RESCISSION)

For an additional amount for ''Governmental Direction and Support'', $5,400,000 from local funds for increases in natural gas costs.

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2001, approved November 22, 2000 (Public Law 106–522; 114 Stat. 2447), $250,000 to simplify employee compensation systems is rescinded.

ECONOMIC DEVELOPMENT AND REGULATION

For an additional amount for ''Economic Development and Regulation'', $1,625,000 from local funds to be allocated as follows: $1,000,000 for the implementation of the New E-Conomy Transformation Act of 2000 (D.C. Act 13–543); and $625,000 for the Department of Consumer and Regulatory Affairs to carry out the purposes of D.C. Code, sec. 5–513: *Provided*, That the fees established and collected pursuant to Bill 13–646 shall be identified, and an accounting provided, to the Committee on Consumer and Regulatory Affairs of the Council of the District of Columbia.

PUBLIC SAFETY AND JUSTICE

(INCLUDING RESCISSION)

For an additional amount for ''Public Safety and Justice'', $8,901,000 from local funds to be allocated as follows: $2,800,000 is for the Metropolitan Police Department of which $800,000 is for the speed camera program and $2,000,000 is for the Fraternal Order of Police arbitration award and the Fair Labor Standards Act liability; $5,940,000 is for the Fire and Emergency Medical Services Department of which $5,540,000 is for pre-tax payments for pension, health and life insurance premiums and $400,000 is for the fifth fire fighter on trucks initiative; and $161,000 is for the Child Fatality Review Committee established pursuant to the Child Fatality Review Committee Establishment Emergency Act of 2001 (D.C. Act 14–40) and the Child Fatality Review Committee Establishment Temporary Act of 2001 (D.C. Bill 14–165).

Of the funds appropriated under this heading in the District of Columbia Appropriations Act, 2001, approved November 22, 2000 (Public Law 106–522), $131,000 for Taxicab Inspectors is rescinded.

PUBLIC EDUCATION SYSTEM

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Public Education System'', $2,000,000, of which $250,000 shall be derived by transfer from the amount provided under the heading ''Federal Payment for Plan To Simplify Employee Compensation Systems'' in the District of Columbia Appropriations Act, 2001 (Public Law 106–522; 114 Stat. 2444) and $1,750,000 from local funds, to be allocated as follows: $1,000,000 from local funds for the State Education Office for a census-type audit of the student enrollment of each District of Columbia Public School and of each public charter school; and $1,000,000, of which $250,000 shall be from the funds transferred earlier in this paragraph and $750,000 from local funds, for the Excel Institute Adult Education Program: *Provided*, That section 108(b) of the District of Columbia Public Education Act, Public Law 89–791 as amended (D.C. Code, sec. 31–1408), is amended by adding at the end of the paragraph the following: ''In addition, any proceeds and interest accruing thereon, which remain from the sale of the former radio station WDCU in an escrow account of the District of Columbia Financial Management and Assistance Authority for the benefit of the University of the District of Columbia, shall be used for the University of the District of Columbia's Endowment Fund, and such proceeds may be invested in equity based securities if approved by the Chief Financial Officer of the District of Columbia.''

AMENDMENT OFFERED BY MR. KNOLLENBERG

Mr. KNOLLENBERG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KNOLLENBERG:

Page 19, line 25, strike ''$2,000,000'' and insert ''$14,000,000''.

Page 20, line 5, strike ''$1,750,000'' and insert ''$13,750,000''.

Page 20, line 6, insert after the colon the following: ''$12,000,000 from local funds for the District of Columbia Public Schools to conduct the 2001 summer school program;''.

Mr. KNOLLENBERG. Mr. Chairman, I rise to offer an amendment to allocate $12 million of the District of Columbia's local funds for the city's summer school program. These funds are the city's own money and they are taken from the unobligated surplus funds. This amendment has no cost, no cost, to the Federal Government. Simply put, Federal money is not involved.

I have long held that education is one area that I want to focus on as the chair of the Committee on Appropriations Subcommittee on the District of Columbia. In fact, my first trip into the city to visit some of the local schools and the subcommittee's very first hearing this year was on education.

□ 1730

I am not alone in my attention to the District of Columbia schools. President George Bush and First Lady Laura Bush have visited schools in our Nation's Capital. The First Lady also champions a local initiative that will hire 100 professionals and put them into the city's classrooms.

This amendment is the continuation of this mutual commitment.

For the past few years, the D.C. public school system has received money from the Federal Department of Education, and the officials have been working with them to secure the summer school funds for fiscal year 01. Recently, it has become apparent that the funds will not be forthcoming from the Federal agency for the current fiscal year and local officials have been scrambling to find or address the looming shortfall. After all, if the funds are not available, the summer school doors will remain locked and the kids will not be able to get the education they deserve.

I must confess some disappointment as to how we arrived at this point. The mayor and the city council sent a supplemental package to Congress on May 22, but it contained no money for the summer school program and I think surely someone must have known this was looming.

In fact, I did not receive any notice about the $12 million shortfall until Friday, June 8, nearly 3 weeks after the mayor and the council sent their request to Congress. And I saw no justification or language until the following Wednesday evening, June 13, which was the night before the full committee markup of the supplemental. I know the gentleman from Pennsylvania (Mr. FATTAH) and I were unprepared to address this last Thursday in full committee because details were still coming in at that time and there were remaining questions that had not been answered. Since then, further details have been slow to come, but most arrived just yesterday after some prodding from the gentlewoman from the District of Columbia (Ms. NORTON), and I thank her for that assistance, and now we have what we want. I look forward to working more

closely with District officials to ensure that we are provided with materials and answers to questions at the beginning of the process.

Mr. Chairman, if this amendment is not a part of the supplemental bill, then thousands of kids will not be able to attend summer school in the District of Columbia. Regardless of how we got here this evening, it is critical we pass this amendment.

I want to reiterate that the $12 million in the amendment is not Federal money, but merely allocating funds from the unobligated local surplus that the District has accumulated through the careful financial management by Mayor Anthony Williams. There will be no impact on the Federal budget as a result of this amendment.

Mr. Chairman, I urge Members to support the amendment. I yield to the gentleman from Florida (Mr. YOUNG), the chairman of the full committee, for any comments he might wish to make.

Mr. YOUNG of Florida. Mr. Chairman, I want to compliment the gentleman as the new chairman of the Subcommittee on the District of Columbia. He has done an exceptional job in bringing a great communication between the Congress and the District of Columbia.

This is a good amendment. As he said, this is not Federal funds, this is District of Columbia funds. This is a germane amendment, it is an appropriation amendment, and I support the gentleman's amendment.

Mr. KNOLLENBERG. Mr. Chairman, I thank the gentleman.

Mr. FATTAH. Mr. Chairman, I move to strike the last word.

I would like to thank the chairman of the full committee for accepting this amendment, along with the ranking member. I brought this up in the committee meeting and with an agreement of the chairman of the subcommittee, we held it back because the chairman assured me and, as is his word, he is here on the floor today, making sure that the 30,000 children in the District of Columbia will be able to participate in summer school.

The District of Columbia has had a renaissance: 4 years of surpluses and upgrades in all of its bond ratings. It has a large cash reserve, and it is really unfortunate that the District even has to come to the Congress to ask to spend its own money on behalf of its own children for summer school. This is the first year, as the chairman mentioned, that it had not received from the Federal Government support for its summer school program, which is disappointing. I am sure that Secretary Paige and the Bush administration, because of their extraordinary commitment to the D.C. schools, next year we will not be in this situation and the Department will provide support for its summer school.

Nonetheless, the District has made a way, and the chairman has made it available through this amendment. I want to thank him.

I also want to say that this would not have been possible without the leadership and support of the gentlewoman from the District of Columbia (Ms. NORTON). I want to thank her for the extraordinary leadership that her office provided.

I wish the superintendent, Paul Vance, well. He is doing a tremendous job. Summer school for these young people will be as important here in the District as it is back home in our districts for the young people there. I want to thank the gentleman from Michigan (Mr. KNOLLENBERG), the chairman of the subcommittee, for following through on his commitment made in the committee markup to bring this matter to the floor once we had further information.

Ms. NORTON. Mr. Chairman, I rise to strike the last word.

Mr. Chairman, I need to rise first to thank the gentleman from Michigan (Mr. KNOLLENBERG), the chairman of the subcommittee, and the gentleman from Pennsylvania (Mr. FATTAH), the ranking member. I thank the gentleman from Michigan for the great attention, for the scrupulous and careful, tough oversight, but always fair oversight he is rendering as subcommittee chair. And I thank the gentleman from Pennsylvania, who brings a profound understanding of the District and its operations, the first big city ranking member we have had in some years now. The chairman and the ranking member have worked so well together, and that is why we are here today.

Let me apologize for taking up the time of the body on whether local jurisdiction can spend its own local money on its own children. I am inclined to think it is pathetic, but this is the procedure that is used here. I hope to have an amendment before this body that will keep this body from spending its time this way.

The superintendent I think held out hope, he is a new superintendent, that Federal funds that have been forthcoming will be forthcoming this year. They were not. Yet, this is the 3rd year of a summer school virtual extension of the school year, and it is extended and expanded because we have so many students who test at basic or below basic and because the first 2 years of this expanded summer school have had such a big payoff in educational achievement. I think the body should commend this pioneering program to other districts, because there is none in the United States that does not need it.

Essentially what it does is to extend the school year here from 5 to 6 weeks with a 20 percent increase from 22,000 to 30,000 students. This means almost half of the school students in the District of Columbia will be in this Summer Stars program. This is a 267 percent increase in the size of the program, with only a 50 percent increase in funds.

The key to the program is a 15-to-1 student-teacher ratio and a 12-to-1 ratio for special education students. The reason the program is expanding is because of the consistent increase in post-test scores over pre-test scores, and in the same significant improvement in the SAT 9 scores. This program is required of every student in the District of Columbia who scored basic or below basic in reading and math. That is the morning program. There is an afternoon program that is optional for children who scored proficient or advanced in reading and math and for all English learners and special education students. Something that works so well and is so well documented I hope will be voted by acclamation. Every child in the United States who needs extended educational opportunities in the summer should have a similar opportunity. I hope Members will look at this program for their own districts.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HUMAN SUPPORT SERVICES

For an additional amount for ''Human Support Services'', $28,000,000 from local funds to be allocated as follows: $15,000,000 for expansion of the Medicaid program; $4,000,000 to increase the local share for Disproportionate Share to Hospitals (DSH) payments; $3,000,000 for the Disability Compensation Fund; $1,000,000 for the Office of Latino Affairs for Latino Community Education grants; and $5,000,000 for the Children Investment Trust.

PUBLIC WORKS

For an additional amount for ''Public Works'', $131,000 from local funds for Taxicab Inspectors.

WORKFORCE INVESTMENTS

For expenses associated with the workforce investments program, $40,500,000 from local funds.

WILSON BUILDING

For an additional amount for ''Wilson Building'', $7,100,000 from local funds.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY AND THE WASHINGTON AQUEDUCT

For an additional amount for ''Water and Sewer Authority and the Washington Aqueduct'', $2,151,000 from local funds for the Water and Sewer Authority for initiatives associated with complying with stormwater legislation and proposed right-of-way fees.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For an additional amount for ''Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee'', for emergency expenses due to flooding and other natural disasters, $18,000,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, GENERAL

For an additional amount for ''Operation and Maintenance, General'', for emergency expenses due to flooding and other natural disasters, $115,500,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That using $1,900,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake the project authorized by section 518 of Public Law 106–53, at full Federal expense.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act of August 18, 1941, as amended, $50,000,000, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

For an additional amount for ''Non-Defense Environmental Management'', $11,950,000, to remain available until expended.

URANIUM FACILITIES MAINTENANCE AND REMEDIATION

For an additional amount for ''Uranium Facilities Maintenance and Remediation'', $18,000,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For an additional amount for ''Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration'', $1,578,000, to remain available until expended: *Provided*, That these funds shall be non-reimbursable.

GENERAL PROVISION—THIS CHAPTER

SEC. 2301. Of the amounts appropriated under the heading ''Operation and Maintenance, General'' under title I of the Energy and Water Appropriations Act, 2001 (enacted by Public Law 106–377; 114 Stat. 1441 A–62), the $500,000 made available for the Chickamauga Lock, Tennessee, shall be available for completion of the feasibility study for Chickamauga Lock, Tennessee.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

In title II, at the end of chapter 3, insert the following:

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Salaries and Expenses'', $1,000,000, for establishment of a maximum price for wholesale sales of electricity at rates that are unjust, unreasonable, or unduly discriminatory or preferential and to provide for the refund of prices paid in excess of such maximum price, to be derived by transfer from funds made available under title I: *Provided*, That the Director of the Office of Management and Budget shall determine the amount to be transferred from each account in title I: *Provided further*, That the Director shall not transfer any amounts from the funds made available under the headings ''Military Personnel'', ''Defense Health Program'', ''Family Housing, Army'', ''Family Housing, Navy and Marine Corps'', and ''Family Housing, Air Force''.

Mr. YOUNG of Florida. Mr. Chairman, I rise to reserve a point of order. Although this amendment was not part of the originally agreed-upon unanimous consent, I will not make the point of order until the gentleman has his 5 minutes, but after he has explained the amendment, I will make the point of order against the amendment.

The CHAIRMAN. Does the gentleman reserve his point of order?

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order.

Mr. FILNER. Mr. Chairman, I thank the gentleman from Florida (Mr. YOUNG) for his courtesy.

This item, which provides money to the Federal Energy Regulatory Commission for the purpose of establishing cost-base rates in the western region of our electricity grid and to provide for refund of all of the criminal overcharges that California and the West has experienced since last June.

Now, we have debated on this floor amendments similar to this. I would just like to add for my colleagues some information.

I represent San Diego, California, which was at ground zero for the crisis that we are experiencing in the West and, I predict, soon in the rest of the United States. The experience we had in San Diego is that when our retail market was fully deregulated, and I will say to those who say full regulation never occurred in California, it did in San Diego. Both the retail and wholesale prices were fully deregulated, and I will tell my colleagues that within 30 days of deregulation, prices doubled on all businesses and individuals in San Diego County. At the end of 60 days, prices tripled. There was literally a revolution and panic in San Diego. Businesses closed up by the scores. If you were a small business on the margins and you had an $800 bill for your monthly electricity rates, and that bill went up to $1,500 and then to $2,500, there is no way that you can survive.

I will tell the Chairman, a recent report by our San Diego County Chamber of Commerce showed that, and I want my colleagues to listen to this figure, because it is almost unbelievable: Sixty-five percent of small businesses in San Diego County face bankruptcy this year if electricity prices do not come down. Sixty five percent.

Now, I will tell my colleagues when a few percent of businesses are wiped out with an earthquake or a flood or a fire, FEMA and the whole Federal Government is into that area.

□ 1745

Well, where is the Federal government in California and San Diego when this kind of disaster strikes? Not only are we facing business closings, bankruptcies, but individuals on fixed income cannot afford their electricity bills, big businesses cannot afford the uncertainty about the prices.

The biggest employer in my district may close this year, not just because of the potential price increases, but because of blackouts and uncertainty that they cannot keep up their production. This is disaster.

The chairman has in the supplemental bill, and I heard his testimony at the Committee on Rules, the first thing the chairman mentioned was that $750 million of this bill was going for increased energy costs. He recognize that the problem in the West is high prices of electricity.

There were no lectures in this bill about increasing supply or decreasing demand. The chairman reimbursed the military for their high prices. What about the small businesses in San Diego and California? What about the people on fixed income? We need to bring the prices down.

My colleagues on the other side of the aisle and the Vice President and President have said that price controls do not produce a kilowatt of electricity. They do not save a kilowatt of electricity. Hello, we know that, but the Governor of California has a dozen plants online in California to increase capacity. We are now the number one State for energy conservation in this Nation. We are doing our share to increase capacity and bring down demand, but it is the prices that are bleeding us dry. It is the prices.

We paid, Mr. Chairman, $7 billion for all of our electricity 2 years ago. Now last year we paid $27 billion without any increase in demand, though a little increase in cost of production. We have faced bills of between $50 billion and $70 billion this year, a ten-fold increase, a ten-fold increase of prices, with no appreciable increase of demand or increase of cost.

That is the problem, Mr. Chairman. The problem is the prices that are bleeding us dry. They recognize the problem by increasing the military expenditures in this field. We need to bring down the prices for the small business people, for the big business people, for the families on fixed incomes, for all families in San Diego, in California, and in the West, and I will bet soon in the rest of the Nation.

Mr. Chairman, when we brought to the attention of FERC the increase of prices in San Diego, we charged that the electricity cartel was withholding supply. We charged that they were falsifying transmission data to show that there was a problem with supply. We showed that they were laundering electrons.

Do Members know what happened? FERC did an investigation. FERC found, yes, the market was manipulated. The market was manipulated. They found the prices to be unjust, unreasonable, and by Federal power law,

illegal. So we have been paying illegal prices, Mr. Chairman, for 1 year. We have been paying illegal prices for 1 year.

When FERC did nothing in November, December, January, February, March, April, or May, what did they tell the electricity cartel? Go and rob the State blind. Go and rob the region blind. Go and rob the country blind. That is exactly what is happening.

I will tell the Members, whether they are in Florida or Pennsylvania, they are going to face this next.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Florida is recognized.

Mr. YOUNG of Florida. Mr. Chairman, I insist on the point of order because it proposes to change existing law and constitutes legislation on an appropriation bill, and therefore violates clause 2 of rule XXI.

The rule states, in pertinent part, ''An amendment to a general appropriations bill shall not be in order if changing existing law.'' The amendment gives affirmative direction, in effect. I ask for a ruling of the Chair.

The CHAIRMAN. Does the gentleman insist on the point of order?

Mr. YOUNG of Florida. Yes, Mr. Chairman.

The CHAIRMAN. Does the gentleman from California (Mr. FILNER) wish to be heard on the point of order?

Mr. FILNER. Yes, I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized on the point of order.

Mr. FILNER. Mr. Chairman, I understand the technical point of order, but my constituents do not understand how a technicality can prevent dealing with this emergency in San Diego and in California.

The chairman knows, and I will not bother to ask, but the chairman knows that there are hundreds if not thousands of provisions that have been on appropriations bills since the gentleman's chairmanship that have been passed through this Congress. The gentleman knows that items which are not authorized are approved.

I heard the gentleman in an earlier statement saying they were meaningless items in this bill. I do not know about that, but certainly in other appropriations bills they have been significant authorizations.

On behalf of my constituents, I would just plead to the gentleman, on a technicality, do not insist on a point of order when we have this emergency that is bleeding us dry. All the small businesses are at risk in San Diego and in California. Please do not send them under.

The CHAIRMAN. The Chair is prepared to rule. The Chair finds that this amendment includes language imparting direction. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

AMENDMENT OFFERED BY MR. VISCLOSKY

Mr. VISCLOSKY. Mr. Chairman, I will be offering an amendment. We are working with the majority to refine the language.

Mr. Chairman, I ask unanimous consent to be allowed to return to this portion of the bill to offer my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, I wonder if the gentleman would speak a little more directly into the microphone and explain what his request is.

Mr. VISCLOSKY. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Indiana.

Mr. VISCLOSKY. Mr. Chairman, the staffs and Members are conversing about the amendment that I am offering for $23.7 million for dam safety and efficiency improvement. I believe we have reached an agreement, but we do not have the final language prepared. I simply want to preserve the prerogative to return to this point in the bill.

Mr. YOUNG of Alaska. Mr. Chairman, I understand the gentleman's request. He is an important member of the Committee on Appropriations. I certainly hope that the House will accommodate his request.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 24, after line 19, insert the following new chapter:

CHAPTER 3A

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

INTERNATIONAL DISASTER ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''International Disaster Assistance'' for rehabilitation and reconstruction assistance for India, to be derived by transfer from the amount provided in chapter 1 of title I for ''Research, Development, Test and Evaluation, Air Force'', $100,000,000, to remain available until expended.

Ms. JACKSON-LEE of Texas (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

Mr. YOUNG of Alaska. Reserving the right to object, Mr. Chairman, I do so to reserve a point of order. Although this amendment was not part of the original agreement, I will not make the point of order until the gentlewoman has concluded her 5 minutes on the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON-LEE of Texas. I appreciate the gentleman's statement, Mr. Chairman. Both the chairman and the ranking member are very kind.

Mr. Chairman, as I indicated to the gentleman's staff, I stand here speaking about a disaster that is very far away from Houston, Texas.

It so happened that I began my work with the members of the Indian community, the Indo-American community, in Houston way before the devastation of Tropical Storm Allison appeared in Houston, Texas.

This amendment is responding to the devastation that we are well aware of that occurred some months ago in India, where 18,000 are dead, 166,836 are injured, and 600,000 are homeless.

Although I know a number of my colleagues have been working toward assisting the Nation of India, this is an amendment to add $100 million to the bilateral economic assistance line to provide resources for the rehabilitation of India, after their devastating earthquake last year.

I can only say that it is part of our general attitude in this country of extending our hand of assistance to those who have been devastated. As I indicated to the chairman, I am far away from Houston, Texas, on this particular amendment, but this is a longstanding work that we have been doing.

The Indo-American community has been raising private funds throughout the Nation. They have been trying to independently work to provide resources to their loved ones in India. I am only hoping that, as we proceed through the appropriations process, that we would have the opportunity, though this amendment may be subject to a point of order, that we will have the opportunity to work with the appropriate subcommittee of the Committee on Appropriations to be sure that we provide the necessary resources to help rebuild the devastating part of India that this disaster took place in.

Although today I will come forward again speaking about the devastation in Houston, I would be remiss not to continue the work that I have done with the Indo-American community on trying to assist them and the Nation of India.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman from Florida is recognized.

Mr. YOUNG of Florida. Mr. Chairman, there will be an appropriate time to consider this amendment. When the

authorizing bill is passed, the vehicle will be available.

But at the present time, I must make a point of order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI. Clause 2 of rule XXI states, in pertinent part, ''An appropriation may not be in order as an amendment for an expenditure not previously authorized by law.''

Mr. Chairman, the authorization for this program has not been signed into law. The amendment therefore violates clause 2 of rule XXI, and I insist on the point of order.

The CHAIRMAN. The gentleman insists on his point of order.

Does the gentlewoman from Texas (Ms. JACKSON-LEE) wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. I do, Mr. Chairman.

The CHAIRMAN. The gentlewoman is recognized for that purpose.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I know authorizers and appropriators have to work together. We were hoping this had been authorized and that we could, frankly, find the exchange of funds.

Based upon the chairman's pronouncement, let me say that I will take him at his word that we will work through the appropriating process so that India will be able to have the secured funds that are necessary. Although I would hope that the point of order would be withdrawn, I thank the chairman.

The CHAIRMAN. The Chair is prepared to rule. The proponent of an item of appropriation carries the burden of persuasion on the question of whether it is supported by an authorization in law.

Having reviewed the amendment and entertained argument on the point of order, the Chair is unable to conclude that the item of appropriation in question is authorized in law.

The Chair is therefore constrained to sustain the point of order under clause 2(a) of rule XXI. The amendment is not in order.

AMENDMENT OFFERED BY MR. VISCLOSKY

Mr. VISCLOSKY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VISCLOSKY:

On page 24, after line 19, insert the following:

SEC. 2302. The amounts otherwise provided by this Act for ''National Nuclear Security Administration—Weapons Activities'' are reduced by $23,700,000. For an additional amount for ''Corps of Engineers—Civil—Operation and Maintenance, General'', $23,700,000, to remain available until expended.

Mr. VISCLOSKY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

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

Mr. VISCLOSKY. Mr. Chairman, I essentially would explain the amendment that is for $23.7 million for desperately needed rehabilitation, repair, and safety measures at dams under the jurisdiction of the Army Corps of Engineers.

It is meant to improve the safety, reliability, and efficiency of these facilities that are already in place, and with the recognition that if we can improve efficiency by 1 percent, we can generate an additional $3.3 billion kilowatt hours of electricity without the construction of any additional facilities.

It is my understanding that the majority has agreed to the amendment. I simply want to use my time to thank the gentleman from Florida (Chairman YOUNG), the gentleman from Alabama (Chairman CALLAHAN), and the gentleman from California (Chairman LEWIS), for their deep consideration and approval of this measure.

Mr. YOUNG of Florida. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, we have had the opportunity to review the amendment. We find it to be a very positive amendment. For the majority, I accept this amendment.

Mr. MURTHA. Mr. Chairman, I move to strike the last word.

We have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. VISCLOSKY).

The amendment was agreed to.

Mr. GREEN of Texas, Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not take all my time, but I would like to rise and express opposition concerning the approach that is being taken toward the Federal Emergency Management Administration disaster relief funding.

Already this year we have 27 major disaster declarations across the United States, including the devastating flood in Houston and southeastern Texas caused by Tropical Storm Allison. The damage estimates from this declaration are continuing to go up.

In fact, in today's paper in Houston we see that the estimates now are up to $4.8 billion in losses just from 2 weeks ago in Houston, Texas, and that is not counting the loss in Louisiana and to the southeastern United States, all the way up to Pennsylvania this last weekend.

□ 1800

The provision in this bill to rescind the $389 million in FEMA disaster relief should not be taken lightly, not only to my own constituents in Houston but to all Americans who may suffer natural disasters this year. My colleagues should understand there is an amendment that will make it an across-the-board cut that will restore about $330 million of this; but even with that, there is much to be lost.

In fact, I have a letter from our U.S. Senator, Senator KAY BAILEY HUTCHISON, expressing concern about this cut, but also there is concern that we may be looking at asking for an extra billion dollars for FEMA. Because, again, as of 7:00 a.m. on June 19, yesterday, we had 47,348 claims filed with FEMA in just Houston, Texas, alone.

Again, this is really the early start of it, as my colleagues know who have been through this before. I have not been through it in the Houston area, like some of my colleagues, but the recision funding could hinder FEMA's ability to provide quick and effective disaster assistance, maybe not only in Houston but in future disasters.

Again, the Bush administration expressed concern about this with the Office of Management and Budget in a letter, and I know if we do not do it in this particular emergency spending, because that is what emergency spending bills are about, disaster relief, then we will have to fix it in the appropriations bill, Mr. Chairman; and that is what concerns me.

Mr. Chairman, I have areas in northeast Harris County that literally have been devastated, very urban areas, areas that are very costly to try and even reach some kind of an amount that will help my constituents.

I know there are efforts even now as we stand here tonight that FEMA is offered to try and deal with mosquito control in Houston, because we always have mosquito problems. Now we see that the number of mosquitos is measured by how many landings they have on a person's exposed arm. So anything above 25 is considered dangerous.

If you have your arm outside and 25 mosquitos light on it, and I do not know how many would be willing to take 25, but we have more than that, in fact, four times that rate in Houston, so FEMA has agreed to fund $1.2 million to help spray for the mosquitos. Again, this is just in one area of the loss from Tropical Storm Allison.

Again, I cannot implore to my colleagues, not only on the majority side but on the minority side, to realize that disaster relief is mounting and the recision of the $389 million should not happen; and even the restoration of $330 million with cuts across the board may not be enough.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER 4

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for ''Operation of Indian Programs'', $50,000,000, to remain available until September 30, 2002, for electric power operations at the San Carlos Irrigation Project, of which such amounts as necessary may be transferred to other appropriations accounts for repayment of advances previously made for such power operations: *Provided*, That the entire amount is

designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for ''Construction'', $17,700,000, to remain available until expended, to repair damages caused by floods, ice storms, and earthquakes in the States of Washington, Illinois, Iowa, Minnesota, Missouri, Wisconsin, New Mexico, Oklahoma, and Texas: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL PARK SERVICE

UNITED STATES PARK POLICE

For an additional amount for ''United States Park Police'', $1,700,000, to remain available until September 30, 2002, for unbudgeted increases in pension costs for retired United States Park Police officers.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

For an additional amount for ''State and Private Forestry'', $22,000,000, to remain available until expended, to repair damages caused by ice storms in the States of Arkansas and Oklahoma, and for emergency pest suppression and prevention on Federal, State and private lands: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL FOREST SYSTEM

For an additional amount for ''National Forest System'', $12,000,000, to remain available until expended, to repair damages caused by ice storms in the States of Arkansas and Oklahoma and to address illegal cultivation of marijuana in California and Kentucky: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'', $100,000,000, to remain available until expended, for emergency rehabilitation, presuppression due to emergencies, and wildland fire suppression activities: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for ''Capital Improvement and Maintenance'', $4,000,000, to remain available until expended, to repair damages caused by ice storms in the States of Arkansas and Oklahoma: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2401. Of the funds appropriated to ''Operation of the National Park System'' in Public Law 106–291, $200,000 for completion of a wilderness study at Apostle Islands National Lakeshore, Wisconsin, shall remain available until expended.

SEC. 2402. (a) The unobligated balances as of September 30, 2001, of the funds transferred to the Secretary of the Interior pursuant to section 311 of chapter 3 of division A of the Miscellaneous Appropriations Act, 2001 (as enacted into law by Public Law 106–554) for maintenance, protection, or preservation of the land and interests in land described in section 3 of the Minuteman Missile National Historic Site Establishment Act of 1999 (Public Law 106–115), are rescinded.

(b) Subsection (a) shall be effective on September 30, 2001.

(c) The amount rescinded pursuant to subsection (a) is appropriated to the Secretary of the Interior for the purposes specified in such subsection, to remain available until expended.

SEC. 2403. Section 338 of Public Law 106–291 is amended by striking ''105–825'' and inserting in lieu thereof: ''105–277''.

SEC. 2404. Section 2 of Public Law 106–558 is amended by striking subsection (b) in its entirety and inserting in lieu thereof:

''(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.''.

SEC. 2405. Federal Highway Administration emergency relief for federally-owned roads, made available to the Forest Service as Federal-aid highways funds, may be used to reimburse Forest Service accounts for expenditures previously completed only to the extent that such expenditures would otherwise have qualified for the use of Federal-aid highways funds.

CHAPTER 5

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

LOW INCOME HOME ENERGY ASSISTANCE

For an additional amount for ''Low Income Home Energy Assistance'' under section 2602(e) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621(e)), $300,000,000: *Provided,* That these funds are for the home energy assistance needs of one or more States, as authorized by section 2604(e) of that Act and notwithstanding the designation requirement of section 2602(e) of such Act.

DEPARTMENT OF EDUCATION

EDUCATION REFORM

In the statement of the managers of the committee of conference accompanying H.R. 4577 (Public Law 106–554; H. Rept. 106–1033), in title III of the explanatory language on H.R. 5656 (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001), in the matter relating to Technology Innovation Challenge Grants under the heading ''Education Reform'', the amount specified for Western Kentucky University to improve teacher preparation programs that help incorporate technology into the school curriculum shall be deemed to be $400,000.

AMENDMENT OFFERED BY MS. DELAURO

Ms. DELAURO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. DELAURO:

In chapter 5 of title II, strike the item relating to ''LOW INCOME HOME ENERGY ASSISTANCE'' and insert the following:

LOW INCOME HOME ENERGY ASSISTANCE

For an additional amount for ''Low Income Home Energy Assistance'' under section 2602(e) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621(e)), $600,000,000: *Provided,* That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That such amount shall be available only to the extent that an official budget request, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

For making payments for ''Low Income Home Energy Assistance'' under section 2602(b) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621(b)), $1,400,000,000, which shall become available on October 1, 2001.

In chapter 9 of title II, in the item relating to ''FEDERAL EMERGENCY MANAGEMENT AGENCY—DISASTER RELIEF'', after the dollar amount of the rescission, insert the following: ''(reduced by $300,000,000)''.

Ms. DELAURO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment as agreed to earlier today and that there would be 10 minutes on each side. So, Mr. Chairman, I reserve a point of order until that 10 minutes on each side has been concluded.

The CHAIRMAN. Pursuant to the order of the Committee today, the gentlewoman from Connecticut (Ms. DELAURO) and the gentleman from Florida (Mr. YOUNG) each will control 10 minutes.

The Chair recognizes the gentlewoman from Connecticut (Ms. DELAURO).

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

Mr. Chairman, my amendment would provide $600 million in emergency funding for this fiscal year for the Low-Income Heating Energy Assistance Program, the LIHEAP program, and $1.4 billion for fiscal year 2002 in advance funding for the LIHEAP program. Equally critical, it would restore $300 million to the Federal Emergency Management Agency's Disaster Relief Fund.

The LIHEAP program is one of the most critical and successful components of our social safety net. The program provides essential heating and cooling assistance to almost 5 million low-income households, including the working poor, those who are making the transition from welfare to work, disabled persons, elderly and families with young children, the most vulnerable in our society. The price spikes with regard to costs of energy have a disproportionate effect on these vulnerable populations.

They pay 20 percent of their income on energy bills, and that is about four times on average the amount paid by other people. These are folks who are making around $8,000 or less a year.

Mr. Chairman, the $150 million requested by the President and the 300 million included in this bill are inadequate. They do not meet the needs of millions of working families and seniors who are facing unbelievable energy

costs, no matter where you go in the United States.

In addition, all of the LIHEAP funds appropriated for this fiscal year have been released and nearly half of the States have already exhausted or nearly exhausted their funding.

Warm weather States facing the prospects of a hot summer will have little relief without immediate emergency LIHEAP funds. The amendment increases assistance to these families by providing this emergency appropriation.

The funds are needed in order to address an immediate problem, an immediate relief for those States who are trying to deal with delinquent energy payments and then preparing for the effects of the summer.

The amendment also provides $1.4 billion for LIHEAP for that appropriation for the year 2002, and we need to do this now so that there is no interruption of benefits for people who are suffering with the high prices.

States need to have the advanced funding so that they can prevent the cuts in benefits, they can determine eligibility levels, and they can enter into contracts when the energy costs are low so that they do not have to pay more when the cold weather hits.

Finally, the amendment would restore $300 million to the Federal Emergency Management Agency's Disaster Relief Fund. These were originally used to offset the $300 million the committee had set aside for LIHEAP assistance.

As my colleagues have said earlier today, most of the South is dealing with the aftermath of Tropical Storm Allison. This storm has caused numerous fatalities and dumped 30 inches of rain in some areas as it has ripped its way from Texas to New England.

Yesterday, FEMA director Joe Allbaugh stated that the costs are now going to exceed $4 billion. They originally talked about $2 billion. As my colleague from Texas pointed out, the Houston Chronicle this morning talked about $4.8 billion, and they are not sure where this number is finally going to land.

This is not the time, not the time to take money away from FEMA; but it is the time when we ought to be strengthening what we are doing here.

If we fail to act now, our most vulnerable population, people who are struggling every single day to pay the high cost of energy, making serious choices in what their lives are about in order to deal with energy costs, they are going to be confronted continually with these skyrocketing costs. We have an opportunity on an emergency basis to do something about it. We should act today.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield such time as he might consume to the distinguished gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Labor, Health and Human Services and Education.

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

Mr. REGULA. Mr. Chairman, I rise in opposition to this amendment. I recognize, of course, that the gentlewoman from Connecticut (Ms. DELAURO), the proponent, is concerned; but let me say that we also recognize there is a need out there.

The President recommended 150 million extra dollars and in the subcommittee action as part of the full committee, we doubled that to $300 million. And effectively, what this means that we have committed for fiscal year 2001 a total of $2.5 billion.

Obviously, you add and add and add; but at some point we have to say this is a reasonable amount, and this recognizes the responsibility of the government and does provide a reserve for the balance of this fiscal year of 300 additional million dollars, plus what was already in the bill.

Last summer, we only used $35 million of the $600 million that was provided in emergency funding, and those remaining funds are carried into 2001, and they are available for this year's program. I think that what we have done is recognize the importance of LIHEAP to those who have fuel problems, and I think in putting in 300 million additional dollars, we understand that and have been very generous in trying to meet those needs.

Mr. Chairman, no one knows exactly what the weather is going to be, but it seems to me that the $300 million represents a very reasonable amount. It is double what the administration recommended. Again, I think it expresses the concern that the members of the Committee on Appropriations have for this program.

I would say to my colleagues that I believe we have been very responsible in providing the $300 million and would reluctantly oppose adding any more to this, because the supplemental is already approaching a large sum of money.

On the issue of advanced appropriations, and that is also part of this amendment, it provides for an advanced appropriation of $2 billion for the LIHEAP program. While I understand there is a desire on the part of the States to have as much advance notice on the funding level as possible for the next fiscal year, I do not think it is a responsible approach to advance appropriate that amount.

Obviously, when we get to the 2002 budget, and I am sure that the gentlewoman understands that, we are going to be as generous as possible in providing for LIHEAP funding for the fiscal year 2002, but I think it is a little premature to put the money out now until we know what the fiscal condition of the government will be; and what happens with the extra money we put in for this year will give us a better feel for what will be needed next year. Fortunately, energy costs are coming down in many areas; and I believe this, too, will be a factor.

We probably will be doing a markup in September, and at that time the Committee would be better able to evaluate the needs of 2002 rather than to start at this point and advance fund the program.

Mr. Chairman, for the reasons I mentioned, I would urge my colleagues to not vote for this particular amendment, because we have already gone the extra mile in putting in the $300 million for this fiscal year.

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

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

Mr. Chairman, I might just say that the $300 million that was added in is the money that came from the disaster relief account, and we know that that money should not be taken out of the disaster relief account and that the $1.4 billion that is here in my amendment is what the President has requested.

Mr. Chairman, I yield 1 minute to the gentleman from Maine (Mr. BALDACCI).

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

Mr. BALDACCI. Mr. Chairman, I speak in support of the DeLauro amendment. I share her belief that we need to provide additional funding for the LIHEAP program. The State of Maine knows winter very well. Winter in my State has lasted longer than normal. Significant snowfall, colder temperatures, and high heating costs took a toll on many households.

□ 1815

As in other northeastern States, many Mainers rely on oil for their heat. And as we all know, oil prices have been very high. Heating bills were higher than normal, and it was too much for many households to bear. The winter alone, the LIHEAP program served more than 53,000 Maine households, a 20 percent increase over the previous winter. Unfortunately, the benefit was only $432. While appreciated, because of the high energy costs and because of the larger pool of people, we ended up not being able to meet the needs of most Maine families that did qualify.

This is a tremendous social safety program for our Nation's poorest and most vulnerable citizens and it keeps people in their homes, which is something I know we are all committed towards. I think it is unfortunate that we have not given the funding necessary.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, I thank the gentlewoman from Connecticut for yielding me this time. Obviously, I want to congratulate the gentlewoman from Connecticut for bringing this amendment forward. In Massachusetts, there are 85,000 people who rely on LIHEAP in order to get their fuel. I also want to commend the chairman of both the committee and the subcommittee, because they have

taken a look at this and they have increased the numbers somewhat and they are appreciative and sympathetic to the problems that people face.

I think, however, the gentlewoman from Connecticut makes the point that we need more funds than the committee made available. We have large amounts of people that face this problem. One need only talk to the dealers who go out and deliver the oil in the winter to people in my communities to know that time in and time out there are not enough resources there for the people that need these services. So having this money on hand makes an important statement and gives important protection to people.

Mr. Chairman, I would ask that we go forward, approve this amendment both with respect to the LIHEAP monies and also with respect to the FEMA monies that have been asked for, because those situations are upon us, they are real and people suffer otherwise. Again I thank the gentlewoman for bringing forward this particular amendment and urge Members to support it.

Ms. DeLAURO. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. McGOVERN).

Mr. McGOVERN. Mr. Chairman, I rise also in support of the DeLauro amendment to double the LIHEAP emergency fund, to increase the nonemergency LIHEAP block grants, and to restore the $300 million to FEMA's disaster relief fund.

LIHEAP is an essential safety net for the millions of low-income families who struggle to heat their homes in the winter and cool their homes in the summer. For these people, this program is a matter of life and death. For these people, many of whom live in my district, they have to choose between putting groceries on their table or heating and cooling their homes. For these people, they have to choose between paying for their prescription drugs and heating and cooling their homes.

We can do much better than this. The President's budget request of $150 million was insulting and dangerous. The $300 million in this bill, while an improvement, we could do so much better. We need the $600 million proposed in this amendment to protect and save those lives that we all say we care about.

Restoration of the FEMA disaster funds also makes sense, especially in light of Tropical Storm Allison. Three months after the President cut vital projects in the FEMA budget, Tropical Storm Allison reminds us all that cutting vital funds for FEMA is a tragic mistake. This is a good amendment. Please support it.

Ms. DeLAURO. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I appreciate her bringing these issues before us.

We are dealing with the two elements of her amendment that actually affect people's lives in the most direct and immediate sense. We are watching, in the aftermath of Hurricane Allison, where we could have up to $4 billion dealing with cleanup and related health costs. The restoration of $300 million I would think would be the minimum that we would do to be able to assure that we have the services that are necessary.

In a time when we are dealing with global climate change, at least the scientific community feels it is not time to study it, we must move for action. Not having adequate energy assistance literally could mean the difference between life and death for poor citizens who choose between air-conditioning and heating and cooling when we have weather extremes as it relates to global climate change. It makes me very nervous.

I appreciate the gentlewoman bringing forth this amendment. I think it can make a huge difference for the people we serve.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the very distinguished gentleman from Texas (Mr. BARTON).

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

Mr. BARTON of Texas. Mr. Chairman, I serve as the authorizing subcommittee chairman of the Committee on Energy and Commerce that has jurisdiction over the LIHEAP program. Earlier this year, we were trying to move legislation to help the West Coast with their electricity problem. The gentlewoman from California (Mrs. BONO) offered a LIHEAP amendment authorizing an additional $100 million. The Bush administration later came forward and said they were going to support $150 million. The subcommittee and now the full committee in the supplemental has raised that to $300 million.

If we look at the history of the program and look at the situation both in terms of heating requirements in the colder regions of the country and cooling requirements in the warmer regions of the country for the summer, the amount of additional funding in the pending supplemental should be more than adequate, if we consider the rollover money that is carried forward that the gentleman from Ohio (Mr. REGULA) talked about in his statement several minutes ago.

Also, if we consider that we are going to have a FEMA increase amendment, we think fairly quickly on the floor offered by three Members, which increases FEMA with an offset to the rest of the bill, I think we can handle that part of the amendment of the gentlewoman from Connecticut.

So I know it is well meaning, but I would hope we would follow the committee and reject this amendment and support the Toomey-Tancredo-Flake amendment that should come later and we can act in a responsible fashion. So I would oppose the gentlewoman's amendment.

Ms. DeLAURO. Mr. Chairman, I yield myself the balance of my time.

Let me just say to my colleagues that this is the emergency supplemental bill. I do not think anyone could deny the whole issue of energy prices, whether someone is from the West Coast, in the middle of the country, or the East Coast; that there has been a severe crisis and an issue with regard to the escalating energy costs.

The fact of the matter is that LIHEAP has proven to be a successful program but always a program that is underfunded, and it does affect the most vulnerable populations in this country. We know firsthand that almost half of the States of these United States are out of money or almost out of money. We have the hot summer months coming up. That we can stand here today and not utilize this vehicle, which is for emergency purposes, to bring some relief to people in this country, I find somewhat mind-boggling.

On the issue of disaster relief, I am not from Texas, I am not from Houston, we got only a piece of what this tropical storm was all about, but I have heard from people on both sides of the aisle, I have been reading and watching the news broadcasts, and the folks in Texas are in trouble. They are in trouble. They keep doubling the costs of what this disaster is going to be. The mosquito problem has just risen, and we have agreed to pay a portion of that. Why do we want to knowingly take money from the program that we know we are going to have to appropriate to help people?

Our job is to represent those folks who send us here, no matter where we are. This is the right thing to do.

Ms. SLAUGHTER. Mr. Chairman, I am proud to join my colleagues in expressing my strong support for an increase in Low-Income Home Energy Assistance Program's (LIHEAP) emergency funding level and advance funding for fiscal year 2002. This advanced funding would allow LIHEAP recipients to purchase home heating oil and natural gas early—during the summertime—when home heating energy prices are lower. Thus, they would get more bang for their buck.

If we have learned nothing over the past year, it should be that short-term thinking does not work. Last winter, I learned about a senior citizen in my district who lives on $515 a month from Social Security. In addition to heavy medical costs, 19.7 percent of her income has to go to paying her energy bills. Unfortunately, I am sure her situation is not unique.

Currently, two-thirds of LIHEAP households have incomes of less than $8,000 per year and even with assistance, the average LIHEAP family already spends over 18 percent of its income on home energy costs, compared with 6.7 percent for all households. Only 19 percent of the households who are eligible receive LIHEAP assistance. At the same time, last winter in my state, forty percent

more households were applying for Home Energy Assistance Program grants than the previous year.

I am disappointed that Representative DELAURO's amendment was not made in order. This increase in LIHEAP would be a significant first step toward helping our residents pay for a basic necessity.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order at this point.

The CHAIRMAN. The gentleman is recognized on his point of order.

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment of the gentlewoman from Connecticut (Ms. DELAURO) because it proposes to change existing law and constitutes legislation on an appropriation bill and therefore violates clause 2 of rule XXI.

The Rule states in pertinent part:

''An amendment to a general appropriation bill shall not be in order if changing existing law.''

The amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 and as such constitutes legislation in violation of clause 2 of rule XXI, and I insist on my point of order, Mr. Chairman.

The CHAIRMAN. Does the gentlewoman wish to be heard on the point of order?

Ms. DELAURO. Just very, very briefly, Mr. Chairman. I say to the Chair of the committee that it is true this additional amount for LIHEAP for this emergency contingency fund is not authorized. However, last year Congress provided a $600 million emergency supplemental for LIHEAP that was also not authorized. If we can overlook the lack of authorization last year, I think when the need is greater this year we can overlook it, particularly because it is of an emergency nature.

I also submit to you, Mr. Chairman, that there are several other provisions in this supplemental that are provisions that have not been authorized and yet they received waivers. I think we could waive the point of order on this issue which affects the American folks so deeply.

The CHAIRMAN. The Chair is prepared to rule. The Chair finds that this amendment includes an emergency designation under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985. The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the amendment is not in order.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that debate on the following specified amendments to the bill, and any amendments thereto, be limited to the time specified, equally divided and controlled by the proponent and myself as an opponent:

Number one, an amendment to be offered by the gentleman from Pennsylvania (Mr. TOOMEY), as printed in part B of the Rule, for 20 minutes; and an amendment to be offered by the gentleman from Wisconsin (Mr. OBEY) regarding the tax rebate mailing and high-intensity drug trafficking areas, for 30 minutes.

This request has been agreed to by the minority and the majority.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT NO. 3 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. SANDERS:

Title II, chapter 5, at the end of the item relating to ''DEPARTMENT OF HEALTH AND HUMAN SERVICES—Administration for Children and Families Low Income Home Energy Assistance'' insert the following:

For ''Low Income Home Energy Assistance'' under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) for fiscal year 2002, $2,000,000,000.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the Sanders amendment.

The CHAIRMAN. The gentleman from Vermont (Mr. SANDERS) is recognized for 5 minutes in support of his amendment.

Mr. SANDERS. Mr. Chairman, this tripartisan amendment is cosponsored by the gentlewoman from California (Ms. LEE) and the gentleman from New York (Mr. QUINN). It would provide $2 billion in advance funding for the Low Income Home Energy Assistance Program, LIHEAP, for fiscal year 2002. I understand that the point of order is going to be asked for, and I am very disappointed that this important amendment will not get a chance to be voted upon today.

From California to Vermont, every American knows that energy costs are skyrocketing. LIHEAP is the primary program that provides assistance to help lower-income families pay their energy bills, and there has been no time when more people are going to need LIHEAP assistance than now. According to the National Energy Assistance Directors Association, 19 States have reported that they are either out of LIHEAP funds or have very low balances.

Mr. Chairman, this is simply unacceptable. In the richest country in the world, not one family should go without heat this winter, not one senior citizen should choose between heating their homes or affording their prescription drugs. Not one child should come home to a refrigerator empty of food because the heating bill is too high. But, Mr. Chairman, this is exactly what will happen if we do not substantially increase funding for LIHEAP.

Let me take this opportunity to thank the committee and the chairman, the gentleman from Florida (Mr. YOUNG) and the ranking member, the gentleman from Wisconsin (Mr. OBEY) for doubling the President's totally inadequate request for LIHEAP emergency funding, but because of the severe energy crisis that we are in, the committee's number is still far too low.

□ 1830

It should not be acceptable for any Member of Congress or the President that more than 17 million Americans who are eligible to receive LIHEAP have been left behind because of insufficient funding. In fact, since 1985, LIHEAP funding has declined by 70 percent after adjusting for inflation.

Mr. Chairman, at this point I yield to my colleague from California. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman may yield to other Members for debate, but may not yield blocks of time under the 5-minute rule. So the gentleman simply has to yield to another Member.

Mr. SANDERS. For approximately 2 minutes.

The CHAIRMAN. The gentleman yields to the gentlewoman for her comments.

Ms. LEE. Mr. Chairman, I thank the gentleman for yielding, and thank the gentleman for pushing forward this Sanders-Lee-Quinn amendment, which would add $2 billion in forward funding for the Low Income Home Energy Assistance Program. The supplemental appropriations bill as written ignores one of our most urgent situations, and that is our Nation's energy crisis which we are experiencing in California, but it is moving nationwide.

We must provide real and meaningful increases for LIHEAP, which help seniors, people with disabilities and low-income individuals and families pay their skyrocketing utility bills. LIHEAP assistance helps people for whom rising energy costs are not an inconvenience, but a real catastrophe.

Currently, only one in three American households that are eligible for LIHEAP assistance receives any support. In California, fewer than 10 percent of the 2.1 million eligible households will receive LIHEAP funding unless funding is increased significantly. State officials assisted as many Californians in the first 5 months of this year than in all of 2000.

Furthermore, at least 19 States have completely exhausted their LIHEAP funds or are almost out of money or in dire need.

We held a meeting in my district in Oakland, California, with the gentleman from Missouri (Mr. GEPHARDT), the minority leader. At our meeting, Members of Congress saw the faces of this crisis. They heard from persons with disabilities, from low-income individuals and families. They heard from people in California who have been paying the price of this crisis for the last year.

Now we have an opportunity to help, help those most vulnerable. Unfortunately, we will not allow, as I understand it, this amendment to come forward. Our Nation needs this. Senior citizens need this. Low-income families and individuals need an additional $2 billion minimum in LIHEAP.

Mr. SANDERS. Mr. Chairman, I thank my colleague from California, and the bottom line is that we appreciate the committee's effort in doubling the President's total inadequate funding. But because energy costs are skyrocketing, let me say in the State of Vermont, the price of propane gas has gone up by 27 percent, kerosene by 47 percent, and heating oil by 56 percent.

When we have these extraordinary increases in the price of fuel, then the LIHEAP program has got to respond. All over this country more people need LIHEAP, and we have to increase funding.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I rise to make a point of order. I make a point of order against the amendment. This amendment is not germane, and as such is a violation of rule XVI, clause 7.

This rule states that: ''No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.''

This amendment deals with a proposition different from that being amended; and, therefore, is a violation of rule XVI, clause 7, and I insist on my point of order.

The CHAIRMAN. The gentleman insists on his point of order. Does the gentleman from Vermont wish to be heard on the point of order?

Mr. SANDERS. Mr. Chairman, yes, I do.

Mr. Chairman, what I wish to say to the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY), I hope in conference committee and in my colleague's work with the Senate, can we have some assurance from the gentleman from Florida (Mr. YOUNG), who I know recognizes this problem, when I have some assurance when we go to conference, the gentleman will be representing the House and asking for substantially more LIHEAP funding?

Mr. YOUNG of Florida. I suggest to the gentleman that we will represent the House's position when we go to conference with the other body. During that conference, I expect that LIHEAP would be a subject of consideration.

Mr. SANDERS. Mr. Chairman, I ask the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) to fight as hard as they can for substantially more money for LIHEAP.

The CHAIRMAN. The Chair has heard each gentleman on his own time. Members need to restrict their remarks to the point of order.

The Chair is prepared to rule on the point of order.

The gentleman from Florida raises a point of order that the amendment is not germane. The bill provides supplemental appropriations for various programs for fiscal year 2001. The amendment offered by the gentleman from Vermont provides funding for the Low Income Home Energy Assistance Program for fiscal year 2002. Clause 7 of rule XVI, the germaneness rule, provides that no proposition on subject different from that under consideration shall be admitted under color of amendment. One of the central tenets of the germaneness rule is that the fundamental purpose of an amendment must be germane to the fundamental purposes of the underlying text.

The fundamental purpose of the bill is to provide supplemental funding for programs for the current fiscal year. By contrast, the fundamental purpose of the amendment is to provide an advanced appropriation in the next fiscal year for LIHEAP.

Accordingly, the amendment is not germane, and the point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

EDUCATION FOR THE DISADVANTAGED

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) is amended by striking ''$7,332,721,000'' and inserting ''$7,237,721,000''.

For an additional amount (to the corrected amount under this heading) for ''Education for the Disadvantaged'' to carry out part A of title I of the Elementary and Secondary Education Act of 1965 in accordance with the eighth proviso under that heading, $161,000,000, which shall become available on July 1, 2001, and shall remain available through September 30, 2002.

IMPACT AID

Of the $12,802,000 available under the heading ''Impact Aid'' in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) for construction under section 8007 of the Elementary and Secondary Education Act of 1965, $6,802,000 shall be used as directed in the first proviso under that heading, and the remaining $6,000,000 shall be distributed to eligible local educational agencies under section 8007, as such section was in effect on September 30, 2000.

AMENDMENT OFFERED BY MR. CROWLEY

Mr. CROWLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CROWLEY:

In chapter 5 of title II, before the heading of the item relating to ''Special Education'', insert the following:

SCHOOL IMPROVEMENT PROGRAMS

(TRANSFER OF FUNDS)

For an additional amount for ''School Improvement Programs'' for magnet school assistance, to be derived from amounts provided in title II for ''Operation and Maintenance, Army'' and to remain available until expended, $25,000,000.

Mr. YOUNG of Florida. Mr. Chairman, I rise to reserve a point of order on the gentleman's amendment; and as a courtesy to the gentleman, I will not exercise that point of order until he has had an opportunity to explain.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

Mr. CROWLEY. Mr. Chairman, while I understand that the Parliamentarian will rule this amendment out of order, I would like to take this opportunity to offer my amendment and highlight a key educational issue not only for my district, for the Seventh Congressional District in Queens and the Bronx, but for congressional districts and local educational agencies throughout the U.S.

At the end of my time, Mr. Chairman, I will then withdraw this amendment. My amendment would strike the $25 million under operations and maintenance account of the Army that has been requested for recruiting and advertising for this branch and would transfer this $25 million in badly needed funds to the U.S. Department of Education for the Magnet School Assistance Program.

Magnet schools are specialized theme schools with innovative educational programs, often focusing in specific areas like math and the sciences while also providing some choice to parents and students.

I have become quite familiar with and impressed by the successes of magnet schools after witnessing the students' achievements at Community School District 30 centered in Jackson Heights, Queens, New York in my congressional district.

Community School District 30, which serves the student populations of Astoria, Long Island City, East Elmhurst, Jackson Heights, and parts of Corona and Woodside in Queens, is home to the most diverse ethnic population in the United States, according to the U.S. Census. These communities house over 120 ethnic groups and languages, making the ability to serve all of the educational needs very, very challenging, to say the least.

But Community School District 30 has proven that serving these children is not impossible. They have achieved a number of successes through the operation of magnet schools. In the case of School District 30, they have created an interactive intra- and interschool learning community, employing all of the stakeholders in this issue: teachers, parents, students, and local universities.

My amendment will provide additional funding to increase assistance to School District 30 and other local educational agencies to create and/or expand magnet schools in their communities, whether they be urban, suburban or rural.

It is my hope that as this bill works its way through the process, that this Congress will find an additional $25 million for the Magnet School Assistance Program for the Department of Education.

Mr. Chairman, I yield to my friend and colleague, the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman for yielding, and I rise in strong support of his amendment. I also rise today with strong concerns about the supplemental appropriations bill. While I agree there are a number of items on the bill that need increased funding, I am disturbed that this funding is at the expense of a very important program, the Workforce Investment Act, which was cut, and that there are other important items that need to be funded, such as education. We all know that nothing is more important to our children's future than education. This amendment would strike $25 million from the operations and maintenance, and transfer these very much needed funds to the Department of Education for the Magnet School Assistance Program.

Many of the students in my district in Astoria, Queens, attend magnet schools, specifically School District 30 which serves a very diverse school body in Queens, had received a magnet grant several years ago; and they were in fact in competition for yet another magnet grant this year.

Because of their high performance, their increased scores in math and English, I am certain that they would have received the grant; yet the Board of Education ran out of money.

So this funding, this $25 million, is needed tremendously. I am also very concerned that this bill cuts the Workforce Investment Act, which provides job training, related services to low-income persons, dislocated workers and other unemployed or underemployed individuals.

This program had trained and helped many of the young people in the district that I have the honor of representing, specifically the Stanley Isaac Neighborhood Center, the Boys and Girls Club of Queens. Both of these programs were funded by WIA, and now I wonder whether or not they will be funded in the future because this very important program trains our young people for jobs. I speak very strongly in support of the $25 million for education, my colleague's amendment.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I rise to make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 19, 2001. That was House Report 107–104. This amendment would provide new budget authority in excess of the subcommittee's suballocation made under section 302(b) and is not permitted under section 302(f) of the act, and I insist on my point of order.

The CHAIRMAN. The gentleman from Florida wishes to pursue his point of order. Does the gentleman from New York wish to be heard on the point of order?

Mr. CROWLEY. Mr. Chairman, no. I withdraw my amendment.

The CHAIRMAN. Without objection the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SPECIAL EDUCATION

In the statement of the managers of the committee of conference accompanying H.R. 4577 (Public Law 106–554; H. Rept. 106–1033), in title III of the explanatory language on H.R. 5656 (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001), in the matter relating to Special Education Research and Innovation under the heading ''Special Education'', the provision for training, technical support, services and equipment through the Early Childhood Development Project in the Mississippi Delta Region shall be applied by substituting ''Easter Seals—Arkansas'' for ''the National Easter Seals Society''.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

The matter under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–554) is amended by striking ''$139,624,000'' and inserting ''$139,853,000''.

In the statement of the managers of the committee of conference accompanying H.R. 4577 (Public Law 106–554; H. Rept. 106–1033), in title III of the explanatory language on H.R. 5656 (Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001), in the matter relating to the Fund for the Improvement of Education under the heading ''Education Research, Statistics and Improvement''—

(1) the aggregate amount specified shall be deemed to be $139,853,000;

(2) the amount specified for the National Mentoring Partnership in Washington DC for establishing the National E-Mentoring Clearinghouse shall be deemed to be $461,000; and

(3) the provision specifying $1,275,000 for one-to-one computing shall be deemed to read as follows: ''$1,275,000—NetSchools Corporation, to provide one-to-one e-learning pilot programs for Dover Elementary School in San Pablo, California, Belle Haven Elementary School in East Menlo Park, California, East Rock Magnet School in New Haven, Connecticut, Reid Elementary School in Searchlight, Nevada, and McDermitt Combined School in McDermitt, Nevada;''.

CHAPTER 6

LEGISLATIVE BRANCH

CONGRESSIONAL OPERATIONS

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Rhonda B. Sisisky, widow of Norman Sisisky, late a Representative from the Commonwealth of Virginia, $145,100.

For payment to Barbara Cheney, heir of John Joseph Moakley, late a Representative from the Commonwealth of Massachusetts, $145,100.

SALARIES AND EXPENSES

For an additional amount for salaries and expenses of the House of Representatives, $61,662,000, as follows:

MEMBERS' REPRESENTATIONAL ALLOWANCES, STANDING COMMITTEES, SPECIAL AND SELECT, COMMITTEE ON APPROPRIATIONS, ALLOWANCES AND EXPENSES

For an additional amount for Members' Representational Allowances, Standing Committees, Special and Select, Committee on Appropriations, and Allowances and Expenses, $44,214,000, with any allocations to such accounts subject to approval by the Committee on Appropriations of the House of Representatives: *Provided*, That $9,776,000 of such amount shall remain available for such salaries and expenses until December 31, 2002.

SALARIES, OFFICERS AND EMPLOYEES

For an additional amount for compensation and expenses of officers and employees, as authorized by law, $17,448,000, including: for salaries and expenses of the Office of the Clerk, $3,150,000; and for salaries and expenses of the Office of the Chief Administrative Officer, $14,298,000, of which $11,181,000 shall be for salaries, expenses, and temporary personal services of House Information Resources and $3,000,000 shall be for separate upgrades for committee rooms: *Provided*, That $500,000 of the funds provided to the Office of the Chief Administrative Officer for separate upgrades for committee rooms may be transferred to the Office of the Architect of the Capitol for the same purpose, subject to the approval of the Committee on Appropriations of the House of Representatives: *Provided further*, That all of the funds provided under this heading shall remain available until expended.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For an additional amount for salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $35,000.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

For an additional amount for authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (44 U.S.C. 902); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $11,900,000.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

For payment to the Government Printing Office Revolving Fund, $6,000,000, to remain available until expended, for air-conditioning and lighting systems.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For an additional amount for salaries and expenses, Library of Congress, $600,000, to remain available until expended, for a collaborative Library of Congress telecommunications project with the United States Military Academy.

CHAPTER 7

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the unobligated balances authorized under 49 U.S.C. 48103, as amended, $30,000,000 are rescinded.

□ 1845

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 37, line 14, after ''$92,000,000'' insert ''(reduced by $50,000,000)''.

Page 44, line 25, after ''$389,200,000'' insert ''(reduced by $50,000,000)''.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order and advise the gentlewoman as a courtesy to her that I will not raise the point of order until she completes her explanation.

The CHAIRMAN. The gentleman from Florida reserves a point of order.

Ms. JACKSON-LEE of Texas. I thank the chairman very much and again the ranking member.

Mr. Chairman, I do not know how I can capture a visual for this House. So many Members have come to the floor of the House in times of need of their respective communities. I believe that the most potent statement that can be said about what happened in Houston, Texas as we have followed the devastating pathway of Tropical Storm Allison is that nobody knew. It has gone from the heart of Texas in the Houston and surrounding areas east to New Orleans, Louisiana and other places and up the East Coast, even to the extent of matching its wits for the States in the mid-Atlantic and Northeast. We too were unaware of the devastation that occurred.

But let me say to you, Mr. Chairman, we are in need. We really need this House to act. We have got now some $4 billion in damage in Houston, Texas; 32,000 plus homes are devastated and people are out of their homes. We were declared a disaster for personal aid as well as infrastructure. And the FEMA director is back in the community today. He traveled with us about a week ago, and he indicated at that time he thought there was enough money. But I am very glad that he is back again because we are realizing that we do not have enough money and after there is the $300 million plus rescission or money taken out of FEMA, I know we will not have enough money. In fact, we believe that with all FEMA has to do around the Nation, they only have $1.1 billion left, I do not see how in the world they are going to be able to function.

There is an amendment that adds the $300 million plus, $389 million. I do not know where Texans will be primarily because it is devastating to the other parts of the bill, but I have a letter here, Mr. Chairman, and to the chairman from the Senator, United States Senator KAY BAILEY HUTCHISON, who is begging us not to take the money out from the other body, if you will, a letter that I would like to offer into the RECORD.

U.S. SENATE,
Washington, DC, June 20, 2001.

DEAR ——: As we recover from the devastation of Tropical Storm Allison and brace ourselves for the upcoming hurricane season, I am writing to enlist your support for ensuring that the Federal Emergency Management Agency (FEMA) remains ready to respond.

As you may know, the House Appropriations Committee recently approved its Supplemental Appropriations Bill for Fiscal Year 2001. In that bill, the House Appropriations Committee included a $389 million rescission of FEMA's current disaster relief funds. This rescission is opposed by the Bush Administration.

In terms of economic impact, Tropical Storm Allison is proving to be one of the largest natural disasters in U.S. history, with over 50,000 homes and hundreds of businesses destroyed or damaged in Southeast Texas alone. Furthermore, several vital area hospitals and major academic research facilities have been heavily damaged, with some currently closed.

The preliminary overall damage estimate from the storm and the record flooding it caused in Texas is in excess of $4 billion. While at least $2 billion of this amount may be recoverable through FEMA, those payments will likely meet, if not exceed, the amount FEMA currently has in its disaster relief and contingency accounts.

In light of this situation, I ask for your assistance in supporting any efforts on the House floor to eliminate the provisions in the Supplemental Appropriations Bill that rescinds FEMA's disaster relief funds. In addition, as Congress continues to consider the Supplemental Appropriations Bill, I would like your support in going a step further by ensuring that FEMA's disaster relief resources are replenished in order to make up for the substantial costs the agency is now incurring due to Tropical Storm Allison. I am working with Joe Allbaugh to determine an appropriate reserve amount.

Please feel free to contact Natasha Moore of my staff at 224–5922 if you have any questions. Thank you for your consideration.

Sincerely,

KAY BAILEY HUTCHISON,
U.S. Senate

Mr. Chairman, my amendment makes an attempt to add $50 million to deal with the displaced elderly in our community who cannot stay in these shelters much longer. The physically challenged, the young families, the women who are expecting are in shelters and they need to get temporary housing assistance. As was already noted, we have a devastating mosquito problem. The mosquitoes are practically taking over our community. We have houses that have yet to begin to get repaired. It is going to be a long period of time. This is not the time to cut FEMA.

This amendment is a reasonable amendment. Though I may be, I guess, apt to, with the reservation of the point of order, withdraw this amendment, I hope that I have been able to create a visual of the urgency of what we have got to do. And so I would like to yield to common sense, I guess, and to take this amendment now off the table and to be able to yield to the chairman of the Committee on Appropriations for a colloquy.

I hope I have adequately, Mr. Chairman, described the enormous devastation. He noted that I was on the floor previously about India. I told him I had been working on that. I did not want there to be a misunderstanding of the importance of all of these issues. But now I come to him pleading for the people of Houston and surrounding areas regarding this. I rise for the purpose of the colloquy or I am standing here with the gentleman from Florida (Mr. YOUNG) regarding as I have described to him the enormous impact of a tropical storm that was unexpected and certainly not an incident, if you will, or a factual basis of which we in Houston have had much experience. We have had our hurricanes, we know how to get out of the way, but this tropical storm really has devastated our community.

Mr. YOUNG of Florida. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I want to confirm here on the floor our conversation earlier that we have a great deal of sympathy for the enormous relief efforts taking place in Houston as a result of Tropical Storm Allison. I applaud the gentlewoman's efforts in doing everything possible to make sure that the United States House of Representatives helps Houston recover from this disaster. I would add that this Congress has never refused to meet the requirements and obligations to a natural disaster in our country and many other parts of the world. We are working together on this.

Ms. JACKSON-LEE of Texas. I thank the gentleman very much. As I indicated to him, I am questioning whether we have enough money, but I am very hopeful.

Mr. YOUNG of Florida. Mr. Chairman, I rise to strike the last word. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I hope that we can provide adequate funding for the damage done by Tropical Storm Allison to Houston and the surrounding areas. This is critical to the people of the 18th Congressional District that have suffered so immensely as a result of the storm.

Mr. YOUNG of Florida. Mr. Chairman, I would say to the gentlewoman that there is no doubt in my mind that there are currently adequate resources to provide all appropriate resources and necessary assistance for her constituents. I will work to guarantee that that remains the case. And even after this rescission, there is $1.6 billion remaining in that emergency fund. Should that not be sufficient in the future, we will react quickly to make sure any emergency is dealt with.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I think the practicality of what we are doing here today is to get help for Houston. Realizing that, I am going to withdraw this amendment because I have received from him and the members of the committee and the ranking members their sincerity about working with us, rolling up our sleeves and trying to bring home to Houston some sense of relief. I want to thank the gentleman for his support and look forward to working with him.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COAST GUARD

OPERATING EXPENSES

For an additional amount for ''Operating expenses'', $92,000,000, to remain available until September 30, 2002.

CHAPTER 8

DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $49,576,000, to remain available through September 30, 2002.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For an additional amount for ''Processing, Assistance, and Management'', $66,200,000, to remain available through September 30, 2002.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OBEY:

At the end of chapter 8 of title II, insert the following new provision:

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''High Intensity Drug Trafficking Areas Program'', to be derived by transfer of amounts provided in this chapter for ''Internal Revenue Service—Processing, assistance, and management'', $30,500,000, as authorized by law (21 U.S.C. 1706).

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I yield 5 minutes to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. I thank my distinguished colleague, the ranking member on the Committee on Appropriations, for yielding me this time.

Mr. Chairman, we speak often in this body about the need to reduce waste, fraud and abuse, and unnecessary spending. Yet today's bill includes an example that is wasteful, that I believe is an abuse of funds, and that is clearly unnecessary spending.

Included in this bill is a measure that would apparently provide up to 20 to $30 million to send a letter to the American people telling them something they already know for purposes which can only be described as blatantly political; 20 to $30 million to tell the American people that they are pleased to inform them that the United States Congress passed and President George Bush signed into law the Economic Growth and Tax Relief Reconciliation Act which provides long-term tax relief.

The American people know that. I can right here save the American people $29,999,999.75 by telling them take 25 cents, buy a newspaper, read about the tax bill, and you will know everything that you would receive in this letter.

We should not be spending this kind of money on unnecessary political propaganda. It is the worst example of waste and abuse of government spending. The gentleman from Wisconsin (Mr. OBEY), who I want to commend and I wish he did not have laryngitis because I would love to hear what he would have to say were he empowered to speak on this today, but he has correctly identified the problem and he has proposed a much, much better use of these funds.

In my district in southwest Washington, we have got an explosion of methamphetamine labs, literally explosions of those labs, a doubling of meth busts every single year. People are being exposed to the dangerous drug methamphetamine, to black tar heroin, and the gentleman from Wisconsin has correctly recognized that there is a need for additional funding to expand the high intensity drug trafficking areas to help fight these scourges.

Mr. Chairman, if you ask the American people, would you rather put $30 million towards battling the scourge of drug abuse, toward protecting our children and our families and our schools, or would you rather receive a letter telling you something you already know?

□ 1900

I know exactly where the American people would stand. The American people would say, do not waste the $30 million of our taxpayers' money. Put it instead to something productive like high-intensity drug trafficking areas, as the amendment of the gentleman from Wisconsin (Mr. OBEY) would call for.

Mr. Chairman, it is indeed time to stop wasteful and unnecessary spending in government. We can begin today by passing the amendment from the ranking member and the distinguished gentleman from Wisconsin (Mr. OBEY).

Mr. YOUNG of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from New Hampshire (Mr. SUNUNU), a distinguished member of the Committee on Appropriations and the Committee on the Budget.

Mr. SUNUNU. Mr. Chairman, I appreciate the comments that were provided in offering this amendment, but I think they were at least a little bit misleading. There was reading from the notice itself, and I think that was fair. In point of fact, it was really only the first sentence. The notice includes a lot more information than just the fact that a tax relief bill was passed. What the notice attempts to do is to include helpful, useful information to taxpayers and to ensure that as we go forward mailing out rebate checks, which were supported by dozens of Members on the minority side, that we do not have mass confusion.

The notice informs the taxpayer as to the amount of the rebate check. It informs the taxpayer how this amount was calculated, because every taxpayer is not going to receive an identical check. The rebate will be based on the taxable return that was paid for the year 2000.

The notice includes information as to whether or not the rebate check is reportable as income when they go to next pay their taxes. If one receives a $300 check or a $600 check, unfortunately for a lot of people there will be confusion as to whether or not they have to pay taxes on this rebate.

It also gives information to the taxpayer as to what they should do if they have questions, a phone number, a Web site, so that they can follow up if they need additional information. Providing a taxpayer with this important information is not abusive. Providing a taxpayer with information about how to get their questions answered is not fraud. I certainly do not believe that the employees of the IRS would consider the work that they do to deal with confusion or questions to be fraud, to be abusive, which is exactly why the National Treasury Employees Union has written opposing the kind of cut that is trying to be put through on the floor today.

Is it wasteful? Well, we can go back to the old television commercial, you can pay me now or you can pay me later. If taxpayers are not given information about how this rebate is being calculated, whether or not it is taxable income, how to get their questions answered, then when all of these checks go out the IRS phone lines are going to be flooded, or there are going to be complaints, and there is going to be a significant amount of cost incurred by the customer service representatives at the IRS trying to sort out that confusion.

We can pay for it now to make sure that they have the information that is needed, or we can pay later in the form of much higher calls required, much higher cost of customer service. I think it makes sense. I think it is fair planning to deal with it now, to deal with it in this fiscal year, when the checks are going to be sent out.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. SUNUNU. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, I would ask the gentleman from New Hampshire (Mr. SUNUNU), he says some of this information, for instance, whether or not it is taxable and the amount, have to be told to people. I would guess most people would be able to tell the amount when they looked at the check.

As far as whether or not it is taxable, why could a little thing in the same envelope not be included in the rebate check that said, this is not taxable? Why does there have to be a separate mailing?

Mr. SUNUNU. Mr. Chairman, to address the gentleman's first point, what I said was there is information about how it is calculated, because while the headline in the Washington Post or the New York Times may be $300 a person, $600 a person, that is not technically correct. I know it is a surprise to Members on both sides of the aisle that the New York Times may not have gotten the headline right, but not everyone is going to receive the same check.

So there is information about how it was calculated and information about whether or not it is taxable.

Mr. FRANK. Why could not it be put in that same envelope that the check came in? Do they need a lot of advanced notice to prepare them for it?

Mr. SUNUNU. I think it serves the taxpayer well to have advance information. From the IRS's standpoint, the processing of checks may well be done differently than the processing of a notice like this. Why not give the taxpayer the information ahead of time before they receive the check?

Mr. FRANK. Because it costs $30 million is why.

Mr. SUNUNU. I do not think it is unreasonable.

Mr. OBEY. Mr. Chairman, I yield 4½ minutes to the gentleman from Maryland (MR. HOYER).

Mr. HOYER. Mr. Chairman, I thank my silent ranking member, the gentleman from Wisconsin (Mr. OBEY), for yielding those quiet 4 minutes.

Mr. Chairman, I will not be quite as quiet. First of all, it is interesting that this administration that wants to send out this check did not ask for this money to be sent to the taxpayer this year. This essentially was an initiative on this side of the aisle to make an immediate payment, number one. Of course, the letter does not go into that slight detail. It would be inconvenient to do so, I understand.

Secondly, it is their money. It is their money, and we ought to spend it carefully. So we are sending a letter telling them they are going to get a check. It is not taxable; and by the way, they do not have to do anything. The taxpayer will be overwhelmed with that information, without which think how at sea they would be.

They do not have to do anything. There is no answer, and the gentleman who is extraordinarily bright and able, struggled for an answer to the question of the gentleman from Massachusetts (Mr. FRANK). Why is the check and the information not sent in one envelope and save $30 million of their money?

Now, $30 million is a lot of their money. This amendment is opposed by the NTEU, the National Treasury Employees Union. Do we know why? Because they are fearful that the administration's desire to send out this money, and by the way the conference that included no Democrats, this is not in the statute, they do not have to do this statutorily. They have to do it in the conference report. I guarantee, maybe two people on the House floor knew that was the case when they voted for this bill. Maybe. I do not want to ask the chairman whether he knew or the ranking member whether he knew. I did not know, I will say, and I am the ranking member of the subcommittee.

Nobody knew this. It is in conference report language; and by the way, the conference report does not even direct that it be done. It says, we expect that it will be done.

What the Treasury employees are worried about is, if this money is taken out, the letter will be sent anyway and make the Treasury employees eat it. Cut the costs of the IRS because you want to impose this Dear Taxpayer, George Bush is giving you some money back. In another context, this might be called $30 million of public financing of campaigns which, of course, President Bush and the minority side are very much against; and in my opinion probably most taxpayers are against that as well, but that is what is happening. We are spending $30 million as a campaign letter.

Now, the gentleman from New Hampshire (Mr. SUNUNU) fully knows that 1–800 number could be included in the mailing of the check. Let me say, when they get the check is when it is going to motivate them to call. So if we think we are saving money on calls, we are going to have to look at that when the committee marks up this bill later on, because I guarantee it will not. Why? Because there will be certain people who will look at this letter and say, oh, that is nice; not do anything, not take any action, not really have any knowledge. But when they get the check, that is the operative time that the taxpayer will get interested. If he does not get the $300 or they do not get the $600, they will pick up the phone and say, why not? Hopefully we will answer them.

If they do not and they call and we use this $30 million to mail them this what we believe to be a political notice, if they do that then we are going to have 30 million less dollars that they could use for taxpayer service.

We passed the reform bill, said we wanted to be taxpayer friendly, which meant the ability to answer phones. Sending this money off this way will undermine our ability to serve our taxpayers well. I urge a vote for this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would, in the same tone that my friend, the gentleman from Maryland (Mr. HOYER), just spoke, I would like to say to him and to all the Members that if we wanted to be political about this what we would have done would be to have all the checks delivered to those offices of the Members who voted for the tax cut and let them send out the checks with a little message to their constituents. Now that would have been political.

The way we are doing it now is really not political, and I think it is important that people understand in plain English what this is all about.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I appreciate that. The gentleman from Florida (Mr. YOUNG) told me that in private as well. I think that is an interesting observation and option. It is the difference between blatant and subtle, I would suggest to my chairman.

Mr. YOUNG of Florida. Mr. Chairman, I yield such time he may consume to the gentleman from New Hampshire (Mr. SUNUNU).

Mr. SUNUNU. Mr. Chairman, in addressing some of the concerns raised, particularly with regard to the employees at the IRS, I think rather than characterize what their motives might be, it is best to go right to the source.

In a letter from the National Treasury Employees Union, it was made clear what the concerns were. Simply put, quote, ''the IRS has great difficulty responding to all the telephone calls from taxpayers with questions. The volume of calls will increase dramatically as anticipation of rebate checks grows. Providing taxpayers with a notice in advance will hold down the increase in calls and prevent a significant decrease in the IRS' ability to provide customer service.''

It is also stressed in the letter, which comes from the National President of the employees union, that the IRS has indicated, the agency, not Congress but the IRS itself, that it may go forward with a notice on the tax rebate even if the funds to mail it are not provided or are reduced. So this is a decision that the IRS is likely to make of its own accord because the agency understands it is important. The union itself recognizes, and the employees recognize, that if the notices do not go out that the burden on customer service will be significant. In the end that will not be in the best interest of taxpayers because the costs associated with that confusion are just as likely to be greater than what this expenditure calls for.

□ 1915

Mr. OBEY. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK. Mr. Chairman, I want to start in a spirit of bipartisanship with congratulations. I congratulate the chairman of the Committee on Appropriations on the restraint he says he showed in not having Members individually send out the checks to the constituents. It might have been a violation of the separation of powers. I admire his doing that.

Until he just smiled, I was going to congratulate the gentleman from New

Hampshire for keeping a very straight face during this entire proceeding. Were I he, I could not have done so.

I welcome this in some ways. Let us be clear what we are talking about. It is a letter that begins not with telling you that it is not taxable or how it was calculated, but by telling you that this is a present to you from George Bush. It comes to you from George Bush and the Congress.

Now, I in one sense must tell you for self-interests welcome this. For some time I have been distressed that politically self-serving mail is known as ''franked'' mail. I have been upset to be a synonym with the use of taxpayer money to send out blatantly self-serving mail.

But, from now on, that mail will no longer be thought of primarily as franked mail. It will be ''bushed'' mail; not bush mill, bushed mail, because the $30 million in this one fell swoop will be a greater exploitation of the taxpayer's money for political purposes than ever before.

Now, I had this question as to why it could not be included, there are two important pieces of information; how it was calculated. By the way, according to the letter, how it is calculated is on the back of the letter, so that none of the things on the front of the letter are relevant to that. Secondly, people need to know it is not taxable.

Well, that could have been put in the same letter, I thought. But then I read what the gentleman said to the New York Times about it, and maybe this explains it.

My question is, why could you not simply put into the same envelope, ''this is not taxable,'' and then include that about how it was calculated? Why do you have to tell them that President Bush did it, and Congress did it, and it is part of the long-term tax relief? There are a number of things in here that have no relevance to that.

The New York Times article is very interesting, because Mr. Keith, a spokesman for the wholly autonomous Internal Revenue Service, which apparently decided on its own to do this favor for the President, and that is a degree of loyalty that he inspires in his employees that is truly inspirational in itself, but he says, ''I would point out that the letter contains the information that we believe the taxpayer needs.'' But then in an indirect quote, ''including the size of the check.''

Now, I had thought that meant the dollar amount. But, on the other hand, that would be too stupid even to try and pretend, because the way the average person would tell what was the amount of the check would be to look at the amount on the check. It says it right on the check, ''amount.'' Most people would probably be able to figure out when it said amount of the check $300, that the amount of the check was $300. But, no, we have to tell them in advance of the size of the check.

And why can we not put it in the same envelope? Then I suddenly realized, these are going to be really big checks. There will not be room in the envelope. They want to really make an impression. You are getting this from George Bush, and we do not want some little dinky piece of paper that you can read it, $300, that is nice, put it in my pocket, I will spend it, that is good for the economy, which we suggested.

Instead, we are going to send them really big checks, and we have to warn them. We have to warn them, so that people, for instance, may have to widen their mail slots. They may have to empty out their mailboxes, because what we are telling them is, listen, you are going to get a really big check. Now, to some people, $300 would not be a big check in dollars, so it must mean a big physical check.

So we are going to send them such a big check that we have to warn them in advance that it is coming, do not let your kid, if you have got a small child, do not have your child walking under the mail slot when the mail comes. He may get whacked in the head with a really big check, and that is not worth $300.

And, we also then cannot fit it in that envelope, because I cannot think of any other reason. Here is what we are told; the reason for doing this is, one, to tell them the amount of the check. Now, as I said, nobody believes that. Some people have said it; I do not think many people believe it. The fact is that you will see the amount of the check when you get the check.

We are told you should be told it is not taxable. Well, that could be put in the envelope along with the calculation. But I have to say, if this works, why stop here? We know that many older people who live isolated lives like getting mail. They get Social Security checks. Social Security checks are not, for many people, taxable. For some they are. People may not know that.

Why not 2 weeks before the Social Security check comes send them a letter telling them that they are going to get a Social Security check? Why not alert them to the size of the impending Social Security check, and they can be warned about it and they can be told it is not taxable, or that it is, and how it was calculated.

I mean, if we are in fact going to have a policy where we not only provide a benefit to the public, but we tell them in advance who gave them the benefit, I think we should not stop here. I think the gentleman has a policy we ought to extend.

If the gentleman wants me to yield, I will be glad to yield, unless he just was kind of standing up because he was, you know, adjusting something. Does the gentleman want me to yield?

Mr. SUNUNU. I am sorry, is the gentleman distracted by the fact I am standing at the lectern? We have reserved the balance of our time.

Mr. FRANK. I will tell you what, I thought the gentleman, usually when people stand, they want to respond. I will tell you, I will have trouble sleeping tonight, because I am still trying to figure out why they cannot go in the same check, and I thought maybe the gentleman from New Hampshire was going to enlighten me. I thought maybe my neighbor was going to say I am so perplexed, because I tend to think I am of reasonable intelligence.

And here is the issue. We are going to send people a check, and they need to know two things, other than the check itself. They need to know that it is not taxable, and I think that is right; and they need to know how it is calculated, if they are interested. They do not need to know that, but that would be useful. I cannot figure out why that cannot go in the same envelope. I do not understand.

Mr. SUNUNU. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from New Hampshire.

Mr. SUNUNU. Mr. Chairman, if the gentleman will yield on that point, the Financial Management Service considered a range of options. They considered including that information in the same envelope.

Mr. FRANK of Massachusetts. Why did they reject that?

Mr. SUNUNU. Well, there are two reasons. One, because the checks are going to go out in a staggered format. They are going to go out in July, they are going to go out in August, and they are going to go out in September. The first people that are going to get the checks will get them in July, and the people that have not received the checks are certainly going to wonder what is going on. It makes sense to notify everybody at the same time.

The second reason is because there are two different systems right now for printing notices and printing checks. Now, we can try to combine the two and manually stuff all the envelopes.

Mr. FRANK. I thank the gentleman, and I am taking back my time.

Mr. SUNUNU. I think it is unreasonable not to allow me to answer the question.

Mr. FRANK. I will take back my time.

The CHAIRMAN. The gentleman from Massachusetts controls the time.

Mr. FRANK. I understand the gentleman has trouble understanding how the mail works, but he should know how the rules of the House work.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. FRANK. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, the answer to the gentleman's question is simple why the FMS and others decided they could not do it in one mailing, which seems to make sense to everybody, and that is because the majority in its conference report, which was seen by nobody on the floor when they voted on the bill, said that the majority, who, of course, the President is a part of their party, the President is the Chief Executive of our country, the Chief Executive is the executive officer of the FMS.

Mr. FRANK. Mr. Chairman, reclaiming my time, let me just say, because we are about to run out of all time, that not having heard the explanation, it obviously makes no sense. Apparently people think Americans are consumed with jealousy, and some people are going to get a check in July, and some are getting it in September, and they will have no idea why that happened. Again, we do not think that is a serious argument. And the notion that you cannot consolidate in one check that information, again, is wholly unpersuasive.

Mr. YOUNG of Florida. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means.

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

Mr. THOMAS. Mr. Chairman, I can understand why some of the gentlemen on the floor are baffled. I am quite sure they were baffled as to why we would want to return some of the taxpayer money in the first place. That really is, I think, the fundamental argument.

Let me say this: This letter simply does not meet the standards of the previous administration. I have to assure you, when you want to notify taxpayers of really important information you ought to look at the Health Care Financing Administration multicolored brochure, which, when you open the first page, had a large color picture of then Secretary of HHS Donna Shalala. Then you turn to the second page, and there was a large color photo of the gentleman who was then the Administrator of HCFA. Then you turn to the next page, and there was another photo. So, for someone trying to find out something about Medicare, they had to go through three large multicolored photos of people who were there not for political reasons.

I can understand why some people are baffled, because actually people learned through the media that Congress was returning some of their tax money. The first assumption would be it is not true. The second assumption would be, if it is true, how much am I getting? The third assumption would be, where do I call to verify?

One of the concerns was that, believe it or not, some people would like to verify that they are getting money. Can you imagine millions of people, a small fraction of the total who are getting the checks, trying to call the IRS to find out, one, if they are getting their money; two, if they are, when are they getting it; and, three, how much is it going to be?

So what you have is a letter that provides that factual information, especially the question of when I am going to get it? Because if you only included the amount and a way to determine how much it was supposed to be and the fact that it was coming, they would still make a phone call to say when am I going to get it?

So I think the real frustration is that this Congress passed and this President signed, one, tax relief for the American taxpayer; and, two, it was done in such a way that we are actually going to return some of the money to the taxpayers.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. THOMAS: I would like to finish my statement. I do not have a lot of time. Then, if I finish, I will yield.

Mr. FRANK. He has 3 extra minutes for you at the end.

Mr. THOMAS. Oh, good. Then I will use it in a minute.

The idea here is to, first of all, ease the bureaucratic burden of trying to respond to millions of people who are inevitably going to call. I know the gentleman from Massachusetts believes he is of average intelligence, and, therefore, most other people would assume all of those things he assumed.

All of us here on the floor know, and I will tell everyone else, the gentleman from Massachusetts is not of average intelligence; he is extremely intelligent and perceptive. And I guess the concern is that if not everyone matches his ability to understand, interpret and relate, that somehow it is a sinister political motive to notify people of the consequences, the time and the amount of the check return.

It is not a rebate. It is money which is a lump sum payment in lieu of withholding adjustment. So people would kind of wonder, what is it that I am getting? And, gee, this letter says that it is in fact not something that you will have to worry about. You will not be required to report the amount of this as taxable income on your Federal tax return. And, by the way, it provides a convenient receipt for you if in fact your State or lesser municipality has tax consequences in terms of Federal money.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. THOMAS. Do I get the 3 minutes? Could I have the 3 minutes? I thought you were going to give me 3 minutes.

Mr. FRANK. The gentleman from Florida has the 3 minutes.

The CHAIRMAN. The gentleman from Florida has time remaining.

Mr. THOMAS. I thought you were going to give me the 3 minutes.

Mr. YOUNG of Florida. Mr. Chairman, would the Chair advise how much time is remaining on both sides?

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) has 3½ minutes. The time of the gentleman from Wisconsin (Mr. OBEY) has expired.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. THOMAS.)

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. THOMAS. I certainly yield to my friend, the gentleman from Massachusetts.

Mr. FRANK. First, I want to repeat what the gentleman from Maryland said. The notion of the $300 to $600 was not something opposed on this side. The gentleman inaccurately said there were people who were opposed to that. The notion of sending a check out right away was something that was advocated by many on this side.

Mr. THOMAS. Mr. Chairman, I will tell the gentleman I will reclaim my time if he does not have a question of me. He is just debating the point on his side again.

Mr. FRANK. I am correcting him. May I ask a question? May I ask the gentleman a question?

Mr. THOMAS. Mr. Chairman, I will reclaim my time. You had an opportunity.

Mr. FRANK. May I ask a question? May I ask the gentleman a question?

The CHAIRMAN. The gentleman from California controls the time. He may yield to a question if he wishes.

Mr. THOMAS. I thank the Chairman.

Apparently the gentleman from New Hampshire is not the only one who understands the rules on the floor, or there was a willing abuse of the rules. I indicated that I would yield to the gentleman for a question. The gentleman then began continuing to make a statement.

Therefore, in the remainder of my time, I will tell you this is a thinly veiled attempt to stop the Internal Revenue Service from making its job easier in informing taxpayers of money that is coming to them, in which a number of people who are now offering this amendment objected not only in substance, but in style. I understand that.

Our purpose is to vote down this amendment so the American people can find out what they are getting from their government.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I think the majority of Members in this body use frank mail to send out information to their constituents. This is information that will help those constituents.

But I understand not wanting to send a letter out. In 1993, my colleagues took all the money, or cut veterans' COLAs. They do not want to send a letter out for that. They cut military COLAs. They increased the tax on Social Security. They spent every single dime of the Social Security trust fund, and I understand why the gentleman did not want to send out a letter for that. But I would say in this case, we believe it is their money, and we would like to let them know that it is coming in a fair manner.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) has 1½ minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from New Hampshire (Mr. SUNUNU).

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Mr. SUNUNU. Mr. Chairman, I very much appreciate the spirited nature of

the debate. I certainly apologize to my colleague from Massachusetts for attempting to answer his question too specifically and too accurately. I know it is never a comfortable situation for someone who is speaking on the floor.

But I do think that if we look at the scope of what the IRS is trying to do, we look at the number of checks that are going out, a couple of hundred million, I think it is very reasonable to assume that there may be a lot of confusion.

The Financial Management Service looked at a number of different options. I think they had a credible reason for wanting to do an advance notice, considering that the checks would be staggered over time. The IRS employees recognized that being inundated with phone calls could really degrade their level of customer service and that more information was better. We can quibble about the exact wording on the notice and some down at the White House might complain that Congress is mentioned first, Congress might complain that the President is even mentioned in the notice, but at the end of the day, the taxpayers will have information that is helpful to them: how this is being calculated, what the tax implications are for the current year, how they can get additional information.

I do not think there is any surreptitious or are there are any impure motives here. We are just trying to make sure that taxpayers understand the legislation that has been passed and how it is going to affect them, and we are trying to take a little bit of burden off of the employees at the IRS, and I think both of those are appropriate.

Mr. Chairman, I urge my colleagues to vote against the amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FRANK. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) will be postponed.

The Clerk will read.

The Clerk read as follows:

CHAPTER 9

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

For an additional amount for ''Compensation and pensions'', $589,413,000 to remain available until expended.

READJUSTMENT BENEFITS

For an additional amount for ''Readjustment benefits'', $347,000,000 to remain available until expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL AND PROSTHETIC RESEARCH

Of the amount provided for ''Medical and prosthetic research'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (Public Law 106–377), up to $3,500,000 may be used for associated travel expenses.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Of the amount provided for ''Medical care'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (Public Law 106–377), up to $19,000,000 may be transferred to ''General operating expenses'' of which up to $5,000,000 may be used for associated travel expenses.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGEL:

In chapter 9 of title II, under the heading relating to ''Department of Housing and Urban Development—Public and Indian Housing'', insert the following new item:

PUBLIC HOUSING OPERATING FUND

For an additional amount for the ''Public housing operating fund'' for payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g), $300,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment and will not exercise the point of order until the gentleman has had his 5 minutes to explain.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) reserves a point of order.

Mr. ENGEL. Mr. Chairman, I thank the chairman of the committee for his courtesy. I do appreciate it.

Mr. Chairman, like my colleagues, I recognize the need to meet the rising energy costs of the Defense Department. This bill contains $734 million for higher fuel costs. As we know, jet fuel, gasoline, even heating price increases are having a dramatic effect on the Defense Department. We all agree that it is no good to have the most advanced jet fighters in the world if they cannot fly. I, therefore, do agree with this portion of the bill.

Yet, the Defense Department is not the only agency that is impacted by these price increases. Public housing is also directly affected. The estimates are that the public housing authorities need about $300 million to make up the shortfall. Now, $300 million in the totality of this bill is not a great amount of money, so that is what my amendment does. It provides the funding for the $300 million. I regret that the Committee on Rules did not provide a waiver. I agree that these are needed funds to DOD, but there are other needs as well.

Because of the budget caps in the recent tax bill, I have been forced to designate this need as emergency spending. I believe with all my heart that this qualifies.

According to the Energy Information Administration, home heating oil prices increased nationally from 88 cents to $1.35, a 53 percent increase from fiscal year 1999 and fiscal year 2000. Natural gas jumped 51 percent, from $6.69 per thousand cubic feet to $10.07. In fact, in New York City, which I represent, the Nation's largest public housing authority, with 160,000 units, has actually had its oil prices rise 82 percent and natural gas prices increase 90 percent.

I could paint a picture of an elderly woman who worked for 45 years living in public housing that has no heat, but we know that, in fact, is not the case. Instead, the elderly woman who worked hard for 45 years is living in an apartment that has a hole in the ceiling, that needs new flooring in the bathroom, and could benefit from energy-saving windows and other energy-efficient things. The fact is that public housing authorities are now diverting funds from capital repairs and improvements to pay utility bills. Obviously, they do not want people to freeze over the winter.

Let me be clear that it gets my goat that we are using money to pay for heat that should be used to pay for insulation which, in the long run, would save a lot of money on heat. We are going to be debating tax policy and we are going to be debating energy policy, and I have some innovative thoughts that I hope we can act upon later on in this session.

Public housing has gotten a bad reputation around here in the past few years. We need to change this. I grew up in public housing. In fact, many of my colleagues in the New York City delegation grew up in public housing; and the people who live in public housing deserve to have quality housing. People move to public housing because it is often the only affordable housing they can find. Most public housing residents work, pay rent, and are just trying to provide a safe, loving home for their families.

So, Mr. Chairman, I believe we have an obligation and a responsibility to public housing, and I would urge the chairman of the committee not to insist on his point of order and allow this amendment to move forward. I do appreciate the courtesy of the chairman of the full committee to yield his point of order so I can make this statement.

Ms. SCHAKOWSKY. I rise to support the amendment offered by the Congressman from New York (Mr. ENGEL) to provide $300 million in emergency funds to help HUD meet increased energy demands in public housing.

My colleagues, like you, I recognize the increased demand on LIHEAP and I support this legislation's $300 million increase in the LIHEAP budget, which doubles the President's request. However, the needs of hundreds of thousands of seniors, families and persons with disabilities are ignored because there is no funding in this supplemental to ensure their

well-being during the hot summer months and the bitter winter, ahead. We must provide HUD with enough funding to meet higher energy costs but this bill fails to accomplish that goal.

Public housing authorities across the country are paying higher energy cost to keep public housing families warm in the winter and seniors cool in the summer. Public housing is still catching up with the shortfalls found in the FY 1999, FY 2000, and FY 2001 appropriations bills. According to the Energy Information Administration, home heating oil prices increased nationally from 88 cents to $1.35, a 53% increase, from FY 1999 to FY 2000! Natural Gas jumped 51%—from $6.69 per thousand cubic feet to $10.07. Chicago will need an additional $10 million to pay higher cost in public housing and to provide assistance to families in private housing.

There is no doubt that this is an emergency. We are in the middle of the summer. In 1995, 700 people died in the Chicago area because of a heat wave. There were more deaths all across the country. We can't allow another tragedy like that to happen simply because Congress refused to give HUD enough money to give air conditioning to seniors in public housing.

If Congress doesn't act, what is more likely to happen is that the public housing authorities will divert funds from capital repairs and improvements to pay utility bills. In Chicago, we have a $1.5 billion plan to rebuild public housing, including money to make units more energy efficient. My fear is that such plans in Chicago and across the country will be slowed unless we help address higher energy cost.

So, for public housing authorities struggling to meet the basic energy costs of their tenants, our constituents, I urge my colleagues to vote for the Congressman's amendment to provide HUD with $300 million in emergency energy assistance for public housing energy costs.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order.

The CHAIRMAN pro tempore (Mr. PITTS). The gentleman will state his point of order.

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriations bill shall not be in order if changing existing law.''

The amendment includes an emergency designation under section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 and, as such, constitutes legislation in violation of clause 2 of rule XXI. Therefore, I insist on my point of order.

The CHAIRMAN pro tempore. Does any other Member wish to speak on this point of order?

Mr. ENGEL. No, Mr. Chairman. I stand by my original statement.

The CHAIRMAN pro tempore. The Chair finds that this amendment includes an emergency designation under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XIX.

The point of order is sustained and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

(RESCISSION)

$114,300,000 is rescinded from unobligated balances remaining from funds appropriated to the Department of Housing and Urban Development under this heading in fiscal year 2001 or the heading ''Annual contributions for assisted housing'' or any other heading for fiscal year 2000 and prior years: *Provided*, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall not be available for this rescission.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

The referenced statement of the managers in the seventh undesignated paragraph under this heading in title II of Public Law 106–377 is deemed to be amended by striking ''women's and children's hospital'' in reference to an appropriation for Hackensack University Medical Center, and inserting ''the construction of the Audrey Hepburn Children's House''.

The referenced statement of the managers in the seventh undesignated paragraph under this heading in title II of Public Law 106–377 is deemed to be amended by striking ''$100,000 to Essex County, Massachusetts for cyberdistrict economic development initiatives;'' in reference to an appropriation for Essex County, and inserting ''$75,000 to improve cyber-districts in Haverhill, Massachusetts and $25,000 to improve cyber-districts in Amesbury, Massachusetts;''.

The referenced statement of the managers in the seventh undesignated paragraph under this heading in title II of Public Law 106–377 is deemed to be amended by striking ''$500,000 for Essex County, Massachusetts for its wastewater and combined sewer overflow program;'' in reference to an appropriation for Essex County, and inserting ''$500,000 to the following Massachusetts communities for wastewater and combined sewer overflow infrastructure improvements: Beverly ($32,000); Peabody ($32,000); Salem ($32,000); Lynn ($32,000); Newburyport ($32,000); Glouchester ($32,000); Marblehead ($30,000); Danvers ($30,000); Ipswich ($17,305); Amesbury ($17,305); Manchester ($17,305); Essex ($17,305); Rockport ($17,305); and Haverhill ($161,475);''.

HOUSING PROGRAMS

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), $6,100,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund (in this heading referred to as ''the Fund''): *Provided*, That all balances of fees collected before December 27, 2000, pursuant to such Act shall be transferred to and merged with amounts in the Fund: *Provided further*, That not to exceed the amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2001 so as to result in a final fiscal year 2001 appropriation from the general fund estimated at not more than $0.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

Of the amounts available for administrative expenses and administrative contract expenses under the headings, ''FHA—mutual mortgage insurance program account'', ''FHA—general and special risk program account'', and ''Salaries and expenses, management and administration'' in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, as enacted by Public Law 106–377, not to exceed $8,000,000 is available to liquidate deficiencies incurred in fiscal year 2000 in the ''FHA—mutual mortgage insurance program account''.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

For an additional amount for the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $40,000,000, to remain available until expended: *Provided*, That funding under this heading shall be made available only upon implementation of an interim final rule revising the premium structure for programs provided for under this heading.

INDEPENDENT AGENCIES

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For an additional amount for ''Salaries and expenses'', $243,059 to remain available until expended.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

From the amounts appropriated for Cortland County, New York and Central New York Watersheds under this heading in title III of Public Law 106–377 and in future Acts, the Administrator is authorized to award grants for work on New York watersheds.

STATE AND TRIBAL ASSISTANCE GRANTS

The referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking all after the words ''Limestone County Water and Sewer Authority in Alabama for'' in reference to item number 13, and inserting the words ''drinking water improvements''.

The referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking the words ''the City of Hartselle'' in reference to item number 11, and inserting the words ''Hartselle Utilities''.

The referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking the words ''Florida Department of Environmental Protection'' in reference to item number 48, and inserting the words ''Southwest Florida Water Management District''.

The referenced statement of the managers under this heading in Public Law 106–377 is deemed to be amended by striking all after the words ''Beloit, Wisconsin'' in reference to item number 236, and inserting the words ''extension of separate sanitary sewers and extension of separate storm sewers''.

Under this heading in title III of Public Law 106–377, strike ''$3,628,740,000'' and insert ''$3,641,341,386''.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(RESCISSION)

Of the funds made available in the second paragraph under this heading in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–377), $389,200,000 are hereby rescinded.

PART B AMENDMENT OFFERED BY MR. TOOMEY

Mr. TOOMEY. Mr. Chairman, I offer an amendment. The amendment has been printed in House Report 107–105 and made in order by House Resolution 171.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part B Amendment printed in House Report 107–105 offered by Mr. TOOMEY:

In chapter 9 of title II, strike the item relating to ''Federal Emergency Management Agency''.

At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. . (a) GOVERNMENT-WIDE RESCISSION.—(1) There is hereby rescinded an amount equal to 0.33 percent of the new discretionary budget authority provided (or obligation limit imposed) for fiscal year 2001 in this or any other Act for each department, agency, instrumentality, or entity of the Government.

(2) Paragraph (1) shall not apply to budget accounts included under major functional category 050 (national defense).

(b) RESTRICTIONS.—In carrying out the rescissions made by subsection (a)(1), no program, project, or activity of any department, agency, instrumentality, or entity may be reduced by more than 15 percent (with ''programs projects, and activities'' as delineated in the appropriation Act or accompanying report for the relevant account, or for accounts and items not included in appropriation Acts, as delineated in the President's most recently submitted budget).

(c) REPORT.—The Director of the Office of Management and Budget shall include in the President's budget submission for fiscal year 2003 a report specifying the reductions made to each account pursuant to this section.

The CHAIRMAN pro tempore. Pursuant to the order of the Committee of today, the gentleman from Pennsylvania (Mr. TOOMEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. TOOMEY).

Mr. TOOMEY. Mr. Chairman, I yield myself 3 minutes and 15 seconds.

First let me say that I recognize the need for the additional defense spending that is in this bill and I support that, and this amendment makes no attempt to offset that necessary increase in defense spending. My concern, however, is the $1.2 billion in nondefense, nonveteran, new spending in the supplemental spending bill.

I would point out that last year the Congress and the previous administration increased Federal discretionary spending by more than 8 percent. If we pass this bill in its current form without fully offsetting even the nondefense new spending portion, with sometimes spending reductions elsewhere, then we will have increased spending by approximately 10 percent. In doing so, we will be growing government faster than virtually any other segment of our society. We will be increasing government spending three to four times the rate of inflation. We will be spending away the surplus and that means less money available for tax relief, less money available for debt reduction, a greater chance that soon, perhaps as soon as 2003, we may be dipping back into the Medicare and Social Security funds to pay for all of this spending. To avoid this, we have to draw a line on spending.

In fairness, this supplemental bill does attempt to offset part of this new spending, but it does not offset all of the nondefense portion, and one of the offsets does not seem kosher. So this amendment does two things with respect to offsetting the nondefense, nonveteran portion of the spending bill.

First, it strikes the rescission of the FEMA funds. Many of our colleagues, including many Democratic colleagues, have discussed during the debate on this bill, as well as during the debate on the rule, that they do not believe it is right to concentrate so much of the offsets in the FEMA account, to cut nearly $400 million from FEMA. The White House has announced its opposition to this rescission. Others feel that maybe this is not a true cut. Some have suggested that FEMA has plenty of money and that this money will never be spent. Well, if that is the case, then it is not a real offset. In either case, this amendment restores the FEMA funding.

The second thing is does is it says, let us take all the nondefense, nonveteran spending that is not offset, that is about $1.1 billion, and offset that with an across-the-board ⅓ of 1 percent reduction in all 2001 nondefense discretionary spending.

We provide flexibility for the administration to cut a little more in some cases so that they could cut less or not at all in others. We have done this before in legislation that was signed into law by President Clinton. We leave 100 percent of all defense funding in place, and we leave the 99.67 percent of all nondefense funding in place.

□ 1945

I believe the various bureaucrats of the Federal government can survive on 99.67 percent of a budget that is already more than 8 percent higher than last year.

This amendment does not attempt to reorder the priorities in the supplemental bill. The committee has decided we need to increase funding in non-defense areas, a number of non-defense areas. We are not contesting those items. What we are saying is if we want to increase spending on those items, that is okay, but pay for it with spending reductions elsewhere.

Some opponents of this amendment will say, well, there is no need to do this because it is within the limits of the budget resolution. That is true, but it is beside the point. The fact is, spending is growing too rapidly. We have to draw a line.

Mr. Chairman, this amendment will save taxpayers $1 billion this year. It will provide more in debt reduction. It makes it more likely we will avoid spending Social Security and Medicare surpluses, and it restores the funding to FEMA.

I urge my colleagues to adopt this amendment.

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

The CHAIRMAN. Does any Member claim time in opposition?

Mr. YOUNG of Florida. Mr. Chairman, according to the agreement, I claim time in opposition.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) will be recognized for 10 minutes in opposition.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that I may yield half of my time to the gentleman from Pennsylvania (Mr. MURTHA) to control the time.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

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

Mr. Chairman, I am reluctantly rising to oppose the gentleman's amendment. He talks about a .33 percent cut across-the-board, but what he does not point out is that 75 percent of the fiscal year is already gone, which means that 75 percent or more of the money allocated to the agencies have already been spent.

Let me give one example. In the event that this amendment were to pass, the aid to Israel, which has already been released and sent to Israel, they would have to give us a refund of $9.5 million.

If we were to pass this amendment, we would be cutting WIC by $13.3 million. We would be hitting the rural rental housing program with a deficit of $2.3 million, and $29 million would have to be cut from the Pell grant program. Furthermore, $25 million would be cut from the special education programs.

LIHEAP, the program that we just doubled from the President's budget in this bill, would have to be reduced by $5 million. Child care, $3 million would be cut from funding to help States provide assistance to families for child care.

On border and port security, both the Customs Service and the INS would have to reduce staffing and overtime hours at ports of entry, likely causing delays and reducing the frequency of inspections along the border.

With the Coast Guard, something we all support, the Coast Guard would lose $11 million because of this amendment, which would further exacerbate the shortages that the Coast Guard already has, something we are trying to improve in this bill.

On VA and medical care, if .33 went out across the board, as the amendment said, VA medical care would be cut by $65 million. I do not think we want to do that.

FEMA, although this is supposedly returning money that was rescinded from FEMA, it would be cut by $5.3 million. That does not make sense to me, when we take it out with one hand and put it back in with the other hand.

These are only a few of the examples. I am sure there are many more, if we had the time to do this. But I just ask our colleagues to oppose the Toomey amendment.

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

Mr. MURTHA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to this amendment. I could name it, I could give it an acronym, RTC, which means restore the cut. That is what the gentleman from Pennsylvania (Mr. TOOMEY) has done, restored FEMA and then cut it.

I want to thank, Mr. Chairman, the gentleman from Florida (Mr. YOUNG) and the ranking member, the gentleman from Pennsylvania (Mr. MURTHA), for speaking out in opposition to this amendment. It will have a terrible impact on our programs.

I would just say that the writer of this amendment does not understand. We need FEMA. We need to prove the point to the American public in which Hurricane Andrew, in which I was very much personally involved, $1.8 billion in FEMA's money went for that, and for Hurricane George, $2.4 billion in FEMA dollars to Florida, Alabama, Louisiana, and Mississippi; for Hurricane Hugo, $1.3 billion. I could go on and on. For Virginia, West Virginia, Maryland, north and south, they received funds.

I hope the gentleman understands that the people of this country do not want to resort to some kind of accounting gimmick to see money cut and then restored just because it looks good in Houston. We have to see what happened in Houston, and the devastating things that happened.

FEMA needs money. If we want to find a better way to restore FEMA funds, I do not know where we will go to find the money, because we are cutting Head Start, Pell grants, community policemen, and virtually every other nondefense program.

This Congress should not allow us to do that, in that the gentleman is posing a one-third of 1 percent across-the-board cut in all nondefense programs except the Veterans Administration. This is going to put a big cut in Federal programs. We should not allow an acronym to control our fiscal accountability to the people we serve.

Mr. TOOMEY. Mr. Chairman, I yield myself 15 seconds.

I would respond to some of these allegations, Mr. Chairman.

First, I would remind my colleagues that our amendment gives discretion to the administration as to how much would be reduced in each area, therefore not specifying any particular program requiring a cut.

Secondly, if someone is concerned about restoring funding to FEMA, our amendment restores $384 of the $389 million to FEMA.

Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, the supplemental appropriation bill before us has its genesis in the need to address budget shortfalls for our Nation's defense.

Mr. Chairman, the Constitution is clear that national defense is the first priority of the Federal government. When we as a Congress think about spending taxpayer money, our modus operandi needs to be, defense first.

Mr. Chairman, this has not been the case in recent years. Just 10 years ago, defense made up more than 60 percent of our discretionary spending. Now it is less than 50 percent of discretionary spending. Defense has clearly been a lagging priority, and the readiness and capabilities of our Nation's Armed Forces have suffered as a result. That is why this supplemental is needed.

So when we talk about offsets, it is perfectly appropriate to look at defense through a different lens than we view the rest of spending. That said, there is nearly $1 billion of spending in this bill that had nothing to do with defense, and frankly, it should not be termed an emergency.

When we look at that money, we have to ask ourselves if the pattern that we are setting is appropriate if we are to maintain fiscal discipline as a Congress. Mr. Chairman, not long ago we passed an important piece of legislation to provide tax relief. This was the right thing to do. Americans have had too much of their money taken, and when this happens, it happens because the Federal government is simply spending too much. This bureaucratic monster is out of control, and Congress has simply kept feeding it, feeding it, and feeding it.

There is no program singled out in this amendment. Any program that is deemed vital by the agency directors and department secretaries can be exempted, as the gentleman from Pennsylvania (Mr. TOOMEY) has indicated. We just call for a simple .33 reduction in spending to make up for the increases deemed necessary by the Committee on Appropriations.

Voting for this amendment is a vote for fiscal discipline. It will help set the pattern for the rest of the year. It will help prove to the American people that we can control Federal spending as we look forward to providing more tax relief in the future.

Please support the Toomey-Flake-Tancredo amendment.

Mr. MURTHA. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I understand what the gentleman from Pennsylvania is trying to do, and I agree with the idea that FEMA needs to be restored. We got a letter from OMB which says it needs to be restored. We got a letter from FEMA which says it needs to be restored. A member of the other body wrote us a letter and says it needs to be restored. So I do not argue that. Later on, the gentleman from Wisconsin, the ranking member of the committee, is going to offer a recommital motion which will say that we are going to restore the money.

But the problem with this cut, at three-quarters, almost at the end of the fiscal year, we are cutting veterans' medical care. It does not have to be in that area. I know that is what it says. We do not know where it might be. We cut VA claim processing, cut Social Security Administration, and we cut highway funds. If we look at the back of this yellow sheet, we will see the amount of money cut from every State.

Now, there are none of us that travel throughout our State that do not need more money for highways. The money for highways comes from the taxpayer, and we voted this last year, to say that all the money that is collected in taxes is going to go to the highway fund. So it would be a mistake, in my estimation, for us to in any way make this cut in order to restore the FEMA funds.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, to follow up on that point, the gentleman is absolutely correct. The highway cuts are rather severe, such as the $187 million this would cut from the highway construction account, and I would point out that with 75 percent of the fiscal year already expired, these monies are obligated.

The monies being spent, how are we going to get them back if this cut should go through? It would be devastating to every State in the Union on their highway account.

Mr. Chairman, I would appreciate the gentleman's explanation about that if he has anything further on it.

Mr. MURTHA. Yes, I think it would be certainly devastating to Pennsylvania, Mr. Chairman, because the money has already been obligated; I think any other State, also, and there are a whole list of States that would lose money.

I sympathize with what the gentleman is trying to do. I went through a flood in 1977, which had a devastating impact. FEMA was absolutely essential to our recovery. We spent $350 million in Federal money trying to help the area, so we are going to help him at some point. But we cannot afford to take money out of these programs, the highway program in particular, in order to restore the FEMA money.

Mr. ROGERS of Kentucky. If the gentleman will continue to yield, Mr. Chairman, he mentioned cuts in VA medical care, $56 million of cuts. That is likely, is it not, to come from the hospital care portion of VA, and would that not mean that VA would absolutely have to have those hospitals send them money back, and retrieve money from every one of the 172 VA hospitals? Is that not correct?

Mr. MURTHA. The gentleman knows how hard we fought over the years to increase this. Every administration has not had enough money for veterans' affairs, so I would urge the Members to vote against this amendment.

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

Mr. Chairman, I would point out to my colleagues that this amendment contemplates $1 billion out of a $1,900 billion budget.

Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I come to the well this evening to support the efforts of my good friends, the gentleman from Pennsylvania (Mr. TOOMEY), the gentleman from Arizona (Mr. FLAKE), and the gentleman from Colorado (Mr. TANCREDO), in their efforts to restore the FEMA rescission and to find suitable offsets for the nonveterans, nondefense-related appropriations found in this supplemental bill.

In the few minutes that I have, Mr. Chairman, let me just say that I believe this measure and this amendment is about putting our house in order. It is not, as some Members have suggested, restoring the cut. It is not even a reduction, Mr. Chairman. It is just a slightly smaller increase.

I think tonight of all nights, in the wake of the largest tax cut in a generation, particularly the members in my party ought to remember not the victory of this time, or the victory of 20 years ago, but we ought to remember the mistakes of 20 years ago.

We ought to remember the last time we cut taxes across-the-board for all Americans that we in this Congress and even in my own party filed to marry that with fiscal restraint, with fiscal responsibility.

Mr. Chairman, I rise in strong support of this amendment, for the sole reason that history is a teacher. We will either learn from it or we will be cursed to repeat it.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to my friend, the gentleman from New Jersey (Mr. FREYLINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the gentleman for yielding time to me, Mr. Chairman.

Mr. Chairman, I rise in opposition to this amendment, which would harm the existing Veterans Administration budget in three vital areas that would affect our Nation's veterans.

First, in health care, we have all fought for increased medical care funding on a bipartisan basis. This amendment would cut almost $70 million from veterans' medical care, resulting in furloughs of many employees that look after these very needy and sick veterans.

□ 2000

This amendment would be in addition to the over $45 million that was cut from the VA medical care as a result of the first across-the-board cut.

Secondly, the fiscal year 2001 VA-HUD act delays funds for building repairs and equipment purchases until August 1. This amendment would cut the amount of money available for hospital and clinic repairs, patient safety corrections and new medical equipment for our veterans. In addition, it would cut money from vital VA research accounts.

Lastly, Mr. Chairman, this supplemental provides increased funding of $19 million to expedite claims. These claims would be hurt because they would not be processed.

Mr. TOOMEY. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. TOOMEY) for yielding me the time.

The debate on this reminds me of what happens every single time we look at Colorado. I imagine this happens with several other States too when we look at a reduction in budgets for any entity, especially schools. Every time somebody would talk about a potential budget cut for the schools, everybody would stand up and say, if you do this, we will not be able to buy chalk; if you do this, we will not be able to provide transportation to the kids.

They would use every imaginable sort of hot button issue they could think of knowing full well that would never actually come to that point; but they know that people would say, oh, well, of course, if you cannot buy chalk, we cannot do this.

When we talk about all the things that would happen if we pass this .3 percent budget cut and our colleagues suggest that the hospitals have to give money back, all the veterans issues that our colleagues bring up would have to end up being cut.

Remember, of course, that we are not talking about mandatory spending. The mandatory spending that the gentleman refers to, especially in veterans, has absolutely nothing to do with this amendment, talking about discretionary spending.

We cannot possibly stand here and say here are all the things that are going to happen and use the biggest hot buttons issues we can think of to suggest that a .3 percent cut would, in fact, make those things happen. We know that that would not, in fact, occur.

We are looking at a Congress that should continue to fund our Nation's priorities, I understand. But what we are doing tonight in a budget, any budget, is establishing priorities. What we are simply asking our colleagues to do this evening is to think about priorities.

Do you believe that the agencies of this government can do with a .3 percent budget cut? In the meantime, do you think that that money or a good portion of it should better and could better be used by FEMA to address the problems that we all agree are national emergencies?

It seems to me so clear. It seems to me almost incomprehensible that we could suggest that somehow this government which has grown so well, 24 percent in the last 3½ years, I mean, what family budget has grown like that?

Mr. TOOMEY. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Pennsylvania (Mr. TOOMEY) is recognized for 1 minute.

Mr. TOOMEY. Mr. Chairman, let me remind my colleagues and put this in some context, we have a $1,900 billion budget, plus or minus. We are contemplating $1 billion of the $1,900 billion that is going to be spent.

Let us keep in mind also that the reduction is all in discretionary spending; it is not in mandatory spending. Veteran benefits is mandatory spending. That would not be touched by this.

Let us bear in mind also that the amendment gives the administration the authority to have some flexibility, so they could choose to cut some more in some places and not cut at all in other places.

Let us also, please, keep in mind we are talking about 1/3 of 1 percent of this Federal budget, meaning that of all of the discretionary spending, 99.67 percent, would go forward.

If our colleagues believe it is important to fund FEMA, and I heard many people come down here and say how important this is, this is the amendment that does this. We restore a net of $384 million out of $389 million to FEMA.

If our colleagues believe it is important to have some spending discipline, this is the amendment that does that. It says we will offset new spending with reductions. If our colleagues believe in honest offsets and debt reduction, I urge support of this amendment.

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG), Chairman of the Committee on Appropriations, has 1½ minutes to close.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I want to correct something that was just said, veterans health care is discretionary. Veterans health care is discretionary and would be affected by this amendment. I mentioned earlier, as have others, 75 percent of the fiscal year has gone by. By the time this bill goes to the other body, gets conferenced, goes to the White House, 80 percent of the year might be gone.

The money is going to be spent. This does not work. The money is obligated, and it is just not going to work. This amendment is not as good as it might sound.

Mr. Chairman, I yield the balance of my time to the gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Labor, Health and Human Services and Education.

Mr. REGULA. Mr. Chairman, I thank the gentleman from Florida (Mr. YOUNG) for yielding me the time.

Mr. Chairman, just let me point out a few of the cuts; $67 million on medical research, if there is ever a time in medical research that it is important, it is now.

There is $25 million from special ed. Most of the Members say we should put more in IDEA. Here we are proposing to cut $25 million from the programs for these kids that need special education.

We heard about LIHEAP earlier. There is $5 million cut from LIHEAP when we have an energy crisis. There will $3.8 million cut from community health centers where people can go instead of loading up and clogging up the emergency rooms, where the poor people can go and get some help; yet we talk about cutting it. A lot of that is done with volunteers.

There is $2 million cut from the immunization program of the Centers for Diseases Control. Many of our colleagues saw the news in my district recently about the meningitis scare. Two young people died; another young lady came close. So as a result, we vaccinated 10,000 students against meningitis. Yet we are talking about cutting it. We remember the shortage of flu shots.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. TOOMEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TOOMEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania (Mr. TOOMEY) will be postponed.

AMENDMENT OFFERED BY MR. BENTSEN

Mr. BENTSEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BENTSEN:

In chapter 9 of title II, strike the item relating to ''FEDERAL EMERGENCY MANAGEMENT AGENCY—DISASTER RELIEF''.

The CHAIRMAN. Pursuant to the order of the Committee of today, the gentleman from Texas, (Mr. BENTSEN) and a Member opposed each will control 10 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment.

THE CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. BENTSEN).

Mr. BENTSEN. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, first let me say on the previous amendment, I hope the House votes down the previous amendment, because that amendment sort of adds insult to injury. What the author did was to take the FEMA money hostage and use it to try and rewrite the budget that the Congress voted on and passed in the last Congress.

Mr. Chairman, I hope that amendment goes down. In addition, that amendment would still cut FEMA; that is the wrong direction.

We have had debates on this today. This amendment is going to be struck in a point of order, because of the Budget Act; but the fact is that there is not enough money in the FEMA accounts to deal with the situation in Texas and Louisiana, not to mention Pennsylvania and other disasters like that, and also the State of Wisconsin.

In fact, in the last 48 hours, FEMA has doubled their estimate of the damage costs that they will incur in Harris County alone from a billion dollars to $2 billion; and it is estimated that that cost will continue to rise, probably to about $4 billion. In fact, the Texas Medical Center, which is in my district, looks like it has incurred about $2 billion of damage on its own.

There are 50,000 people either removed from their homes or their homes are in complete disrepair. This is a major disaster. FEMA only has about $1.1 billion of unobligated funds.

Again, let me say, I understand the committee had to do what it had to do to try and make the numbers work, but they did add funding on and at the time they did it, they did not realize Allison was going to occur; but the President through the Office of Management and Budget is opposed to this recision.

We have one of our Senators from Texas from the other party opposed to this recision. We can correct this situation if there is not a point of order, although I assume there will be a point of order. If that does not work, then I would recommend that Members support the recommittal motion by the gentleman from Wisconsin (Mr. OBEY) that will correct the situation once and for all.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield such time as he may consume to the gentleman from Alaska (Mr. YOUNG).

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Chairman, first, let me remind my colleagues that FEMA, which is also under my committee's jurisdiction, currently has $1.3 billion available in its emergency fund even after the recision goes into effect. I want my colleagues to remember that.

I would like to also say, Mr. Chairman, that we have to understand one thing, I was not here for the Toomey-Flake-Tancredo amendment; but it violates the guaranteed funding levels established in T21 and Air 21 by requiring an across-the-board cut for Federal spending programs.

Every State and every Member's highway transit project and urgently needed airport projects would be subject to reduced fundings. T21 and Air 21 have brought much-needed honesty and protections to those dedicated-user financed trust fund programs. This amendment attempts to thwart the will of Congress.

America's modus and airplane passengers have already paid for these programs in the form of dedicated-user taxes which are established to pay for transportation improvements.

Again, let me restate, FEMA has $1.3 billion available in its emergency fund right today. That amount should be sufficient to cut FEMA's emergency costs for the balance of the fiscal year.

Mr. Chairman, I urge a no vote on both of these amendments.

Mr. BENTSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Mr. Chairman, I thank the gentleman from Texas (Mr. BENTSEN) for yielding me the time.

Mr. Chairman, I hope that the gentleman from Alaska (Mr. YOUNG) is right. I hope that FEMA has $1.3 billion. It is going to need every penny of it to respond to Allison; every penny is going to be needed and then some to respond to Allison.

In Upper Moreland Township in my State, 10 inches of rain fell in less than an hour. In a fully developed suburban community with too many parking lots and too many impervious surfaces, these small backyard creeks, the Pennypack, the Mill Creek, Little Neshaminy Creek, usually a couple of inches deep, maybe a couple of feet, Mr. Chairman, became flooded 15 feet and 20 feet deep, stretching out hundreds of yards wide and flooded out whole neighborhoods.

In my district, 1,200 homes were flooded, 200 businesses were flooded. Almost $5 million in damages to public facilities was incurred.

This is a letter from Governor Ridge to President Bush asking for a Federal declaration of disaster to be issued. We have a major disaster in Philadelphia from the same storm that so badly affected Houston, Texas, and so many communities in between.

This bill, which rescinds FEMA money, $389 million, is a terrible mistake. The previous amendment, I believe, will not succeed. It will be voted down, because of the broad across-the-board cuts. The Bentsen amendment is the only vehicle we have to restore this money to FEMA that is so badly needed.

If the Bentsen amendment is ruled out of order, I hope that the House will pass the Obey recommittal. We have to

restore this money. We cannot take a chance that FEMA will run short. The Allison bills are just beginning to roll in from Pennsylvania, and they are going to be enormous. We must act now.

Mr. YOUNG of Florida. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York (Mr. WALSH), chairman of the Subcommittee on VA, HUD and Independent Agencies.

Mr. WALSH. Mr. Chairman, I rise in opposition to this amendment offered by the gentleman from Texas (Mr. BENTSEN).

Mr. Chairman, we spent a lot of time trying to determine what funds are available in FEMA. And based on, I think, very accurate information, we know that the White House, that OMB, and the Treasury have $1.1 billion available to them in contingency emergency funds for FEMA.

There is also approximately $900 million in the pipeline from prior years' appropriations. Even with a $389 million revision, there still is $1.6 billion available for the remainder of this year. When I say the remainder of this year, I am saying, July, August, September; three more months, $1.6 billion.

In next year's bill, we intend to appropriate in the neighborhood of another $1.5 billion, which would be available as soon as the President signed the bill, hopefully in September or October. Those funds then become available.

Mr. Chairman, within the very near future, we have got about $3 billion to work with. No one knows exactly what the extent of the damages are due to Allison; but if we can learn anything from history, Hurricane Floyd, which was a very severe hurricane that we all remember, we voted on a supplemental appropriation. Hurricane Floyd affected 14 States all up and down the east coast, into the Carolinas, New Jersey, Florida, all the way up and down; and the total costs to FEMA were about $1.1 billion.

□ 2015

And it was a massive storm. No one knows yet what the estimates are for Allison, but it is fair to say, Mr. Chairman, that we have at least $1.6 billion available right now in the pipeline ready to go. And if the Congress acts promptly in the fall, we will have another $1.5 billion. So a total of over $3 billion available.

We looked very hard to find funds within existing appropriations for this rescission. I think it is a fair rescission. I have talked with Mr. Allbaugh about it. He is not totally sanguine with it, but he does understand the resources he has, and I think he can live with those until the next fiscal year begins.

So, Mr. Chairman, I would urge a strong opposition to this amendment and urge a ''no'' vote.

Mr. BENTSEN. Mr. Chairman, I yield myself 10 seconds to say that FEMA's report yesterday afternoon, for Texas alone, is $2 billion. These are their numbers and we know the numbers will go up.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. LAMPSON).

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

Eleven days ago I had a shovel in my hands and I was in my backyard trying to clear drains to save my own house. My neighbors were not as lucky as me. Nine days ago I joined the gentleman from Texas (Mr. BENTSEN) and some of my other colleagues, along with Joe Allbaugh, the Administrator of FEMA, to tour the devastation we saw throughout southeast Texas. We saw lost businesses, lost houses, lost research, wrecked lives, lost lives, and yet today we are having a debate on allocating disaster funds. Unbelievable.

Our question is do we put back into the budget the $339 million the Committee on Appropriations took out. How can any cut be justified in light of the fact that we just had a $4 billion disaster in one part of our country?

My colleagues of the House, please do not turn your backs on these people or anyone else who needs help recovering from a catastrophe. Support the Bentsen amendment or support the Obey recommittal.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I do not believe I am going to need all that time, and I will yield it back to the chairman of the committee.

I do not think anyone here can stand back and not be concerned about the damages that have occurred in Texas and throughout the country. We are all very concerned about it. We would not rescind funds if we did not think that there was sufficient funds available. I want to make that very, very clear, because this is an important emergency that we have to respond to and FEMA needs the resources. As I said, there is about $1.6 billion available.

The gentleman from Texas just pointed out that the FEMA estimates are approximately $2 billion for Texas. I believe that is true, but the fact of the matter is most of those expenses, most of those losses will be covered by private flood and disaster insurance. FEMA is not responsible nor would it ever be responsible for all those losses. Many of those will be covered by private insurance. So the $2 billion figure is not the FEMA requirement.

Mr. BENTSEN. Mr. Chairman, I yield myself 50 seconds.

Let me say to my good friend that I appreciate his sincerity and the sincerity of the chairman of the full committee. But I will tell my colleagues that they estimate, that probably less than a quarter were in the NFIP program; that less than a quarter had flood insurance. They estimate that private insurance will pick up less than a quarter of the costs, and they estimate the cost is going to rise.

I know we will get back to it and get money in there. But my concern is we are going to hamstring FEMA while they are trying to do this. They already have a couple of hundred million allocated to this, and they expect to do much more, to move very quickly. I know the committee did not do this because they were not concerned about Allison or trying to help, because Allison had not occurred when the committee was looking to do this.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. BENTSEN. I have a limited time, but I yield to the gentleman from New York for 5 seconds.

Mr. WALSH. Even in that case, FEMA's responsibility is to do the immediate cleanup and then pay for municipal damages, not all private damages.

Mr. BENTSEN. Reclaiming my time, Mr. Chairman, the numbers they are talking about are both the residential and the public disaster assistance.

Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, as we can see, there is a lot of need in Texas. And I guess the point to my colleagues, as I support this amendment, is this is the right way to do it. This is simply striking the rescission of $389 million, and the reason is because we need the money now.

Disaster after disaster, we do not know what this is going to total. And might I say that the FEMA Director himself analyzed that the total damage is $4 billion. We realize that some of this does not get covered by FEMA, but let me say that most people did not expect this and therefore they are in areas of flooding, covered areas, that did not require flood insurance. This was unexpected.

We already have $771 million that FEMA is going to utilize for temporary grants, but we do not have the remaining dollars that we need to cover what FEMA does not know that it is going to have to pay out. We have 32,000 homes plus and we have the need of the monies now. To take out $389 million does not help us.

I hope this amendment passes and we can waive the point of order. In the alternative, I thank the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Pennsylvania (Mr. MURTHA) for their recommittal and I hope we support that motion at that time.

Mr. YOUNG of Florida. Mr. Chairman, what is the time remaining on each side?

The CHAIRMAN. The gentleman from Florida (Mr. YOUNG) has 5 minutes remaining, and the gentleman from Texas (Mr. BENTSEN) has 3 minutes remaining.

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

Mr. BENTSEN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I think the chairman of the committee is sincere, and I think the chairman of the subcommittee is sincere that they are going to fund this. I have no doubt that ultimately we are going to probably appropriate several billion dollars in disaster assistance to Texas, and Louisiana, probably Pennsylvania, not to mention the other disasters that are going to occur.

The gentleman mentions we only have 3 months left in the fiscal year, although these are the big three months when we have the hurricanes, the forest fires and the like.

The reason why there is a problem with the rescission at all in the FEMA account is because it is being used as a plug figure to make this supplemental fit under the budget caps for purposes of the Budget Act. And I understand, the committee has to do that. I sit on the Committee on the Budget. But to say on the one hand that we are being fiscally responsible by putting this rescission in, and then saying, sort of with a wink and a nod, but we are going to fix it later does not jibe mathematically. It may work for purposes of the Budget Act, but it would not match general accounting principles one iota.

My concern is that the disaster in Texas and in my home county of Harris County is so severe and the amount of money that is going out the door is so rapid that by taking this $400 million out, if it were ever to become law, and quite frankly I do not think the other body is going to go along with it, because one of my Senators from Texas over there is actually trying to add $.5 billion to $1 billion, and I think at the end we are going to have no rescission but I think it is a bad start here, at the end of the day. If we were to do this, I think we would hamstring FEMA, because I do not think they really know how bad this is.

The three main hospitals in Harris County, Texas are effectively shut down. The Level I trauma center is over capacity. The Army had to bring in a Level I trauma center for the fourth largest city in the United States, the third most populous county in the United States, because they do not have the sufficiency in their existing health care facilities, where they have the largest medical center in the world, to deal with it.

I appreciate what the committee is trying to do to meet the Budget Act, to fund the other things that need to be funded, but on this one the committee is just wrong. They are just wrong, and I know they did not intend it when they started out but we can correct it. The chairman could be gracious and not raise his point of order, though I think he is probably going to raise his point of order, but if we do not do that, what we can do is, when the gentleman from Wisconsin (Mr. OBEY) offers his motion to recommit, we can send this bill back to the committee forthwith and have it come straight back to the House with this rescission corrected and move on with our bid.

I predict if we do that, we will get the administration's okay, because they do not agree with this rescission. President Bush does not agree with this rescission. I do not think FEMA likes this rescission, and I do not think our colleagues across the Capitol like this rescission. So we can move forward to make sure FEMA has the resourses to deal with the disaster of Allison.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for that enlightening comment.

Mr. Chairman, I yield myself the balance of my time.

Since we have debated this issue five or six times here this afternoon and this evening, I just want to make the point again that Congress, since in the times that I have been here, has never refused to meet its responsibility when it came to natural disasters, not only in the United States but in many parts of the world, and we will continue to do so.

If the gentleman were to be correct that we are wrong, and I do not think we are, but if he were to be correct, Congress would react quickly to meet any problems that might occur from a natural disaster.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Wisconsin.

Mr. OBEY. This Congress may have met its responsibilities to FEMA in the past, but right now it is playing let us pretend with this rescission.

Mr. YOUNG of Florida. Mr. Chairman, I yield back the balance of my time.

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it is in violation of section 302(f) of the Congressional Budget Act of 1974. The Committee on Appropriations filed a suballocation of budget totals for fiscal year 2001 on June 19, 2001. That was House Report 107–104. This amendment would strike a rescission and, therefore, provide in effect a new budget authority in excess of the subcommittee suballocation made under section 302(b) and is not permitted under section 302(f) of the act.

And so, Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The gentleman advances his point of order. Does the gentleman from Texas (Mr. BENTSEN) wish to be heard on the point of order?

Mr. BENTSEN. Briefly, Mr. Chairman, because of the time agreement that we honored.

As the chairman read the point of order, I think it underscores the point, because he says were this to be allowed, the rescission would result in new budget authority. But, in fact, what the rescission does is it strikes budget authority that was created by the 106th Congress. It really is not new budget authority, but it underscores the nuance of the Budget Act and the fact that additional spending in this supplemental had to be offset both through emergency declaration and then through the rescission of FEMA, which I believe, I truly believe, will hamstring FEMA.

But I appreciate the chairman's sincerity and I will abide by the point of order.

The CHAIRMAN. The Chair is prepared to rule. The Chair is authoritatively guided by an estimate of the Committee on the Budget under section 312 of the Budget Act that an amendment providing any net increase in new discretionary budget authority would cause a breach of the pertinent allocation of such authority.

The amendment offered by the gentleman from Texas would, by striking a rescission contained in the bill, increase the level of new discretionary budget authority in the bill. As such, the amendment violates section 302(f) of the Budget Act.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

HUMAN SPACE FLIGHT

The last proviso under the heading, ''Human space flight'', in Public Law 106–74, is deleted. Of the unobligated balances made available pursuant to the preceding sentence, $15,000,000 shall be used only for research to be carried out on the International Space Station.

GENERAL PROVISION—THIS CHAPTER

SEC. 2901. (a) The unobligated balances as of September 30, 2001, of funds appropriated in the first seven undesignated paragraphs under the heading ''Community development fund'', in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–377), are rescinded.

(b) Subsection (a) shall be effective on September 30, 2001.

(c) The amount rescinded pursuant to subsection (a) is appropriated for the purposes named in the first seven undesignated paragraphs under the heading ''Community development fund'', of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (as enacted into law by Public Law 106–377), to remain available until September 30, 2003.

AMENDMENT OFFERED BY MR. BAIRD

Mr. BAIRD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BAIRD:

Page 45, after line 25, insert the following new section:

SEC. 2902. For payments by the Secretary of Energy to States to provide reimbursements to local educational agencies, and schools funded by the Bureau of Indian Affairs, for the purpose of assisting schools severely impacted by rising energy prices, of which $55,000,000 shall be derived by transfer from the amount provided in this Act for ''Research, Development, Test and Evaluation, Air Force'', $21,000,000 shall be derived by transfer from the amount provided in this Act for ''Financial Management Service—

Salaries and Expenses'', and $24,500,000 shall be derived by transfer from the amount provided in this Act for ''Operation and Maintenance, Air Force'', $100,500,000, to remain available until expended: *Provided*, That a local educational agency or Bureau funded school shall be eligible for assistance under this paragraph only if (1) it has reduced power consumption on a per capita basis at least 10 percent from the previous academic year, and (2) it has power rates that have increased at least 20 percent over the previous academic year: *Provided further*, That any reimbursement to a local educational agency or Bureau funded school under this paragraph shall be of sufficient size to offset up to 50 percent of the increase in annual energy costs to each participating school.

Mr. BAIRD (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order against this amendment, but I will not exercise the point of order until the gentleman has had his 5 minutes to explain his amendment.

Mr. BAIRD. Mr. Chairman, I thank the chair of the Committee on Appropriations for his courtesy.

Mr. Chairman, the purpose of a supplemental appropriation is to help out when our planning from last year did not adequately anticipate the needs of this current fiscal year.

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This is a situation we face on the West Coast and elsewhere in the country as we contemplate the tremendous rise in energy prices. In my district alone we are facing million dollar increases for some school districts. The Vancouver School District and Evergreen School District anticipate almost a $1.5 million increase for their energy.

Other school districts are facing similar problems, not because of error or a factor they could control, but largely because of failed government policies.

Mr. Chairman, what I offer today is a $100 million appropriation to provide Federal support for schools which have done several things. First, they must lower their energy consumption by 10 percent on an average per capita basis from the previous year.

Secondly, they must see a power increase of 20 percent over the previous year, so it must be a substantial increase, something they could not normally be expected to absorb. And let me state that schools do not have funding flexibility from year to year. They are based on levies or appropriations from the legislature.

In addition, this bill does not give a full Federal handout to the schools. They must carry half the load, and then the Federal Government would help out.

This is a reasonable and fair bill. We recognize and respect the $6.5 million cap, and we have proposed three cuts. One, the aforementioned $30 million spent on the IRS letter. Secondly, a reduction in funds for repair and maintenance of business jets essentially for top brass in the military. That money was not actually requested by the Department of Defense, but was introduced by the House. In addition, a cut in the unrequested money for the air-based laser program.

We believe if the choice is between letting our children have decent books, warm classrooms, and adequate light, this Committee and Congress should make the proper choice.

Mr. Chairman, I yield to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Chairman, I rise in strong support of this amendment. Not only is the energy crisis in the Western United States impacting business and consumers, it is already eroding the meager budgets of our schools. The Oregon school administrators recently conducted a survey of school districts around the State to get a better understanding of what is happening.

Mr. Chairman, the results of this survey are staggering. The average cost of electricity has increased by 29.3 percent. My colleagues have to understand, this is going to go up. There is going to be another increase in October. In fact, some of our school districts are facing 100 to 200 percent increase in their utility costs; again with another increase due in October. This is unacceptable.

Mr. Chairman, we already have school districts that are barely making it on their budgets, and this is a horrendous cost to them. One of my schools, in fact the largest school, has budgeted another $850,000 for utility costs. This is money that could be spent on hiring 24 new teachers so they can decrease class size. It could be used to purchase text books or modernize our classrooms or even use it to perform professional development of teachers. School administrators from California to Massachusetts are having to make tough choices. Do we keep teachers on the payroll or pay the electric bill and keep the lights on.

Schools are having to make these tough decisions in the midst of an energy crisis. I am sorry that we can not do this for our schools if we do not accept this amendment. This is a situation none of us foresaw, and that is what an emergency budget is for.

This amendment speaks to what our priorities are in this Congress. I do not relish having to explain to my constituents that we could not do this for our schools.

Mr. BAIRD. Mr. Chairman, these costs were unanticipated. The Federal Government has a responsibility to help these schools that had no way of paying for these in advance. The reductions elsewhere in the bill we believe are reasonable and sound, and we believe this would go a long way towards helping schools.

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

POINT OF ORDER

Mr. YOUNG of Florida. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriations bill; therefore, it violates clause 2 of rule XXI. The rule states in pertinent part: ''An amendment to a general appropriations bill shall not be in order if changing existing law.'' The amendment gives affirmative direction in effect, and I insist on my point of order.

The CHAIRMAN. The chairman advances his point of order. Does the gentleman from Washington wish to be heard on the point of order?

Mr. BAIRD. Mr. Chairman, I do.

Mr. Chairman, there are existing programs within the Department of Energy assistance to schools. While we believe this is somewhat different from the exact nature of those programs existing now, we believe it is within the same spirit. The premise here is this: the Department of Energy has within its purview the opportunity to provide money for local schools to help them meet energy costs. We see this more as an extension of that program rather than a new authorization.

Let me reiterate, we have schools that are facing a million dollar shortfall in their energy budget, and that is unacceptable. This Congress has an opportunity to help those schools out. We believe we should do so. We believe the cuts that are offered within this amendment are reasonable and fair. While we respect the budget caps, we believe we should put our children first. If we really want to say, leave no child behind, we should also say leave no child in the dark or in the cold, and make sure that they have adequate teachers. This bill will help ensure that occurs.

Mr. Chairman, should we not approve this amendment today, I would hope my colleagues would consider joining us if we need to seek further authorization in future legislation. I fully intend to introduce legislation to that effect.

The CHAIRMAN. The Chair is prepared to rule, and finds that this amendment includes language imparting direction. The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to enter into a colloquy with the gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Labor, Health, Human Services and Education regarding funding for the Pell Grant maximum.

I am happy to see that the bill fixes a technical problem with title I funding with ESEA and the Department of Education, but I am disappointed that we were not able to do the same with the Pell Grant maximum funding. In the final fiscal year 2001 appropriations

bill, the Pell Grant maximum was set at $3,750, a $450 increase over fiscal year 2000, an increase that will help millions of low-income students go to college.

However, because of unexpected growth in the number of eligible students, the fiscal year 2001 Pell Grant appropriation was $117 million less than the amount actually needed to support the $3,750 maximum.

Mr. Chairman, I had intended to offer an amendment to fix this problem, but was hesitant to do so without an offset. Furthermore, we had discussed this issue. It is my hope, and I think the gentleman's as well, that we may work together to remedy this situation as soon as possible.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, I thank the gentleman for his concern which is shared on this side of the aisle. The Pell Grant program is the bedrock of student aid programs. I am pleased to say that this Congress has increased the Pell Grant program to the highest level in history by providing an increase of 60 percent in the maximum grant from $2,340 in fiscal year 1995 to $3,750 in fiscal year 2001.

Offsets are necessary to keep the overall bill within limits, but should additional funds become available through the supplemental process, we would certainly consider providing extra funds to the Pell Grant program.

Mr. HOYER. I thank the gentleman for his comments. I appreciate his representation, and I look forward to working with him on this issue.

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE III

GENERAL PROVISION—THIS ACT

SEC. 3001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 3002. Within 5 days of the enactment of this Act, the Secretary of State is directed to report to the Committee on Appropriations on the projected uses of the unobligated balances of funds available under the heading ''Agency for International Development, International Disaster Assistance'', including plans for allocating additional resources to respond to the damage caused by the earthquakes that occurred in El Salvador in January and February of 2001.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

SEC. . No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly know as the ''Buy American Act'').

Mr. TRAFICANT. Mr. Chairman, Congress has approved building a memorial to our dedicated troops which served our Nation in World War II. One of the contracts awarded was to a subsidiary of a German company which has Nazi roots. They built Nazi war planes; and they have some procurement problems to boot.

Mr. Chairman, I think the amendment is fitting.

Mr. MURTHA. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Pennsylvania (Mr. MURTHA), the distinguished ranking member of the Committee on Appropriations.

Mr. MURTHA. Mr. Chairman, we have no problem on this side with the amendment.

Mr. REGULA. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Ohio.

Mr. REGULA. Mr. Chairman, we are prepared to accept this amendment.

Mr. TRAFICANT. Mr. Chairman, I urge an aye vote; and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''2001 Supplemental Appropriations Act''.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 171, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 1 by the gentleman from Oregon (Mr. DEFAZIO); amendment by the gentleman from Wisconsin (Mr. OBEY); amendment in part B by the gentleman from Pennsylvania (Mr. TOOMEY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. DEFAZIO

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 50, noes 376, not voting 6, as follows:

[Roll No. 172]

AYES—50

Baird
Baldwin
Barrett
Blumenauer
Bonior
Brown (OH)
Conyers
Davis (IL)
DeFazio
DeGette
Doggett
Duncan
Filner
Frank
Gutierrez
Hinchey
Holt
Honda
Hooley
Jackson (IL)
Kind (WI)
Kucinich
Lee
Lipinski
Luther
Maloney (NY)
Markey
McDermott
McGovern
McKinney
Miller, George
Nadler
Oberstar
Paul
Payne
Rivers
Rohrabacher
Sanders
Schakowsky
Shays
Slaughter
Solis
Stark
Tierney
Towns
Udall (CO)
Velazquez
Watt (NC)
Woolsey
Wu

NOES—376

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pelosi
Pence
Peterson (MN)
Peterson (PA)

Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaffer
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Traficant
Turner
Udall (NM)
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Cox
Flake
Houghton
Jefferson
Kaptur
Rush

□ 2104

Messrs. HAYES, RODRIGUEZ, CROWLEY, SCARBOROUGH, LEACH, SPRATT, WATTS of Oklahoma, GREEN of Texas, COOKSEY, STUPAK, and Ms. McCARTHY of Missouri changed their vote from ''aye'' to ''no.''

Mr. BARRETT of Wisconsin and Mr. CONYERS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. OBEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 216, not voting 4, as follows:

[Roll No. 173]

AYES—212

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—216

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Cox
Houghton
Kaptur
Rush

□ 2115

Messrs. HERGER, COBLE, GILCHREST, HYDE, COLLINS, and Mrs. WILSON changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PART B AMENDMENT OFFERED BY MR. TOOMEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment in part B offered by the gentleman from Pennsylvania (Mr. TOOMEY) on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 65, noes 362, not voting 5, as follows:

[Roll No. 174]

AYES—65

Akin
Baker
Bartlett
Barton
Blunt
Burr
Cannon
Cantor
Castle

Chabot
Crane
Cubin
Culberson
Davis, Jo Ann
DeLay
DeMint
Doolittle
Duncan
Dunn
Flake
Goode
Goodlatte
Green (WI)
Hall (TX)
Hayworth
Herger
Hoekstra
Horn
Hostettler
Hulshof
Istook
John
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
Kingston
Largent
Miller (FL)
Myrick
Nussle
Otter
Paul
Pence
Pitts
Pombo
Portman
Ramstad
Royce
Ryun (KS)
Scarborough
Schaffer
Sessions
Shadegg
Shays
Smith (MI)
Stearns
Tancredo
Tauzin
Thornberry
Tiahrt
Toomey
Vitter
Watts (OK)
Wu

NOES—362

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Baca
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blumenauer
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burton
Buyer
Callahan
Calvert
Camp
Capito
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Costello
Coyne
Cramer
Crenshaw
Crowley
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doyle
Dreier
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fletcher
Foley
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E.B.
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kerns
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Gary
Miller, George
Mink
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Platts
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roukema
Roybal-Allard
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spence
Spratt
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiberi
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Walden
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—5

Cox
Houghton
Kaptur
Rush
Souder

□ 2126

Messrs. RYAN of Wisconsin, WELLER, KERNS, and BRADY of Texas changed their vote from ''aye'' to ''no.''

Messrs. KENNEDY of Minnesota, ROYCE, TIAHRT and GOODLATTE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRIES

Mr. FRANK. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FRANK. Mr. Chairman, if I heard correctly, no motion to table a motion to reconsider was made after the Obey amendment. Now, I am a great believer in giving people third chances, not just second chances, and, with all of the switching, I thought we could offer one last chance for redemption.

Would it be in order to move to reconsider the vote on the Obey amendment, for Members who did not get their switches in time?

The CHAIRMAN. In the Committee of the Whole, there is no motion to reconsider.

Mr. FRANK. Mr. Chairman, I have a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FRANK. Mr. Chairman, I hate to leave so many Members on the other side dangling over the pit of uncertainty. Would it be in order to make such a motion in the full House?

The CHAIRMAN. A separate vote is possible in the House only on an amendment that has been reported by the Committee of the Whole.

Mr. FRANK. In other words, the Members are off the hook, Mr. Chairman.

The CHAIRMAN. That is not a parliamentary inquiry.

There being no other amendments, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HANSEN) having assumed the chair, Mr. BEREUTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2216) making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes, pursuant to House Resolution 171, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

□ 2130

The SPEAKER pro tempore (Mr. HANSEN). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY of Wisconsin moves to recommit the bill, H.R. 2216, to the Committee on Appropriations with instructions to report the bill back to the House promptly with amendments to strike the rescission of $389,200,000 from the Federal Emergency Management Agency's Disaster Relief Fund while complying with all applicable budget constraints.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes in support of his motion to recommit.

Mr. OBEY. Mr. Speaker, I have two letters in my hand. One letter from Senator KAY BAILEY HUTCHISON which reads as follows: ''I ask for your assistance in supporting any efforts on the House Floor to eliminate the provision in the supplemental appropriations bill that rescinds FEMA's disaster relief funds.''

I also have in my hand a Statement of Administration Policy from the Bush administration. It says, ''The administration strongly opposes the proposed rescission of $389 million in disaster relief funds for FEMA.'' Enough said.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Speaker, first let me compliment the gentleman from Nebraska (Mr. BEREUTER) for a tremendous performance as chairman of the Committee of the Whole. Speaking for the gentleman from Wisconsin (Mr. OBEY), and it is a pleasure. It has been stated many times, says the gentleman from Wisconsin, that this supplemental appropriation bill is deficient in a number of ways. For this reason, he is moving to recommit the bill with instructions to strike the rescission of $389 million to the Federal Emergency Management Agency disaster relief fund.

We have heard from a number of eloquent speakers about the devastation that has occurred as a result of Tropical Storm Allison and the need for disaster assistance. Speaking again for the gentleman from Wisconsin (Mr. OBEY), while there are currently monies in the disaster relief fund, these funds will not be sufficient to cover all previous ongoing or projected disaster requirements.

The Director of the Office of Management and Budget sent a letter prior to the full committee markup on this bill stating he was puzzled by this rescission. The director of FEMA has sent a letter to the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) expressing his concern about this cut.

Finally, yesterday the administration sent up its official position on the supplemental appropriations bill. It stated, ''The administration strongly opposes the proposed rescission of $389 million in disaster relief funds for the Federal Emergency Management Agency.''

The rescission should eliminate much of the normal FEMA funding needed by the agency to provide quick and effective assistance to disaster-stricken communities and victims. Given the disaster relief need due to the impact of Tropical Storm Allison as well as other disasters, this is not the time to be cutting FEMA. Instead of taking a reduction in disaster relief or making a mindless decision to take on across-the-board cuts to all Federal agencies as an offset, this motion would send the bill back to the Committee on Appropriations where thoughtful deliberations could take place as how best to proceed.

Mr. OBEY. Mr. Speaker, this money will be needed. We might as well admit it now. This amendment does not kill the bill, it simply tells the committee to come back with other actions consistent with House rules to save full funding for FEMA.

The SPEAKER pro tempore. Is the gentleman from Florida (Mr. YOUNG) opposed to the motion of the gentleman from Wisconsin?

Mr. YOUNG of Florida. Definitely and enthusiastically, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Florida (Mr. YOUNG) is recognized for 5 minutes in opposition to the motion to recommit.

Mr. YOUNG of Florida. Mr. Speaker, I yield to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, our community in Houston has been devastated by Tropical Storm Allison. As disheartening as that is, the only thing more disheartening is to hear the demagoguery about it on this floor today. My colleagues in Congress who are using scare tactics to needlessly heap even more misery on to the families and businesses harmed by Allison ought to be ashamed of themselves.

I too have a letter. It is from FEMA, not from politicians, and it says, ''FEMA's disaster account has sufficient funding to ensure disaster aid to those victims of Tropical Storm Allison flooding. FEMA assures those in Texas, Louisiana, and Florida fighting to recover now that FEMA stands ready and is able to help them.''

The fact of the matter is that over the next 3 months, we cannot spend the $1.5 billion FEMA has. The fact of the matter is that our accounts will be about a billion and a half dollars for that, like Tropical Storm Floyd has done and, the fact of the matter is, even if it is a little more, in the last 5 years, Congress has allocated $17 billion to help communities recover.

Mr. YOUNG of Florida. Mr. Speaker, I rise in opposition to this motion to recommit. Number one, the way the motion is written, it would send this bill back to the committee. The process would start all over again, and that process takes a long time to get back to the floor. In the meantime, the Army and the Navy and the Air Force and the Marine Corps and the United States Coast Guard are doing without money that they really need for operations today, that they need for fuel costs that have been increasing so dramatically, that they need to pay medical expenses that are $1.5 billion in arrears already. We do not want to see this problem being created with our military services. This would kill the bill. We do not want to kill this bill. We spent all day long here getting it ready to pass. I sure do not want to have to do it again.

Let us vote down this motion to recommit, come back here tomorrow, and let us do the Interior Appropriations and get out for the weekend so that we can all go home and see our constituents.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Under clause 9 of rule XX, the vote on passage will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 209, noes 218, not voting 5, as follows:

[Roll No. 175]

AYES—209

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Mink
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Ross
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Shows
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—218

Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett

Ferguson
Flake
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hansen
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Ryan (WI)
Ryun (KS)
Saxton
Scarborough
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Tiberi
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Cox
Houghton
Kaptur
Royce
Rush

□ 2155

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HANSEN). The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 341, nays 87, not voting 4, as follows:

[Roll No. 176]

YEAS—341

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Bartlett
Barton
Bass
Becerra
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Carson (OK)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeLauro
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Fletcher
Foley
Ford
Fossella
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Holden
Holt
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Maloney (CT)
Maloney (NY)
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Meek (FL)
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Napolitano
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Pence
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schiff
Schrock
Scott
Serrano
Sessions
Shaw
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Traficant
Turner
Udall (NM)
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—87

Baldwin
Barrett
Bentsen
Blumenauer
Bonior
Brown (OH)
Capuano
Carson (IN)
Chabot
Conyers
Coyne
Crane
Crowley
DeFazio
DeGette
Delahunt
Deutsch
Dingell
Doggett
Duncan
Ehlers
Eshoo
Filner
Flake
Frank
Green (TX)
Hall (OH)
Hastings (FL)
Hinchey
Hoekstra
Honda
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jones (OH)
Kennedy (RI)
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lee
Lofgren
Luther
Manzullo
Markey
McDermott
McGovern
McKinney
Meehan
Meeks (NY)
Miller, George
Mink
Nadler
Neal
Obey
Olver
Owens
Paul
Payne
Pelosi
Petri
Ramstad
Rivers
Rothman
Royce
Sanders
Schaffer
Schakowsky
Sensenbrenner
Shadegg
Shays
Slaughter
Smith (MI)
Solis
Stark
Stupak
Tancredo
Terry
Udall (CO)
Upton
Waters
Watson (CA)
Watt (NC)
Weiner
Woolsey
Wu

NOT VOTING—4

Cox
Houghton
Kaptur
Rush

□ 2203

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2217, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2202

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 107–106) on the resolution (H. Res. 174) providing for consideration of the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RESIGNATION AS MEMBER OF COMMITTEE ON VETERANS' AFFAIRS

The SPEAKER pro tempore (Mr. HANSEN) laid before the House the following resignation as a member of the Committee on Veterans' Affairs:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
Washington, DC, June 20, 2001.

The Speaker
The Capitol, Washington, D.C.

DEAR MR. SPEAKER: I hereby resign my seat on the Veterans' Affairs Committee effective immediately.

Best regards,

J. D. HAYWORTH,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON RESOURCES

Mr. HASTINGS of Washington. Mr. Speaker, I offer a resolution (H. Res.

175) and I ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 175

Resolved, That the following named member be and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Resources: Mr. HAYWORTH.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. FLAKE). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

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

Mr. NUSSLE. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act and Sec. 221(c) of H. Con. Res. 83, the concurrent resolution on the budget for fiscal year 2002, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the allocations for the House Committee on Appropriations.

As reported to the House, H.R. 2216, the bill making supplemental appropriations for fiscal year 2001, increases emergency-designated appropriations for fiscal year 2001 by $84,000,000 in budget authority and $59,000,000 in outlays. Those emergency-designated appropriations also increase fiscal year 2002 outlays by $184,000,000. Under the provisions of both the Budget Act and the budget resolution, I must adjust the 302(a) allocations and budgetary aggregates upon the reporting of a bill containing emergency appropriations.

Accordingly, I increase the fiscal year 2001 302(a) allocation to the House Appropriations Committee contained in House Report 107–104 by $84,000,000 in new budget authority and $59,000,000 in new outlays. This changes the fiscal year 2001 302(a) allocation to that Committee to $642,063,000,000 in budget authority and $647,147,000,000 in outlays. I also increase the fiscal year 2002 302(a) allocation to the House Appropriations Committee contained in House Report 107–100 by $184,000,000 in outlays. This increases the outlay allocation to that Committee for fiscal year 2002 to $682,960,000,000.

The increase in the allocations also requires an increase in the budgetary aggregates. For fiscal year 2001, the adjusted levels are $1,653,765,000,000 for budget authority and $1,600,588,000,000 for outlays. For fiscal year 2002, the outlay aggregate is $1,590,658,000,000.

These adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment of the legislation. Questions may be directed to Dan Kowalski at 67270.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. MILLENDER-MCDONALD) is recognized for 5 minutes.

(Ms. MILLENDER-MCDONALD addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AMERICA'S ENERGY POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Michigan (Mr. EHLERS) is recognized for 60 minutes as the designee of the majority leader.

Mr. EHLERS. Mr. Speaker, this evening, several of us want to address an extremely important topic, and that topic is energy. Energy is normally not a high-priority issue for most members of the public, and, in fact, for many Members of this Congress.

Nevertheless, it is one of the most important issues that we deal with, and that becomes apparent every time we have a shortage of energy. Prices rise and then we have a major economic impact.

Mr. Speaker, in fact, energy is so important that the last three recessions that this country has experienced have followed immediately upon shortages of energy and an increase in energy prices, and there is some concern that that might happen if we do not correct the current energy shortage.

There are many aspects to discuss regarding energy, and tonight we will be joined by the gentlewoman from West Virginia (Mrs. CAPITO) and the gentlewoman from New Mexico (Mrs. WILSON).

Mr. Speaker, I yield to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Speaker, I want to thank the gentleman from Michigan (Mr. EHLERS) for yielding to me.

Mr. Speaker, tonight we are going to talk about the energy problem across America, and we are going to talk about some solutions and some ways that I think we can look to the future to try to solve some of the problems.

Mr. Speaker, the energy crisis in California has been devastating communities across the western United States, and its effects are being felt across many industries. Our Nation has been blessed with an abundance of natural resources from which our energy can be produced.

Mr. Speaker, I feel that this unfortunate situation in California is one that need not be repeated, and we must work to ensure this.

At a time when we have the technology to produce energy in a much cleaner, more efficient way, we should be devising the long-term solutions to help prevent situations like the one in California from occurring again.

We are seeing the prices of services rise as the funds to pay for these services are depleting. Today, it costs more to operate businesses, drive our cars; and in West Virginia, the cost of cooling and heating our homes is rising.

Unfortunately, the demand for more energy is not decreasing, and companies are being forced to close, vital members of our Nation's workforce are losing their jobs.

With California's economy representing 13 percent of the total U.S. Gross Domestic Product, it cannot survive under these conditions; and unfortunately, a poorly thought out deregulation plan has severely damaged the world's sixth largest economy.

Mr. Speaker, in my home State of West Virginia, we have an abundance of coal and natural gas; but many of these resources have lain asleep, untapped, due partly in effect of the overly restrictive regulations that have prevented the extraction, the production and transportation of these sources of energy.

Today, many of these resources could serve as a lifeboat to our friends in the West if only we had recognized these sources' potential contributions and had been wise stewards of them.

But a decade of ignoring our domestic sources of energy and stifling energy production has unfortunately left some classrooms in the dark, some businesses offline, and some local infrastructures paralyzed. But this is not a hopeless situation, and that is why we are talking about it tonight.

This country can chart a new course for the history books, one that includes a natural energy policy that utilizes our domestic resources and promotes speedy, efficient, and environmentally-sound production of energy. We can do this at the same time by instituting meaningful means of conservation of our precious energy resources.

I look forward to working with the rest of Congress in developing the smart plan for our future, and I thank the gentleman from Michigan for engaging in this conversation.

Mr. Speaker, I look forward to the role that West Virginia will play in the development of a comprehensive energy plan for our Nation. I think West Virginia's abundant resources can be used effectively, can be burned environmentally in a cleaner fashion; and

it can give us, I think, a good baseline of the energy production that we desperately need in this country. I look forward to working with the gentleman to try to solve this problem.

Mr. EHLERS. Mr. Speaker, I thank the gentlewoman from West Virginia (Mrs. CAPITO) for her comments; and obviously, she is referring principally to the sources of coal in West Virginia I assume, and one of the big problems, of course, is clean coal technology.

We have to recognize, although coal has some drawbacks, it also is the largest supply of fossil fuels we have in this country by far; and in fact, that is true worldwide as well.

If we do not do the research and develop clean methods of burning coal or using it in other ways, we are going to be behind the 8-ball fairly soon, because the supplies of oil and natural gas are much shorter; and, furthermore, natural gas is useful for so many other purposes, particularly as a feedstock in the petrochemical industry; and coal is, by far, the better source of energy than natural gas.

Mr. Speaker, I appreciate the comments of the gentlewoman and thank her for taking the time to join us in this Special Order.

Mr. Speaker, I yield to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON. Mr. Speaker, I thank the gentleman from Michigan, and I was very pleased to be asked by the gentleman from Michigan to join him tonight to talk about America's energy policy and where we need to go and what should be the priorities of this Congress.

I was very pleased that the Federal Energy Regulatory Commission earlier this week put out a new order to a new rule about the way they regulate companies that had a price mitigation strategy in it. And for the West I think it will provide some immediate relief in California and also other western States without putting on price caps which have been called for by some in the House and, before this order came out, some in the Senate.

I think that that order will also help move this Congress away from a discussion of short-term Band-Aid solutions in California, to the long-term issues and solutions and strategies that we need to address our energy future.

Mr. Speaker, I would like to take some time this evening to talk about the current energy crunch and our solutions for the long term for a very broad and balanced approach to energy policy.

Mr. Speaker, the electric bills that all of us have been receiving in the mail for electricity and also for natural gas have been hurting everyone. We need that electricity and that gas to heat our homes, to cook our food; and it is especially hurting folks on low incomes.

I was very pleased also that this House passed additional assistance for the Low-Income Home Energy Assistance Program and cooling needs for those on low incomes. Most of us do not think about energy until it becomes a problem.

We have not had a natural energy policy in this country for over a decade and arguably for 2 decades. We are more dependent on foreign oil today than we were at the height of the energy crisis in the 1970s.

Fifty-five percent of our oil is imported primarily from the Middle East, making us dependent on foreign governments, many of whom are not our friends.

California expanded its consumption of electricity over the last decade by some 10,000 megawatts of power while it only built 800 megawatts of power plants. Now, I do not understand megawatts very well, but think about it this way: if your kids become teenagers and they start drinking 10,000 gallons more milk a year, which is probably about right, and you only bought 800 more gallons to put in the fridge, you would have a problem.

□ 2215

California created for itself a problem. They did not plan. They ignored the growth of California's economy and its population, and Californians are paying a very heavy price.

America needs reliable, affordable, clean energy to support our expanding economy, our growing population, and our rising standard of living. When we flick the switch, the light should go on. When we go to work, we should have the energy to produce the goods and services for our growing economy. When we fill up at the gas station, the price should be reasonable, and it should not be set by a foreign dictator. And when we come home, we should be able to enjoy clean water, clean air, and clean land with our families.

The energy crunch we face today is one made yesterday, and it will not be solved today or even tomorrow. We are not going to be able to fix this in a day. And while there are some things that we can and should do to give ourselves some immediate short-term relief, it is more important to get the long-term policies right so that we never get into this situation again. I do not believe that Band-Aids are answers, and some of the quick fixes that we have heard bandied about in Washington do more harm than good. It is long past time to have a balanced, long-term approach to make sure that we have a safe and stable supply of energy for the long term.

Now, I come from New Mexico. New Mexico is an energy producing State. We produce oil and natural gas, we have some of the country's largest reserves of uranium, and we have coal fields. Last year oil and gas alone produced about $2.6 billion worth of products to light our homes and run our industries. Living in New Mexico, and I know there are some folks in this body that would disagree with me, but I come from the most beautiful State in the Nation. I believe that we can meet America's energy needs in a way that preserves the beauty of the home that I love and the homes that all of my colleagues love.

We have made tremendous progress in the last decade on cleaning up the air and cleaning the water and finding ways of exploring for energy that do less damage to the environment. There is no turning back, and nobody wants to. The good news is that from what I have seen, serving on the Committee on Energy and Commerce, over the last half year of holding hearings and testimony and doing inquiries and gathering evidence, I do not think we have to turn back. I think we can have a balanced energy policy where we have the safe, clean, healthy environment we want and we also have the energy we need for our country. But if we are going to do that, we need to act and we need to act now. If we do not act, we need look no further than California to see the consequences for our futures: rolling blackouts, skyrocketing prices, $2 or even $3 a gallon for gasoline.

So where do we go and what do we do? How can we address this energy need in a way that is comprehensive, that does not look to Band-Aids for solutions? I think that legislation that the House should pass before the August break will have several pieces that are important. We will have conservation, we will have measures to increase the supply of energy, we must address problems with the infrastructure in this country, and we need government reform. We will also pay some special attention to the problem of gasoline prices, and I would like to talk about these things a little bit tonight.

Conservation has to be a pillar of our energy strategy, there is no doubt about that, and I do not think we have any differences in our House about that. Conservation allows us to use less energy to live the lives that we want, to live and do the things that we want to do. Refrigerators today, and I had to buy a new one recently, thank goodness my husband was home to take care of that, the one that we bought just recently uses about a third less energy than one built in 1972. Cars get more miles to the gallon today than they did back in the 1970s, and we are on the verge of breakthroughs in technology that might even double gas mileage without reducing the power and range on our cars.

Contrary to what we sometimes hear, Republicans do want to reduce the use of energy and the waste of precious resources. After all, we are conservative by our very nature. We do not like to waste things. I do not like to waste the half-eaten burrito in my refrigerator that my kids left from Taco Bell, let alone something as precious as our energy. We have home builders, like Artistic Homes in Albuquerque, that are making their businesses strong by making homes more energy efficient. Artistic Homes is unique because it is a first-time buyer home builder. They build homes at the low end of the scale

and they are part of the Department of Energy's Building America program, a program that the President strongly supported in his energy plan.

I think we should look here in the Congress at changing the Federal Mortgage Home Loan programs to make it easier for first-time buyers to get an energy efficient home. If they get an energy efficient home, it not only reduces the use of energy, it reduces the monthly utility bills, and that is good for consumers as well as being good for the environment.

We have new possibilities with renewable fuels, like ethanol that is made from corn, cogeneration of electricity and heat, advances in solar power, that all hold potential for reducing our energy use and they have to be part of our national energy policy. But we cannot conserve our way out of this energy crunch any more than I can feed my family with half-eaten burritos. We also cannot drill our way out of this energy crunch. We have to have a balanced approach that addresses both conservation and increasing energy supply.

We have to diverse and increase energy supply while protecting the environment, and that is the second prong, the second strategy we will pursue here in the House. The first is conservation; the second is increased supply. As my colleague from Michigan mentioned, coal generates a little over 50 percent of our electricity in this country. Nuclear is about 20 percent. But the only plants now on the drawing board are for natural gas, and we may create a shortage of natural gas and start having to rely on imported natural gas. I think it would be a real mistake to rely only on one source of electricity generation. We need to have nuclear, hydro, clean coal, natural gas, distributed generation and renewable energy as components of our supply.

I would like to emphasize the need for nuclear energy. For 20 years, nuclear energy has been in the too hard column, almost impossible to get a nuclear plant approved in America, and yet nuclear power is cleaner than other sources of fuel. It is also safer. And the safety record has improved even further over the last 10 years. Research on new designs can change the economics of nuclear power generation.

The energy bills that we are going to work on here in the House I hope will streamline the licensing of hydropower. Most people do not know it in this country, but it takes up to 10 years to get a dam licensed with a turbine, even if the dam is already built and all you are doing is putting a turbine on water that is flowing down the spillway. That does not make any sense when there is a shortage of power in the West and we could have more hydropower without even building any more new dams. I think we will find a way to better balance and allow exploration on public lands and balance the needs of conservation environmental protection and production of new sources. So we need conservation.

We need to produce more energy and get it to the market, but to get it to the market we have got to fix our infrastructure. Now, California's problem was not just that they did not build power plants, but they did not build power lines to get the power to the people who needed it.

We also have a shortage of refineries in this country. We have not built a refinery in over 20 years. Our refineries are working at 95, 97 percent of capacity. Any safety problem or fire at a refinery immediately creates a shortage of supply. We have only one port in our country that can accept liquefied natural gas, so that we are very dependent on that port. And in an age of sophisticated remote sensing, many of our pipelines are still inspected by people who walk the line and look for discoloration in the soil.

We have to modernize and expand the infrastructure, including safe pipelines, adequate transmission and refining capacity, and enough redundancy so that we can reduce the consequences of single point failure. So we will pass conservation measures, we will pass increased production, we will pass bills to make infrastructure stronger in this country, but we also need government reform.

The Federal Government does not integrate well its energy policy, environmental and economic and foreign policy-making so that we can avert energy problems. I am sure it is probably no surprise to anyone in this body that the Federal Government is not exactly one large well-oiled machine that gets everything done efficiently. Right now the Environmental Protection Agency or the State Department or Transportation or Agriculture or Interior can make policy decisions that affect our Nation's energy supply without ever having to think about our energy supply. They can make those decisions based solely on their department's view of what the right thing to do is; their constituency. They do not have to worry about what it does to the price of gas in Belen, New Mexico or how much it costs to heat our homes.

Now in a crunch time, like today, those agencies are forced to consider energy as part of their policy-making; suspend some rules, accelerate some procedures. But when public attention subsides, goes back to business as usual, and bureaucrats do not have to think about energy, I think that we have to integrate Federal policy when it comes to energy so that we can prevent this situation from ever happening again.

We have a national security policy-making apparatus that seems to work. We have had it in place since 1948. We cannot have the Defense Department doing one thing and the State Department doing something else and the intelligence agencies doing something completely different. They must work together toward a common national security end. It is long past time that we do the same for energy and that we have a policy-making process that takes into account America's energy security.

□ 2230

So those are the strategies that will define how this House and how the Republican majority in this House will address the challenges of energy for this country.

We will focus on conservation. We will take measures to increase supply. We will address our crumbling infrastructure, and we will engage in government reform. We will also pay some special attention to gas prices.

Mr. Speaker, I filled up over the weekend in Albuquerque, and it cost me $1.57.9 for a gallon of gas, and that was lower than the last time I filled up which was after a price spike. In May, the Federal Trade Commission completed an investigation into gas prices last summer, and found there was no price gouging, but there were some other problems. For instance, we have 20 different formulas for what gasoline should be and State and local government can set different standards at different times of the year.

When Milwaukee's formula is different from Chicago's, and they change their formula in different weeks of the year with different requirements on whether the gas station has to drain its tanks first and so on, you can easily see where there are local shortages of supply of some kinds of gasoline. In any free market, a shortage of supply means an increase in price.

Mr. Speaker, one of the helpful things that we can do at the Federal level to keep gas prices down is to establish regional formulas for gasoline. It does not mean that we are going to change the result of the standard and the desire for clean air, but just to say that instead of 20 formulas, let us go to some regional formulas and get our formulas aligned so we do not create problems for ourselves and for consumers.

I also mention that we have a problem with refining in this country and that we have not built a new refinery. As I understand it, refining has about a 4 percent profit, and they have a lot of hassle and risk with safety and permitting problems. We need to explore ways, changes to Federal rules or tax policy so we can see an increase in refining capacity so we are not so tight on refining all of the time.

Third, with respect to gas, a third of the oil that we import is for our cars. Making our cars more efficient with more miles to the gallon, alternative fuels and research into hybrid vehicles like combined electric and gasoline motors will reduce the demand in the price of gasoline and reduce our dependence on foreign oil.

We also need to look abroad. We know that much of the known reserves of oil are in the Middle East, but there are also some potential sources of oil in the states of the former Soviet Union. We are going to have to work with those states, looking at the Caspian and in Central and South America

and offshore so we can look at developing alternative sources of supplies. It is when the cartel holds all of the cards that we are at the whim of the world's dictators.

I appreciate the gentleman from Michigan's inviting me here. I think the comprehensive energy legislation that we plan to pass in the House this summer is based on some sound thought. It will include conservation, increased production and strengthen our crumbling infrastructure, and it will include government reform.

I think with this comprehensive energy legislation, this broad-based, long-term approach to the challenges we face in America we can have energy security. We can have a safer, cleaner, healthier place to live and meet the growing needs of our prosperous Nation.

Mr. Speaker, I thank the gentleman from Michigan for sharing his time with me.

Mr. EHLERS. Mr. Speaker, it is a delight to yield the gentlewoman the time. I appreciate her very well-said comments.

Picking up on a few items that the gentlewoman mentioned, she mentioned that price caps would not be a good answer. I would like to emphasize that. If we impose a cap on the price of energy, we are simply encouraging people to buy more energy and waste it because the price is so low they can afford to waste it. That furthermore discourages the production of more energy because if the price is capped, a company cannot make money producing more energy. So price caps are doubly a bad idea. They discourage production and encourage waste and make the problem worse.

I also appreciate the gentlewoman's comments about efficiency, and the comment about the refrigerator reminds me of an incident. I remember when my wife and I first married and we lived in apartments, and then we moved into an unfurnished house and had to buy a refrigerator. We shopped around and looked at many models and narrowed it down to two different models, one for $250 and one which cost $500. Remember this was roughly 1962.

So then I did an analysis of the energy use of the two refrigerators, and I said we have to buy the $500 one. That seems strange, why should you buy the $500 one when you can get an identical one for $250. The difference was efficiency of operation. I calculated if we kept the refrigerator 12 years, we would more than pay for the extra $250 we bought and anything beyond that would be an added benefit. In fact, we kept the refrigerator over 23 years. So we essentially got it free compared to the other one given the purchase price and the energy use of the other one.

That is a calculation that not too many Americans are able to make because not all Americans are physicists, as I am, but it was easy to do and that illustrates the importance of labeling energy efficiency. And I think it would be important to have labels which indicate what the pay-back period is for buying a particular model.

Another item which the gentlewoman mentioned is the issue of foreign oil.

I remember the so-called energy crisis of 1973 when we had long gasoline lines, cars lined up for blocks waiting to get gasoline. I remember those days very, very well. At that time we were horrified when the Nation realized that roughly 35 to 40 percent of our oil consumption was imported from abroad, and that these foreign companies were able to Shanghai us literally by saying we are going to cut production in order to raise our prices, and we ran out of oil.

We thought that was terrible. We went into energy conservation mode. We did a lot of good things. We did greater production of energy and so forth. But we have short memories. It was not too many years when we forgot that, and now we are at a situation where we are importing a minimum of 55 percent of our oil from other countries, and it continues to climb.

Furthermore, it is no longer an option really to increase our production the way we did in 1973 because we have used so much of our own resources. At this point only 2 or 3 percent of the known reserves of the world are in our country, and the rest is all foreign oil. So we cannot simply rush out and increase our production because we have used most of the cheap oil in this country. It would be a great cost to produce a good share of our oil from within this country, barring other technical developments. Therefore, we will continue to be at the mercy of foreign oil unless we develop alternative sources of energy, unless we improve the efficiency of using our energy.

Mr. Speaker, I want to thank the gentlewoman for her comments and emphasize those few points because I think they are really extremely important.

Getting back to what I said at the very beginning of this hour, energy is far more important than most people think it is. Part of that I believe is that energy is intangible to us. We cannot see it. We cannot touch it. We cannot feel it. We cannot taste it. The only tangible evidence is the price at the gas pump or the utility bill at the end of the month. That is when we get concerned.

But if energy were only purple, if only we could see energy and we could see what happens in our house where energy would be oozing through the walls and the walls of the house would look purplish, and we could see it streaming out around the windows that are not sealed and we would have this copious amount of purple coming at us. Or we would see the small car with a small amount of purple, and the SUV would go by with a purple cloud so bad we could not even see the vehicle.

If we could see the intrinsic qualities of energy and see when it was being wasted, I think we would change our habits considerably. Unfortunately, we do not have that advantage, so we have to try to educate ourselves about energy and try to make the best possible uses of energy.

There are a lot of ways that we save energy, in terms of buildings, insulation, reducing infiltration of outside air. Improved lighting has a surprising large effect. Light bulbs are only a hundred watts, that is not very much, but in 1974 when I decided to change the lighting in our house and I put fluorescent lights and fluorescent bulbs in every fixture that was used frequently, and I was surprised by the energy saved.

When I sealed the house with insulation, we saved over a third in our energy bills for our house, our natural gas bills. So there is a lot that can be done.

In industry, improving efficiency of electric motors. New electric motors are much more efficient. Also, by using appropriate controls adjusted to the load, we can improve our efficiency and use of electrical energy.

We can also, with automobiles, consider making better use of the diesel engine. I owned two diesel vehicles in the 1980s, and I found them wonderful. The most wonderful part was driving 800 miles between gasoline stops. They are very efficient and operate well.

There are fuel cells on the horizon, and this relates to the whole hydrogen economy. If we can manage to produce hydrogen cheaply enough and transport it, and we develop fuel cells, that will be an advantage.

Hybrid automobiles are also a good answer. So there are many things that we can do to improve energy efficiency and use less energy.

We also have to worry about the pollution effects of energy use as well, and we have tried very hard in this country to clean up our air. We have succeeded to a great extent. We have far less pollution from automobiles than we did in my youth. And a few years back when my daughter was a missionary in Costa Rico with her husband, we were amazed by the pollution there. It made me appreciate more what we have done in this country.

Even so, we still have problem with nitrogen oxides of various sorts getting into the air. And as long as we have sulfur in the fuel, we are going to continue to have problems with sulfur dioxide getting into the air, which of course when it combines with water vapor makes sulfuric acid and leads to what is commonly called acid rain.

Those are pollutants we must clean up and will eventually clean up, either through other means of propulsion, such as fuel cells, or some other way.

In addition to that, we have copious production of carbon dioxide, a greenhouse gas. In addition to that, because we are using a lot of natural gas and we continue to drill wells, there is leakage of methane which is 100 times more of a greenhouse gas than carbon

dioxide. That is leading to potential major changes in our global climate.

Mr. Speaker, I do not like to talk about global warming because the real issue is global climate change. That means much more than just warming. It means dramatic changes in rainfall. Some areas that have much rainfall now might become deserts, deserts might become fertile areas, depending on changing patterns. And it also has an effect on violent weather.

These are issues we have to consider. With our copious use of fossil fuels, these are going to become major effects.

I think we have only begun to see the effects of improved means of producing energy. We are so used to our current model we think that is the only way. But I predict because of the difficulties in California, we are going to see a boom in what is called micropower, where small power units are purchased, perhaps sometimes in homes, more frequently perhaps in businesses, especially in manufacturing plants.

□ 2245

The Silicon Valley, which is famous for the work they have done in semiconductor chips, has had some disastrous occurrences of power outages in California. Just shutting the power off for 1 minute at a major plant like that costs them $1 million. If the electricity is off much longer than that, of course, the cost increases. So I suspect many of them will turn to smaller power units, which are kept right in the factory and are totally dependable. If they ever do fail, generally the power lines would still be operating and you could use them as a backup.

We have to also develop many different alternative forms of energy. I could name many that are available. I expect that within a few years, with increases of electricity prices, we will be putting solar shingles on houses, photovoltaic shingles that will provide electricity, perhaps initially crude electricity that would be good only for heating the water and providing heat for the home, perhaps air conditioning; but eventually with proper electronics, it can be sophisticated power and supply all the energy needs of the house.

Everyone, of course, says, What happens when the sun goes away? Well, then you need energy storage devices. Batteries are one form of that; but if you want to, you can get a little more sophisticated. You could electrolyze water into hydrogen and oxygen; when you need energy, you combine them again in a fuel cell, and that would provide electricity for the house, so you could be totally independent of the power grid. These are all things that might be considered in the future.

I always like to, when looking at our energy sources, characterize them in terms of personal finances, because I think you can look at it that way. When we consider our personal finances, first of all we have income from a job, a profession, whatever we have. In addition to that, many of us have savings accounts, where we keep some money for emergencies. And some are fortunate enough to have an inheritance. We have exactly the same situation with energy. We have income, the solar energy which streams onto our planet. The amount that streams on the earth is so immense that the amount contained in all the fossil fuels of the earth is less than a couple of weeks of solar radiation. The problem is that it is so diffuse, it is hard to use. But nevertheless we can develop means of using that. That is our only income, of energy, solar energy. That is the only energy coming into our planet.

In addition to that, we have a savings account. That is the fossil fuels, the oil, natural gas, coal. Those are stored fossil fuels, stored solar energy. They were created from solar energy that came into the earth for a very long time. It formed in plants. The plants then eventually decayed and formed the organic by-products that give us oil, natural gas, and coal. So we have a savings account. That is the fossil fuel that is in the earth.

And then we have what you might call an inheritance. Geothermal energy, for example, the heat that is in the earth and has been there since its creation gradually radiating into space, but there is an immense amount there yet. The core of our planet is molten iron, obviously very warm. So geothermal energy, we can consider an inheritance. We acquired it when we were placed on this planet. Another inheritance is nuclear energy, because that also was present at the creation of the earth, continues to release heat constantly, in fact contributes much of the heat of geothermal. So nuclear energy we can also consider an inheritance.

I think the rule of thumb that we have in our life, as far as our finances are concerned, that we try to live within our income, when necessary we will dip into our savings or our inheritance, is also a good rule to follow in energy use. I think it would be absolutely criminal if we were in a generation or two to burn up all the fossil fuels on this planet without thinking about what our children and grandchildren are going to do.

Now, I do think it is permissible to use a good share of the fossil fuels if we use that energy to develop new sources of energy, to make better use of nuclear energy, of geothermal energy and other sources that we might develop or invent. That is fine, because we are leaving our children and our grandchildren another way of using energy. But we have to always keep that in mind and be very careful of the use of the resources we have.

Two very important factors to remember about energy: number one, energy is a unique resource. It is our only nonrecyclable resource on this planet. Once you use it, it is gone. It is not like iron, copper, other materials that can be recycled over and over. Once you use energy, it is gone. Energy is our only nonrecyclable resource. The other major factor is energy is our most basic natural resource because without it you cannot use any of the other resources. You cannot use iron if you do not have energy because to use iron, you have to first dig the ore out of the ground, that takes energy; you have to transport it to a mill, that takes energy; you have to smelt it, that takes energy; you have to roll it, that takes energy; then transport it to a factory which takes energy; and then fabricate it, which takes energy. And then use more energy to transport the finished product to the consumer. Every step of the way requires energy. If you do not have sufficient energy, you cannot use any of the other resources on the earth.

I think we have spent a lot of time talking about some of the basic nature of energy here and some of the problems we have to face. But I think it is very important to keep all of these factors in mind as we attempt to solve the energy shortages we have. I think the energy resource problem we have is not one that we can solve with a magic stroke of legislation or we can solve through new development; but it is something that is going to involve millions of individual efforts by millions, and in fact billions, of people on this planet to make it come true. The government cannot conserve energy for everyone. We all have to do it. We have to use energy resources wisely. It is not just up to the government. It is up to the people of this planet to do it.

I yield to the gentlewoman from New Mexico for additional comments.

Mrs. WILSON. I thank the gentleman for yielding. I really wanted to emphasize something the gentleman from Michigan said early on in his remarks about price caps. There was some discussion about it here on the floor today. It is amazing to me that even after the Federal Energy Regulatory Commission made its decision on Monday to go after a market-based solution, they call it a price mitigation solution, it takes into account changes in the market day to day, that there are still folks who want to say, Well, prices are too high, so let's have the government set what the price is. That did not work in the 1970s. It has not worked for any kind of commodity. And it would really make things so much worse, would make the pain much longer and much more intense than it is today.

The reasons for that are really pretty simple. First, if something does not cost as much as it really costs, then people are not as careful about not wasting it. I know that is true of me. When you are paying $1.57.9 for a gallon of gas, you start planning the way you are going to do your errands on Saturday so you do one trip instead of two. You tell the kids to turn the lights off. You get smart about the way you use energy and think about things and whether we really need to turn the

air conditioner on as much as we do or whether we turn it off when we are going to leave for the weekend.

The second thing that it does is, the real problem in California is they just did not build enough power plants. They grew their economy, they grew the population considerably and figured that they would import the power from other places. If you put on price caps and you create huge uncertainty in the industry, nobody is going to go in and say, Yeah, I'm going to take my savings; I'm going to invest in a new power plant, if you do not know whether you are going to be able to recover your investment. So it does not solve the real problem, which is supply. A price cap does not produce one more kilowatt of electricity.

Then the other thing I think it would cause is the reality now that California is dependent on importing electricity from much of the West, including the State of New Mexico. If you put on price caps, you will not be able to buy some power, because people will not sell it to you if they have to sell it to you at a loss. We could make this so much worse. I do not understand why there are still some in the Congress who think the right answer is for us to legislate the price of power. It would be a disaster for California, for the West.

I am glad the Federal Energy Regulatory Commission took the steps that it did, and in fact I was one of the 17 Members of this House that signed a letter asking them to pursue this strategy, a market-based strategy of price mitigation. But really we need to shift and focus on the long-term policies that we need. I do believe that we need a balanced and long-term policy. It has got to include conservation, both conservation by individuals but also the government in systemic efforts that we need. If I go to Baillio's, which is our appliance store, if I do not have a choice of an energy-efficient refrigerator, then I really cannot conserve in that way. There are some things that government must do to make sure that conservation works and that it is not just my decision to turn on or off my lights, but a decision and an encouragement to invest in efficient lighting systems by industries or, for example, the Building America program I mentioned.

The interesting thing about the Building America program and the way that it has changed the building of homes is it is not just adding another layer of insulation in the attic, which we have done that, too. It is the changing the design of the home, starting from the ground up, on making it energy efficient. The savings are just incredible. That is really important for first-time buyers who are looking at how much can they cover on their mortgage, how much house can they get for their money. If the cost of maintaining that house is maybe 10 or 15 or $20 lower, that can go to a mortgage payment rather than to the electric bill. So building from the ground up is very important.

Those are things that we can encourage and do through government. We have got to increase supply, no question about that, in order to reduce our dependence on foreign oil. The gentleman mentioned it, and I think it is worth repeating, 55 percent of America's oil comes from outside the United States. The fastest growing supplier of oil to America, and the number six supplier to America, is Iraq.

Most folks do not know that Saddam Hussein probably has more impact on American gas prices than any of us would wish to admit. I noticed an article in the paper on Monday, they are reconsidering sanctions on Iraq. And not a surprise, every time they do that at the United Nations, Iraq decides that it is going to turn off its spigot and tell the rest of the world that they have us by the short hairs. I do not want to be by the short hairs with Saddam Hussein, which means we need to reduce our foreign dependence on single sources of supply so that when one individual dictator says, Well, I'm turning off the spigot, we have other sources, we are not over a barrel, that our energy policy is not just going on bended knee to other governments and begging for oil. That is not a policy. That is a plea. We should not put ourselves in that situation.

So we have got to have conservation, we have got to have exploration, we have got to build our infrastructure and take care of some of the infrastructure problems that we have, and we need real government reform. I think that that is the recipe for a stable, long-term policy for energy independence in this country. I appreciate the gentleman's efforts to bring this session to the House.

Mr. EHLERS. That was an excellent summary of what we have been trying to convey this evening. I thank the gentlewoman from New Mexico for her comments.

GENERAL LEAVE

Mr. EHLERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2216, and that the chairman of the Committee on Appropriations also may insert tabular data and other extraneous material.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 877 AND H.R. 1198

Mr. TOWNS (during the special order of Mr. EHLERS). Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 877 and H.R. 1198.

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

There was no objection.

TRIBUTE TO SENATOR ROBERT C. BYRD, WEST VIRGINIAN OF THE CENTURY

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

Mr. RAHALL. Mr. Speaker, I rise today to acknowledge West Virginia Day, at least for the 1 hour left in today, and the West Virginian of the Century, U.S. Senator ROBERT C. BYRD, whose accomplishments will last forever. 138 years ago, on June 20, 1863, West Virginia became the 35th State in the Union. Over those 138 years, our State has been blessed with many great statesmen and women, but last month at the State capitol in Charleston, Senator ROBERT C. BYRD was appropriately honored as West Virginian of the Century by a proclamation from our West Virginia Governor, Bob Wise, and resolutions from the West Virginia House of Delegates and the West Virginia Senate.

Mr. Speaker, I include for the RECORD the remarks of Senator BYRD on that occasion.

REMARKS BY SENATOR ROBERT C. BYRD, ''WEST VIRGINIAN OF THE 20TH CENTURY,'' MAY 31, 2001

West Virginia, how I love you!
Every streamlet, shrub and stone,
Even the clouds that flit above you
Always seem to be my own.

Your steep hillsides clad in grandeur,
Always rugged, bold and free,
Sing with ever swelling chorus:
Montani, Semper, Liberi!

Always free! The little streamlets,
As they glide and race along,
Join their music to the anthem
And the zephyrs swell the song.

Always free! The mountain torrent
In its haste to reach the sea,
Shouts its challenge to the hillsides
And the echo answers ''FREE!''

Always free! Repeats the river
In a deeper, fuller tone
And the West wind in the treetops
Adds a chorus all its own.

Always Free! The crashing thunder,
Madly flung from hill to hill,
In a wild reverberation
Makes our hearts with rapture fill.

Always free! The Bob White whistles
And the whippoorwill replies,
Always free! The robin twitters
As the sunset gilds the skies.

Perched upon the tallest timber,
Far above the sheltered lea,
There the eagle screams defiance
To a hostile world: ''I'm free!''

And two million happy people,
Hearts attuned in holy glee,
Add the hallelujah chorus:
''Mountaineers are always free!''

Mr. Speaker, Mr. President, Governor Wise, my fellow West Virginians, ladies and gentlemen:

Now in my 84th year, I look back over the ups and downs of a long and full and active life. I see a vastly changed world from what it was when I walked the dirt roads of Wolf Creek Hollow in Mercer County and studied in a two-room schoolhouse. The nation has grown from 102 million when I was born in

1917 to the burgeoning population of 275 million people today. At the beginning of my life, the nation was still in its horse-and-buggy days. Now we are in the age of instant communications, the Internet, jet-propelled planes, inter-planetary exploration, medical miracles, and the highest standard of living that the world has ever known.

We live in a country whose greatness seems to have been foreordained by her fortunate geography and rich natural resources, her agreeable and temperate climate, and by the hardy and industrious race of men and women who hewed her forests, cultivated her fields, bridged her rivers, built her cities, and created the American Dream that has excited the envy and won the admiration of mankind around the globe. How blessed we are to have inherited this pearl of great price! And how thankful we should be to the provident hand of that Omnipotent Being, who has favored our undertakings from the pre-dawn infancy of the colonial experience to the present-day meridian of the American Republic!

I am grateful for the Divine hand that delivered me, in my infancy to my home in West Virginia. I am grateful for wear-worn shoes; for the callouses of honest labor; and for the challenges of an unforgiving terrain. I am thankful for wrong turns that led to the right paths; for good people who inspired me to strive for great things; and for the rich experiences that taught me the difference between knowledge and wisdom.

I am grateful to the people of West Virginia for placing their trust in this adopted son of a poor coal miner, a mere ''scrap boy'' who used to go door to door gathering bits of food to fatten up the hogs raised by my foster father in a pen by the railroad tracks.

I am grateful to the people for giving me the opportunity to serve our state and our nation; to stand in the midst of history, among men and women who have changed the course of destiny, at the pinnacle of power in the greatest legislative body ever to grace the Earth.

And I am grateful to the people for their many kindnesses to Erma, my wife of 64 years, to whom I owe so much. She has been God's greatest gift to me.

West Virginians have given so much to me. Without your faith in me, I do not know where I would be today, but one thing I do know: I would not be here.

Never having forgotten my roots, I continue to be aware that my highest duty is to West Virginia and to the people of our state, who have honored me with public office for more than a half century.

My own less-than-modest beginning and the poverty of my state during my boyhood years have never faded from my view, and it has been my constant desire to improve the lives of the people who sent me to Washington. In many ways, I think that I have succeeded, but there is still work to do.

I am blessed to have had at my side a wife who, for 64 years, has been the central pillar of my home and my career. Erma and I grew from childhood to adulthood during the years of the Great Depression and in the coal mining towns of Southern West Virginia. The bottom rungs in our Ladder of Life were missing, but with God's help and by His grace, we have weathered storms of adversity and come through times of sorrow as well as joy to the present moment.

Not least of all, I owe much of my phenomenal success in serving the people of my state and my country to the many extraordinary men and women who have worked on my staff throughout my long career in the U.S. House of Representatives and the U.S. Senate.

As we have now crossed the threshold into a new century, I take this opportunity to urge my fellow West Virginians to build their future on the development of the human mind and the rock of the human spirit. I hope that more and more West Virginians will understand the imperative of education and the value of our schools, and that we will restore education to its rightful position as the primary key that opens doors onto the classic American dream of fulfillment in life as individuals and as a society. I hope that increased numbers of parents will become involved in monitoring their children's learning progress, in encouraging better performance at all levels of their children's schoolwork, and in applauding the achievements of good teachers.

I also hope that increased numbers of children will discover and rediscover the joys of reading, that more and more students will find unfathomed challenges in mathematics and the sciences and in history, and that a new generation of well-educated, keenly interested, and highly dedicated and industrious students will emerge from our schools to assure our State's preeminence in every field of learning, business, industry, and endeavor known to man, and many fields yet unknown but waiting for some blade-sharp West Virginia intellects to invent and open doors to them.

I hope that West Virginians will continue to preserve and honor the old values that guided and sustained our fathers and mothers and more distant ancestors in their daily lives and in the life of our state from its earliest beginnings.

The Biblical proverb admonishes us, ''Remove not the ancient landmark which thy fathers have set.''

My foster parents on their knees influenced my life from my early beginnings. I am sure that many of you can say the same thing.

Man is a spiritual creature. But if that spirituality is ignored—if man's soul is allowed to starve—the result is spiritual death. And no task of national renewal will be possible unless that effort is also a task of spiritual renewal.

George Washington in his farewell address, made the point succinctly:

. . . And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

Scientists have long sought the so-called ''missing link.'' The real missing link in our national cultural life is God.

From the depths of my heart, I thank Governor Bob Wise, House Speaker Bob Kiss, Senate President Earl Ray Tomblin, the members of both the House and the Senate, but most of all, I thank the people of West Virginia for the many years in which they have reposed their confidence and their faith in me. I have done my best.

May God always bless the State of West Virginia.

Two roads diverged in a yellow wood,
And sorry I could not travel both
And be one traveler, long I stood
And looked down one as far as I could
To where it bent in the undergrowth;

Then took the other, as just as fair,
And having perhaps the better claim,
Because it was grassy and wanted wear;
Though as for that, the passing there
Had worn them really about the same.

And both that morning equally lay
In leaves no step had trodden black.
Oh, I kept the first for another day!
Yet, knowing how way leads on to way,
I doubted if I should ever come back.

I shall be telling this with a sigh
Somewhere ages and ages hence:
Two roads diverged in a wood, and I,
I took the one less traveled by,
And that has made all the difference.

Mr. Speaker, I urge you and my colleagues in the House to join me in congratulating Senator BYRD as ''West Virginian of the Century,'' and in thanking him for his tireless work on behalf of the great State of West Virginia and its millions of residents.

Mr. Speaker, I urge you and my colleagues in the House to join me in congratulating Senator BYRD as West Virginian of the Century and in thanking him for his tireless work on behalf of the great State of West Virginia and its millions of residents.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:

Ms. NORTON, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Mr. RAHALL, for 5 minutes, today.

The following Member (at the request of Mrs. CAPITO) to revise and extend his remarks and include extraneous material:

Mr. NUSSLE, for 5 minutes, today.

SENATE BILL AND CONCURRENT RESOLUTIONS REFERRED

A bill and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 657. An Act to authorize funding for the National 4–H Program Centennial Initiative; to the Committee on Agriculture.

S. Con. Res. 35. Concurrent resolution expressing the sense of Congress that Lebanon, Syria, and Iran should allow representatives of the International Committee of the Red Cross to visit the four Israelis, Adi Avitan, Binyamin Avraham, Omar Souad, and Elchanan Tannenbaum, presently held by Hezbollah forces in Lebanon; to the Committee on International Relations.

S. Con. Res. 42. Concurrent resolution condemning the Taleban for their discriminatory policies and for other purposes; to the Committee on International Relations.

ADJOURNMENT

Mr. RAHALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 p.m.), the House adjourned until tomorrow, Thursday, June 21, 2001, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

2589. A letter from the Director, Office of Management and Budget, transmitting a report on the Cost Estimate for Pay-As-You-Go Calculations; to the Committee on the Budget.

2590. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2591. A letter from the Attorney/Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

2592. A letter from the Administrator, Environmental Protection Agency, transmitting the semiannual report on the activities of the Inspector General covering the period from October 1, 2000, to March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2593. A letter from the Acting Chairman, National Credit Union Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2000 through March 31, 2001, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2594. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Maryland Regulatory Program [MD–046–FOR] received June 13, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2595. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule—Civil Penalties [Docket No. OST 2000–8058] (RIN: 2105–AC92) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

2596. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule—Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs; Threshold Requirements and Other Technical Revisions [Docket No. OST–2000–7640] (RIN: 2105–AC89) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2597. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30251; Amdt. No. 429] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2598. A letter from the Senior Regulations Analyst, Department of Transportation, transmitting the Department's final rule—Credit Assistance for Surface Transportation Projects [OST Docket No. OST–2000–7401] (RIN: 2105–AC87) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2599. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30249; Amdt. No. 2052] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2600. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Annisquam River, Blynman Canal, MA [CGD01–01–076] (RIN: 2115–AE47) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2601. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30250; Amdt. No. 2053] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2602. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Gulf of Mexico, Sarasota, Florida [CGD07–01–042] (RIN: 2115–AE46) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2603. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Salisbury, MD [Airspace Docket No. 01–AEA–10] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2604. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Harbour Town Fireworks Display, Calibogue Sound, Hilton Head, SC [CGD07–01–040] (RIN: 2115–AE46) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2605. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Sarasota Bay, Sarasota, Florida [CGD07–01–043] (RIN: 2115–AE46) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2606. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Phillipsburg, KS [Airspace Docket No. 01–ACE–2] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2607. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Skull Creek, Hilton Head, SC [CGD07–01–046] (RIN: 2115–AE46) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2608. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Jackson Hole, WY [Airspace Docket No. 00–ANM–24] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2609. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Grosse Pointe Farms, Lake St. Clair, MI [CGD09–01–042] (RIN: 2115–AA97) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2610. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Bay City, TX [Airspace Docket No. 2001–ASW–05] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2611. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Ottawa River, Toledo, Ohio [CGD09–01–036] (RIN: 2115–AA97) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2612. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace; South Albany, NY [Airspace Docket No. 00–AEA–16FR] received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2613. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Advanced Qualification Program; Correction [Docket No. FAA–2000–7497; Amendment No. 61–107, 63–30, 65–41, 108–18, 121–280 and 135–79] (RIN: 2120–AH01) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2614. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Fireworks Display, Kill Van Kull, Staten Island, NY [CGD01–01–078] (RIN: 2115–AA97) received June 14, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2615. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Minimum Cost Requirement Permitting the Transfer of Excess Assets of a Defined Benefit Pension Plan to a Retiree Health Account [TD 8948] (RIN: 1545–AY43) received June 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

2616. A letter from the Under Secretary, Department of Defense, transmitting a letter updating the status of the President's report pursuant to Section 1402 of the National Defense Authorization Act (NDAA) for FY 2000 which is due on an annual basis through the year 2007; jointly to the Committees on International Relations, Armed Services, and Intelligence (Permanent Select).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 174. Resolution providing for consideration of the bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–106). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ISRAEL (for himself and Mr. OSBORNE):

H.R. 2246. A bill to prohibit the targeted marketing to minors of adult-rated media as an unfair or deceptive practice, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ABERCROMBIE (for himself and Mr. GIBBONS):

H.R. 2247. A bill to amend title 38, United States Code, to extend the authority for housing loans for members of the Selected Reserve; to the Committee on Veterans' Affairs.

By Ms. BALDWIN (for herself, Mr. MCHUGH, Mr. KIND, Mr. OBEY, Mr. PETRI, Mrs. EMERSON, Mr. GUTKNECHT, Mr. OWENS, Mr. LARSON of Connecticut, Mr. SMITH of Michigan, Mr. HILLIARD, Mr. SENSENBRENNER, Mr. OBERSTAR, Mrs. THURMAN, Mr. SANDERS, Mr. KLECZKA, and Mr. BARRETT):

H.R. 2248. A bill to amend the Dairy Production Stabilization Act of 1983 to ensure that all persons who benefit from the dairy promotion and research program contribute to the cost of the program, and for other purposes; to the Committee on Agriculture.

By Mr. BLUNT (for himself, Mr. RUSH, Mr. HASTERT, Mr. SHIMKUS, Mr. TERRY, Mr. LEWIS of Kentucky, Mr. ROGERS of Michigan, Mr. COSTELLO, Mr. OSBORNE, Mr. BEREUTER, Mr. LIPINSKI, Mrs. EMERSON, Mr. LATHAM, Mr. BOSWELL, Mr. JOHNSON of Illinois, Mr. LAHOOD, Mr. HULSHOF, Mr. KIRK, Mr. BARCIA, Mr. PETERSON of Minnesota, and Mrs. NORTHUP):

H.R. 2249. A bill to amend section 211 of the Clean Air Act to require a more uniform formula for gasoline and diesel fuel so that gasoline and diesel fuel manufactured for one region of the country may be transported to and sold in other regions of the country, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COOKSEY (for himself, Mr. ARMEY, Mr. EHRLICH, Mr. FLETCHER, Mr. ENGLISH, Ms. GRANGER, Mr. JENKINS, Mr. BRYANT, Mr. TRAFICANT, Mr. TAUZIN, Mr. JONES of North Carolina, Mrs. MYRICK, Mr. DOOLITTLE, Mr. SESSIONS, Mr. SHADEGG, Mrs. KELLY, Mr. GOODE, Mr. CANNON, Mr. PETERSON of Pennsylvania, Mr. LINDER, Mrs. CUBIN, Mrs. EMERSON, Mr. GIBBONS, Mr. RILEY, and Mr. BAKER):

H.R. 2250. A bill to amend the Internal Revenue Code of 1986 to allow more equitable and direct tax relief for health insurance and medical care expenses, to give Americans more options for obtaining quality health care, and to expand insurance coverage to the uninsured; to the Committee on Ways and Means.

By Ms. BROWN of Florida (for herself and Mr. CRENSHAW):

H.R. 2251. A bill to direct the Administrator of General Services to convey a certain United States Courthouse in Jacksonville, Florida, to the city of Jacksonville, Florida; to the Committee on Transportation and Infrastructure.

By Mr. BURTON of Indiana (for himself, Mr. GILMAN, Mr. SHAYS, Mr. MCHUGH, Mr. HORN, Mr. MICA, Mr. TOM DAVIS of Virginia, Mr. SOUDER, Mr. SCARBOROUGH, Mr. LATOURETTE, Mr. BARR of Georgia, Mr. OSE, Mr. PUTNAM, Mr. SCHROCK, Mr. GOSS, Mr. SENSENBRENNER, Mr. SPENCE, Mr. HALL of Texas, Mr. DEAL of Georgia, Mr. RADANOVICH, Mr. COX, Mr. HUTCHINSON, Mr. DUNCAN, Mr. LEWIS of Kentucky, Mrs. MYRICK, Mr. SESSIONS, Mr. VITTER, Mr. GUTKNECHT, Mr. DOOLITTLE, Mr. WALDEN of Oregon, Mr. WELDON of Florida, Mr. BASS, Mr. ISAKSON, Mr. WELDON of Pennsylvania, Mr. TERRY, and Mr. OTTER):

H.R. 2252. A bill to amend the Federal Election Campaign Act of 1971 to increase the penalties imposed for making or accepting contributions in the name of another and to prohibit foreign nationals from making any campaign-related disbursements, and for other purposes; to the Committee on House Administration.

By Mr. CAMP (for himself, Mr. WELLER, Mr. CANNON, Mr. HAYWORTH, Mrs. BONO, and Mr. REHBERG):

H.R. 2253. A bill to amend the Internal Revenue Code of 1986 to provide for the issuance of tax-exempt bonds by Indian tribal governments, and for other purposes; to the Committee on Ways and Means.

By Mr. ENGLISH (for himself, Mr. RANGEL, Mr. GREEN of Wisconsin, Mr. STRICKLAND, and Mrs. THURMAN):

H.R. 2254. A bill to amend the Internal Revenue Code of 1986 to repeal the inclusion in gross income of unemployment compensation; to the Committee on Ways and Means.

By Mr. GIBBONS (for himself and Mr. THOMPSON of California):

H.R. 2255. A bill to amend title 10, United States Code, to provide for the appointment of a Chief of the Veterinary Corps of the Army in the grade of brigadier general, and for other purposes; to the Committee on Armed Services.

By Mr. KOLBE:

H.R. 2256. A bill to amend the Public Health Service Act to establish a 5-year pilot program under which health care providers are reimbursed by the Secretary of Health and Human Services for the costs associated with providing emergency medical care to aliens who are not lawfully present in the United States and are not detained by any law enforcement authority, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE:

H.R. 2257. A bill to suspend temporarily the duty on certain machines designed for children's education; to the Committee on Ways and Means.

By Mr. LEVIN (for himself, Mrs. MORELLA, Ms. ROS-LEHTINEN, and Ms. PELOSI):

H.R. 2258. A bill to amend title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide for the eligibility of certain aliens suffering from domestic abuse for SSI, food stamps, TANF, Medicaid, SSBG, and certain other public benefit programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Agriculture, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Georgia (for himself, Mr. WELLER, Mr. RANGEL, Mr. STARK, Mrs. THURMAN, Mr. LIPINSKI, Mr. PAYNE, Mr. OWENS, Ms. MCKINNEY, Mr. BALDACCI, Mr. JACKSON of Illinois, Mr. KIND, Mr. LANTOS, Mr. GORDON, Mr. MCGOVERN, and Mr. TERRY):

H.R. 2259. A bill to amend the Internal Revenue Code of 1986 to expand the enhanced deduction for corporate donations of computer technology to senior centers and community centers; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 2260. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for contributions to individual investment accounts, and for other purposes; to the Committee on Ways and Means.

By Ms. MCKINNEY (for herself, Mr. LEWIS of Georgia, Mr. BISHOP, Mr. BARR of Georgia, Mr. KINGSTON, Mr. DEAL of Georgia, Mr. COLLINS, Mr. ISAKSON, Mr. LINDER, Mr. CHAMBLISS, and Mr. NORWOOD):

H.R. 2261. A bill to designate the facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, as the ''Earl T. Shinhoster Post Office''; to the Committee on Government Reform.

By Ms. MILLENDER-MCDONALD (for herself, Mrs. MINK of Hawaii, Mr. FALEOMAVAEGA, and Mr. COOKSEY):

H.R. 2262. A bill to direct the Secretary of Education to conduct a study of the rate at which Native Americans and students who reside in American Samoa, the Northern Mariana Islands, and Guam drop out of secondary schools in the United States, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TANNER (for himself, Mr. BOSWELL, Mr. MOORE, Mr. STENHOLM, Mr. LUCAS of Kentucky, Mr. BACA, Mr. HILL, Mr. MATHESON, Mr. TAYLOR of Mississippi, Mr. JOHN, Mr. TURNER, Mr. SHOWS, Mr. SCHIFF, and Mr. SANDLIN):

H.J. Res. 53. A joint resolution proposing a amendment to the Constitution of the United States requiring a two-thirds vote to pass legislation that would result in a deficit in the budget of the United States for any fiscal period; to the Committee on the Judiciary.

By Mr. KOLBE (for himself, Mr. DAVIS of Florida, and Mr. MORAN of Virginia):

H. Con. Res. 167. Concurrent resolution recognizing the International Olympic Committee for its work to bring about understanding of individuals and different cultures, for its focus on protecting the civil rights of its participants, for its rules of intolerance against discriminatory acts, and for its goal of promoting world peace through sports; to the Committee on International Relations.

By Ms. ROS-LEHTINEN (for herself, Mr. SMITH of New Jersey, Mr. ROHRABACHER, Mr. LANTOS, Mr. GILMAN, Mr. BERMAN, Mr. CHABOT, Mr. ENGEL, Mr. LEACH, Ms. MCKINNEY, Mr. BURTON of Indiana, Mr. ACKERMAN, Mr. DELAHUNT, Mr. CROWLEY, and Ms. LEE):

H. Con. Res. 168. Concurrent resolution expressing the sense of Congress in support of victims of torture; to the Committee on International Relations.

By Mr. DAVIS of Illinois (for himself, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. GONZALEZ, Mr. MCNULTY, Ms. KAPTUR, Mr. FILNER, Mr. HINCHEY, Mr. CAPUANO, Ms. MCKINNEY, Mr. TOWNS, Mr. WYNN, Mr. ENGEL, Mr. JACKSON of Illinois, Mr. NADLER, Mr. PAYNE, Mr. BISHOP, Mr. MCINTYRE, Mrs. MINK of Hawaii, Mr. CLYBURN, Mrs. CLAYTON, Mr. SHIMKUS, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Mr. LAMPSON, Ms. BROWN of Florida, Mr. HONDA, Mrs. NAPOLITANO, Mr. SERRANO, Mr. RODRIGUEZ, Mr. CLEMENT, Mr. PASCRELL, Mr. STARK, Ms. WATERS, Mrs. MEEK of Florida, Ms. SANCHEZ, Mr. REYES, Mr. ROSS, Mr. PASTOR, Mr. FATTAH, Mr. FALEOMAVAEGA, Mr. BARRETT, Mr. HINOJOSA, Mr. CLAY, Ms. SLAUGHTER, Mr. MEEKS of New York, Mr. BLAGOJEVICH, Mr. KILDEE, Mrs. LOWEY, Mr. MCGOVERN, Mr. CUMMINGS, Mr. OWENS, Ms. SCHAKOWSKY, Ms. BALDWIN, Ms. ROYBAL-ALLARD, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCARTHY of Missouri, Mr. GREEN of Texas, Mr. FRANK, Mr. WATT of North Carolina, Mr. SNYDER, Mr. SCOTT, Mr. BONIOR, Mrs. THURMAN, Mr. BACA, Ms. PELOSI,

Mr. GUTIERREZ, Ms. SOLIS, Mr. FROST, Mr. HILLIARD, Mrs. MORELLA, Mrs. ROUKEMA, Ms. KILPATRICK, Ms. WOOLSEY, Mr. UNDERWOOD, Ms. LEE, Mr. PALLONE, Mr. LANGEVIN, Mr. ABERCROMBIE, and Mr. TRAFICANT):

H. Con. Res. 169. Concurrent resolution directing the Architect of the Capitol to enter into a contract for the design and construction of a monument to commemorate the contributions of minority women to women's suffrage and to the participation of women in public life, and for other purposes; to the Committee on House Administration.

By Mr. GREEN of Wisconsin (for himself, Mr. BLUNT, Mr. HALL of Ohio, Mr. WATTS of Oklahoma, Mr. SOUDER, Mr. HAYES, Mr. TANCREDO, Mr. DOOLITTLE, Mr. PENCE, Mr. LARGENT, Mr. JONES of North Carolina, Mr. GOODE, Mr. DEMINT, Mr. SCHAFFER, Mr. HOEKSTRA, Mr. SHADEGG, Mr. TOOMEY, Mr. WELDON of Florida, Mr. RYAN of Wisconsin, Mr. SAM JOHNSON of Texas, Mr. SMITH of Michigan, Mr. VITTER, Mr. HILLEARY, and Mr. SUNUNU):

H. Con. Res. 170. Concurrent resolution encouraging corporations to contribute to faith-based organizations; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey:

H. Con. Res. 171. Concurrent resolution expressing the sense of Congress regarding graduated driver's license programs; to the Committee on Transportation and Infrastructure.

By Mr. ISSA (for himself, Mr. WELLER, Mr. SMITH of Michigan, Mr. EHRLICH, Mr. DOOLEY of California, Mr. RUSH, Mr. SIMPSON, Mrs. CLAYTON, Mr. BLAGOJEVICH, Mr. SCHIFF, Mr. TOOMEY, Mr. RILEY, Mr. CUNNINGHAM, Mr. OXLEY, Mr. HUNTER, Mr. JONES of North Carolina, and Mr. OSE):

H. Res. 173. A resolution expressing the sense of the House of Representatives regarding the benefits of biotechnology; to the Committee on Science.

ADDITIONAL SPONSORS

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

H.R. 7: Mr. PETERSON of Pennsylvania, Mr. SESSIONS, Mr. SCHROCK, and Mr. GRUCCI.
H.R. 15: Mr. BURTON of Indiana.
H.R. 20: Mr. SMITH of New Jersey and Mr. ENGLISH.
H.R. 31: Mr. PETERSON of Pennsylvania.
H.R. 64: Mr. UDALL of Colorado.
H.R. 91: Mr. CLEMENT.
H.R. 154: Mr. RAHALL.
H.R. 164: Mr. BEREUTER.
H.R. 168: Mr. FROST.
H.R. 175: Mr. NETHERCUTT and Mr. HOSTETTLER.
H.R. 238: Ms. HARMAN.
H.R. 257: Mr. GOODE, Mr. TERRY, and Mr. KELLER.
H.R. 260: Ms. HART.
H.R. 280: Mr. CRAMER.
H.R. 283: Ms. HARMAN.
H.R. 287: Mrs. JONES of Ohio.
H.R. 303: Mr. HOSTETTLER.
H.R. 326: Mr. FLETCHER.
H.R. 361: Ms. LEE.
H.R. 365: Ms. HARMAN.
H.R. 478: Mr. FORD.
H.R. 599: Mr. CLEMENT.
H.R. 600: Mr. HOEFFEL and Mr. WALDEN of Oregon.
H.R. 602: Mr. COOKSEY, Mr. HEFLEY, and Mr. OSBORNE.
H.R. 612: Mr. KENNEDY of Minnesota.
H.R. 635: Mr. TRAFICANT and Mr. STUPAK.
H.R. 648: Mr. HILLEARY.
H.R. 664: Mr. LARSEN of Washington, Mr. ISAKSON, Mr. ACKERMAN, Mr. SPRATT, Mr. BRYANT, and Mr. CLYBURN.
H.R. 701: Mr. PETRI, Mrs. DAVIS of California, Mr. KUCINICH, Mr. CARDIN, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. GILMAN, Mr. JOHNSON of Illinois, Ms. ESHOO, Mr. DIAZ-BALART, Mr. KIND, Mr. HORN, Mrs. MORELLA, Mr. HOUGHTON, Mr. THOMPSON of Mississippi, Mr. SHAW, Ms. BERKLEY, Mr. GREENWOOD, Mr. FLETCHER, Mr. OWENS, Mr. LANTOS, Mr. OBERSTAR, Mr. BLUMENAUER, Mr. EVERETT, Ms. HARMAN, Mr. DOOLEY of California, and Mr. WHITFIELD.
H.R. 746: Mr. GRAHAM.
H.R. 760: Mr. RAMSTAD.
H.R. 794: Mr. BACHUS.
H.R. 839: Ms. HARMAN.
H.R. 843: Mrs. MALONEY of New York.
H.R. 918: Mr. TERRY, Mr. COOKSEY, Mr. BLAGOJEVICH, Mr. SIMMONS, Ms. ROS-LEHTINEN, Mr. BONIOR, Ms. HOOLEY of Oregon, Mr. WELDON of Florida, Ms. ROYBAL-ALLARD, and Mr. FLETCHER.
H.R. 943: Ms. ESHOO and Mr. SCHIFF.
H.R. 945: Mr. PRICE of North Carolina.
H.R. 948: Mr. GEORGE MILLER of California, Mr. MOORE, Mr. SERRANO, Mrs. CAPPS, Mr. DEFAZIO, Mr. WAXMAN, Mr. ACKERMAN, Mr. KUCINICH, Mrs. CAPITO, and Mr. PASCRELL.
H.R. 959: Mrs. CAPITO.
H.R. 1011: Mr. MOLLOHAN and Mr. JENKINS.
H.R. 1021: Mr. HOLT.
H.R. 1090: Mr. BARCIA, Mrs. JONES of Ohio, and Ms. LEE.
H.R. 1111: Mrs. DAVIS of California and Mr. LUTHER.
H.R. 1129: Ms. WOOLSEY and Ms. CARSON of Indiana.
H.R. 1130: Ms. WOOLSEY.
H.R. 1134: Mr. SPRATT.
H.R. 1143: Ms. MCCARTHY of Missouri, Mrs. MINK of Hawaii, Mr. PRICE of North Carolina, Mr. BOYD, Mr. MEEHAN, Mr. GEORGE MILLER of California, Mr. KUCINICH, Mr. PASTOR, and Mr. RANGEL.
H.R. 1167: Ms. WATERS, Mr. FRANK, Mr. GONZALEZ, Ms. ESHOO, Ms. BALDWIN, Ms. JACKSON-LEE of Texas, Mr. WOLF, Mr. STARK, Mr. MATHESON, Mr. LARGENT, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. BAIRD, Mr. YOUNG of Alaska, and Mr. PAYNE.
H.R. 1168: Ms. WATERS, Ms. MCCOLLUM, Mr. GONZALEZ, Ms. ESHOO, Ms. RIVERS, Ms. JACKSON-LEE of Texas, Mr. WU, Mr. STARK, Mr. MATHESON, Mr. LARGENT, Mr. JACKSON of Illinois, Mr. DAVIS of Illinois, Mr. YOUNG of Alaska, Mr. PAYNE, and Mr. LUCAS of Kentucky.
H.R. 1170: Mr. MCNULTY.
H.R. 1186: Mr. BLUMENAUER and Mr. FARR of California.
H.R. 1200: Ms. NORTON.
H.R. 1204: Ms. HARMAN.
H.R. 1262: Mr. BALDACCI and Mr. HINCHEY.
H.R. 1266: Mr. PASCRELL.
H.R. 1302: Mr. PAUL.
H.R. 1303: Mrs. JOHNSON of Connecticut.
H.R. 1310: Mr. SCHIFF and Mr. HOLT.
H.R. 1338: Mr. FROST.
H.R. 1339: Mr. JOHN.
H.R. 1343: Mr. ORTIZ.
H.R. 1344: Mrs. MINK of Hawaii.
H.R. 1357: Mr. ISAKSON.
H.R. 1382: Mr. BLUMENAUER.
H.R. 1401: Mr. MCGOVERN, Mr. UDALL of Colorado, and Mr. GORDON.
H.R. 1406: Mr. HINCHEY.
H.R. 1411: Mr. SMITH of Texas.
H.R. 1462: Mr. SIMPSON.
H.R. 1465: Mr. PAYNE, and Mr. ROTHMAN.
H.R. 1468: Ms. DELAURO.
H.R. 1482: Mr. JACKSON of Illinois.
H.R. 1511: Mr. SIMMONS, Mr. RAHALL, Mr. BACA, Mr. FILNER, and Mr. WOLF.
H.R. 1536: Mr. PALLONE, Mr. BAIRD, and Mr. BORSKI.
H.R. 1545: Ms. LOFGREN.
H.R. 1556: Mrs. MCCARTHY of New York, and Mr. CLEMENT.
H.R. 1568: Mr. FARR of California, Mr. DICKS, and Mr. TIERNEY.
H.R. 1591: Ms. WOOLSEY and Mr. EVANS.
H.R. 1592: Mr. DUNCAN.
H.R. 1604: Mrs. JONES of Ohio.
H.R. 1610: Mr. FLETCHER and Mr. BRYANT.
H.R. 1628: Mr. HINOJOSA.
H.R. 1629: Mr. GORDON, Mr. HOUGHTON, Mr. WAMP, Mr. GONZALEZ, Ms. SANCHEZ, Mr. MENENDEZ, Mrs. TAUSCHER, Mr. MCGOVERN, Mr. CROWLEY, Mr. PASCRELL, Mr. DOYLE, Ms. MCCARTHY of Missouri, and Mr. FARR of California.
H.R. 1645: Mr. UDALL of Colorado and Mr. FILNER.
H.R. 1651: Mr. WALSH.
H.R. 1657: Mr. GANSKE.
H.R. 1679: Mr. SAM JOHNSON of Texas, Ms. HART, Mr. OTTER, Mrs. BIGGERT, and Mr. ROSS.
H.R. 1694: Mr. FLAKE.
H.R. 1711: Mr. WALDEN of Oregon and Mr. BAIRD.
H.R. 1734: Ms. ESHOO, Mr. KUCINICH, and Mr. PALLONE.
H.R. 1759: Mr. DICKS, Mr. BISHOP, and Mr. BLUNT.
H.R. 1760: Mr. LATOURETTE and Mr. WAXMAN.
H.R. 1769: Ms. MCKINNEY, Ms. LOFGREN, and Mr. SCHIFF.
H.R. 1771: Mr. MCGOVERN.
H.R. 1773: Mrs. CLAYTON and Mr. FROST.
H.R. 1774: Mr. BURTON of Indiana, Mr. JONES of North Carolina, Ms. GRANGER, and Mrs. CAPITO.
H.R. 1812: Mr. WAXMAN.
H.R. 1820: Mr. ENGLISH.
H.R. 1856: Mr. BISHOP, Mr. FROST, and Ms. MCKINNEY.
H.R. 1859: Mr. STRICKLAND.
H.R. 1895: Mr. GRAVES.
H.R. 1910: Mr. DIAZ-BALART.
H.R. 1911: Ms. LEE.
H.R. 1923: Ms. HART.
H.R. 1927: Mr. PLATTS and Ms. RIVERS.
H.R. 1944: Mr. GARY G. MILLER of California.
H.R. 1948: Mr. MCGOVERN.
H.R. 1957: Ms. KAPTUR.
H.R. 1962: Mr. SHOWS.
H.R. 1975: Mr. SIMPSON, Mr. STUPAK, Ms. HART, Mr. HAYWORTH, Mr. ROGERS of Michigan, and Mr. SMITH of Washington.
H.R. 1987: Mr. NORWOOD, Mr. KINGSTON, Mr. GORDON, Mr. STARK, Mr. GREEN of Texas, Mr. PASTOR, Mr. CLEMENT, Mr. HILLEARY, Mr. MCNULTY, Mr. RAMSTAD, Ms. ROS-LEHTINEN, Mr. DELAHUNT, Mr. BONILLA, and Mr. HAYWORTH.
H.R. 1988: Mr. REGULA, Mr. QUINN, Mr. EVANS, Mr. MASCARA, and Mr. LATOURETTE.
H.R. 2023: Mr. BRYANT, Mr. GREEN of Texas, Mr. TURNER, Mr. JOHN, Mr. CALVERT, Mr. NEY, Mr. SAXTON, and Mr. EHRLICH.
H.R. 2037: Mr. LEWIS of California, Mr. PUTNAM, Mr. MASCARA, Mr. FLETCHER, Mr. BERRY, Mr. COSTELLO, Mr. HULSHOF, Mr. WAMP, Mr. MOLLOHAN, Mrs. TAUSCHER, Mr. MCKEON, Mr. TANCREDO, Mrs. CAPITO, Mr. GANSKE, and Mr. HOBSON.
H.R. 2059: Mr. HOEFFEL, Mr. MORAN of Virginia, Mr. BERMAN, Ms. PELOSI, Mr. MCGOVERN, Mr. JEFFERSON, and Mr. DICKS.
H.R. 2095: Ms. CARSON of Indiana, Mr. FLAKE, and Mr. HASTINGS of Florida.
H.R. 2096: Mr. GRAHAM, Mr. PLATTS, and Mr. GOODLATTE.
H.R. 2100: Mr. MEEKS of New York.
H.R. 2104: Mr. PAYNE, Mr. FROST, Mr. DAVIS of Illinois, Mr. RUSH, Mr. CUMMINGS, Mr. RANGEL, Ms. WATSON, Mr. JEFFERSON, Mr. WYNN, Ms. NORTON, Mrs. JONES of Ohio, Mr. OWENS, Ms. KILPATRICK, Mr. BISHOP, Mrs. MEEK of Florida, Mr. THOMPSON of Mississippi, and Mr. LEWIS of Georgia.

H.R. 2114: Mr. WAMP.
H.R. 2118: Mr. MCNULTY.
H.R. 2125: Mrs. JO ANN DAVIS of Virginia and Mr. FILNER.
H.R. 2131: Mr. GALLEGLY.
H.R. 2133: Mr. LEWIS of Georgia, Mr. BURTON of Indiana, Ms. MCKINNEY, Mr. ENGLISH, and Mr. JACKSON of Illinois.
H.R. 2134: Mr. FRANK, Mr. CLAY, and Mr. EVANS.
H.R. 2128: Mr. BERRY.
H.R. 2145: Mr. WHITFIELD, Mr. WALSH, Mr. FROST, Mr. JACKSON of Illinois, Ms. MCKINNEY, Mr. BISHOP, Mr. CLAY, Mrs. CLAYTON, Mr. HILLIARD, Ms. LEE, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. OWENS, Mr. LEWIS of Georgia, Mr. THOMPSON of Mississippi, Mr. FATTAH, Mr. CROWLEY, Mr. WEINER, Mr. PAYNE, Mr. JEFFERSON, Mr. CUMMINGS, Mr. RUSH, Mr. PALLONE, Mr. PASCRELL, Ms. JACKSON-LEE of Texas, and Mr. TOWNS.
H.R. 2147: Mr. SIMMONS and Mrs. JOHNSON of Connecticut.
H.R. 2149: Mrs. NORTHUP, Mr. SUNUNU, Mr. DEMINT, Mr. CANNON, Mr. LARGENT, Mr. EHRLICH, Mr. HANSEN, and Mr. RYUN of Kansas.
H.R. 2157: Mr. BERRY, Mr. REHBERG, Mr. HERGER, Mr. GILCHREST, Mr. HUTCHINSON, and Mr. BLUNT.
H.R. 2211: Mr. FRANK.
H.R. 2228: Mr. KLECZKA and Mr. BARRETT.
H.R. 2231: Mr. COBLE.
H.J. Res. 20: Mr. BURTON of Indiana.
H.J. Res. 36: Mr. HERGER and Mr. LEWIS of California.
H.J. Res. 40: Mrs. MCCARTHY of New York, Mr. HOLDEN, Mr. PRICE of North Carolina, Mr. THOMPSON of California, and Mr. PHELPS.
H. Con. Res. 60: Mrs. THURMAN, Mr. FARR of California, Mr. PASCRELL, and Mr. PRICE of North Carolina.
H. Con. Res. 97: Mrs. NAPOLITANO, Mrs. KELLY, and Mr. BAIRD.
H. Con. Res. 102: Mr. OBERSTAR, Ms. HOOLEY of Oregon, Ms. PELOSI, Mr. ROTHMAN, Mr. HINCHEY, and Mr. PALLONE.
H. Con. Res. 104: Mr. WALSH.
H. Con. Res. 116: Mr. PORTMAN and Ms. KAPTUR.
H. Con. Res. 160: Mr. HEFLEY.
H. Res. 132: Mr. BONIOR, Mr. HINCHEY, Mr. WELDON of Pennsylvania, and Mrs. MALONEY of New York.
H. Res. 152: Mrs. MEEK of Florida and Mr. GRAHAM.
H. Res. 154: Mr. MCGOVERN, Mr. MCNULTY, Mr. PETERSON of Minnesota, Mr. STRICKLAND, Mr. GREEN of Wisconsin, Mr. PHELPS, Mr. GILMAN, Mr. BORSKI, Mr. DEFAZIO, Mr. BACA, Mrs. MEEK of Florida, Mr. HOLDEN, Mr. COYNE, Mr. CUMMINGS, Mr. CLAY, Mr. EVANS, and Mr. CLYBURN.
H. Res. 159: Ms. HARMAN.
H. Res. 160: Mr. KUCINICH, Mr. TANCREDO, and Mr. HOLT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 877: Mr. TOWNS.
H.R. 1198: Mr. TOWNS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2216

OFFERED BY: MR. BAIRD

AMENDMENT NO. 4: Page 45, after line 25, insert the following:

CHAPTER 10

DEPARTMENT OF ENERGY

EDUCATION ENERGY ASSISTANCE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For payments by the Secretary of Energy to States to provide reimbursements to local educational agencies, and schools funded by the Bureau of Indian Affairs, for the purpose of assisting schools severely impacted by rising energy prices, of which $55,000,000 shall be derived by transfer from the amount provided in this Act for ''Research, Development, Test and Evaluation, Air Force'', $21,000,000 shall be derived by transfer from the amount provided in this Act for ''Financial Management Service—Salaries and Expenses'', and $24,500,000 shall be derived by transfer from the amount provided in this Act for ''Operation and Maintenance, Air Force'', $100,500,000, to remain available until expended: *Provided,* That a local educational agency or Bureau funded school shall be eligible for assistance under this paragraph only if (1) it has reduced power consumption on a per capita basis at least 10 percent from the previous academic year, and (2) it has power rates that have increased at least 20 percent over the previous academic year: *Provided further,* That any reimbursement to a local educational agency or Bureau funded school under this paragraph shall be of sufficient size to offset up to 50 percent of the increase in annual energy costs to each participating school.

H.R. 2216

OFFERED BY: MR. BAIRD

AMENDMENT NO. 5: Page 37, line 21, after the dollar amount, insert the following: ''(reduced by $21,000,000)''.

H.R. 2216

OFFERED BY: MR. BENTSEN OF TEXAS

AMENDMENT NO. 6: In chapter 9 of title II, strike the item relating to ''FEDERAL EMERGENCY MANAGEMENT AGENCY—DISASTER RELIEF''.

H.R. 2216

OFFERED BY: MR. FILNER

AMENDMENT NO. 7: In title II, at the end of chapter 3, insert the following:

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Salaries and Expenses'', $1,000,000, for establishment of a maximum price for wholesale sales of electricity at rates that are unjust, unreasonable, or unduly discriminatory or preferential and to provide for the refund of prices paid in excess of such maximum price, to be derived by transfer from funds made available under title I: *Provided,* That the Director of the Office of Management and Budget shall determine the amount to be transferred from each account in title I: *Provided further,* That the Director shall not transfer any amounts from the funds made available under the headings ''Military Personnel'', ''Defense Health Program'', ''Family Housing, Army'', ''Family Housing, Navy and Marine Corps'', and ''Family Housing, Air Force''.

H.R. 2216

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 8: Page 37, line 14, after ''$92,000,000'' insert ''(reduced by $50,000,000)''.

Page 44, line 25, after ''$389,200,000'' insert ''(reduced by $50,000,000)''.

H.R. 2216

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 9: Page 37, line 10, after ''$30,000,000'' insert ''(reduced by $30,000,000)''.

Page 37, line 14, after ''$92,000,000'' insert ''(reduced by $30,000,000)''.

H.R. 2216

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 10: Page 24, after line 19, insert the following new chapter:

CHAPTER 3A

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

INTERNATIONAL DISASTER ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''International Disaster Assistance'' for rehabilitation and reconstruction assistance for India, to be derived by transfer from the amount provided in chapter 1 of title I for ''Research, Development, Test and Evaluation, Air Force'', $100,000,000, to remain available until expended.

H.R. 2216

OFFERED BY: MR. OBEY

AMENDMENT NO. 11: At the end of chapter 8 of title II, insert the following new provision:

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

FEDERAL DRUG CONTROL PROGRAMS HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''High Intensity Drug Trafficking Areas Program'', to be derived by transfer of amounts provided in this chapter for ''Internal Revenue Service—Processing, assistance, and management'', $30,500,000, as authorized by law (21 U.S.C. 1706).

H.R. 2216

OFFERED BY: MR. SKELTON

AMENDMENT NO. 12: At the end of chapter 1 of title I (page 13, after line 4), insert the following new section:

SEC. 1107. In addition to amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense or in the Department of Defense Appropriations Act, 2001 (Public Law 106–259), $2,736,100,000 is hereby appropriated to the Department of Defense, as follows:

''Military Personnel, Army'', $30,000,000;
''Military Personnel, Navy'', $10,000,000;
''Military Personnel, Air Force'', $332,500,000;
''Reserve Personnel, Army'', $30,000,000;
''Operation and Maintenance, Army'', $916,400,000;
''Operation and Maintenance, Navy'', $514,500,000;
''Operation and Maintenance, Marine Corps'', $295,700,000;
''Operation and Maintenance, Air Force'', $59,600,000;
''Operation and Maintenance, Defense-Wide'', $9,000,000;
''Operation and Maintenance, Army Reserve'', $30,000,000;
''Operation and Maintenance, Army National Guard'', $106,000,000;
''Aircraft Procurement, Army'', $50,000,000;
''Procurement of Weapons and Tracked Vehicles, Army'', $10,000,000.
''Procurement of Ammunition, Army'', $14,000,000;
''Other Procurement, Army'', $40,000,000;
''Aircraft Procurement, Navy'', $65,000,000;
''Aircraft Procurement, Air Force'', $108,100,000;
''Other Procurement, Air Force'', $33,300,000;
''Research, Development, Test and Evaluation, Air Force'', $33,000,000; and
''USS Cole'', $49,000,000:

Provided, That the entire amount made available in this section is designated by the

Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount under this section shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

H.R. 2217

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 1: Page 117, beginning on line 18, strike section 312 (relating to recreational fee demonstration program).

H.R. 2217

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 2: Page 118, line 3, strike ''2006'' and insert ''2003''.

Page 118, line 5, strike ''2009'' and insert ''2006''.

Page 118, strike lines 6 though 8 (and redesignate the subsequent subsections accordingly).

Page 118, strike line 18 and all that follows through page 119, line 5 (and redesignate the subsequent subsection accordingly).

H.R. 2217

OFFERED BY: MR. HINCHEY

AMENDMENT NO. 3: Page 90, after line 4, insert the following:

EMERGENCY ENERGY INITIATIVE

For an additional amount for high priority energy research initiatives intended to bring to American consumers more efficient transportation and buildings, more plentiful and affordable electrical power, reduced reliance on foreign oil, and new technologies and approaches to deal with global warming, $200,000,000: *Provided*, That such amounts shall be allocated among research priority areas by the Secretary of Energy based on an energy research plan which shall be developed as expeditiously as possible and which shall be submitted to the Congress: *Provided further*, That all amounts made available shall be awarded competitively: *Provided further*, That the entire amount appropriated is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be made available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

H.R. 2217

OFFERED BY: MRS. MALONEY OF NEW YORK

AMENDMENT NO. 4: Page 36, beginning at line 1, strike ''under a comparable royalty-in-value program'' and insert ''under the existing royalty-in-value program based on spot market prices''.

H.R. 2217

OFFERED BY: MR. RAHALL

AMENDMENT NO. 5: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

H.R. 2217

OFFERED BY: MR. SANDERS

AMENDMENT NO. 6: Page 7, line 11, insert ''(increased by $12,000,000)'' after ''$200,000,000''.

Page 87, line 13, insert ''(reduced by $52,000,000)'' after ''$579,000,000''.

Page 89, line 5, insert ''(increased by $36,000,000)'' after ''$940,805,000''.

Page 89, line 6, insert ''(increased by $24,000,000)'' after ''$311,000,000''.

Page 89, line 11, insert ''(increased by $24,000,000)'' after ''$249,000,000''.

H.R. 2217

OFFERED BY: MR. SANDERS

AMENDMENT NO. 7: Page 87, line 13, insert ''(reduced by $52,000,000)'' after ''$579,000,000''.

Page 89, line 5, insert ''(increased by $36,000,000)'' after ''$940,805,000''.

Page 89, line 6, insert ''(increased by $24,000,000)'' after ''$311,000,000''.

Page 89, line 11, insert ''(increased by $24,000,000)'' after ''$249,000,000''.

H.R. 2217

OFFERED BY: MS. SLAUGHTER

AMENDMENT NO. 8: Page 87, after line 1, insert the following:

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, $15,000,000 shall not become available until October 1, 2002: *Provided*, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

Page 109, line 21, after the dollar amount, insert the following: ''(increased by $3,000,000, which shall not become available until September 29, 2002)''.

Page 110, line 19, after the dollar amount, insert the following: ''(increased by $2,000,000, which shall not become available until September 29, 2002)''.

Page 110, line 24, after the dollar amount, insert the following: ''(increased by $10,000,000, which shall not become available until September 29, 2002)''.

H.R. 2217

OFFERED BY: MR. TRAFICANT

AMENDMENT NO. 9:

SEC. . No funds made available under this Act shall be made available to any person or entity who has been convicted of violating the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the ''Buy American Act'').