United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, FIRST SESSION

Vol. 147 WASHINGTON, WEDNESDAY, JULY 25, 2001 No. 105

House of Representatives

The House met at 10 a.m.

The Reverend Thomas A. Cappelloni, Holy Name of Jesus Parish, Scranton, Pennsylvania, offered the following prayer:

Father, all powerful and everloving God, we praise Your oneness and truth.

We laud You as the God of creation and the father of Jesus our Saviour. He enriches us with His witness of justice and truth. He lived and died that we might be reborn in the spirit and filled with love for all people.

Once You chose a people, gave them a destiny, and when You brought them out of bondage to freedom, they carried with them the promise that all nations would be blessed and all people could be free. What the prophets pledged has come to pass in every generation. Our fathers came to this land as of out of the desert, into a place of promise and hope. In our time You still lead us to a blessed vision of peace.

You guide everything in wisdom and love. Accept the prayer we offer for our Nation. By the wisdom of our representatives and the integrity of this Congress, may harmony and justice be secured in lasting prosperity and peace.

These men and women stretch out their hands to share with You the government of Your holy people. Protect them by Your grace. Look upon this assembly of our national leaders and give them Your spirit of wisdom. May they always act in accordance with Your will and let their decisions be for the peace and the well-being of all.

We ask this through the holy name of our Lord. Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from Florida (Mr. PUTNAM) come forward and lead the House in the Pledge of Allegiance.

Mr. PUTNAM led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair announces that there will be 10 one-minutes on each side.

WELCOMING THE REVEREND THOMAS A. CAPPELLONI

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

Mr. SHERWOOD. Mr. Speaker, it is my privilege to welcome as our guest chaplain Father Thomas Cappelloni of the Holy Name of Jesus Church in Scranton, Pennsylvania. I would also like to take this opportunity to thank him for that wonderful invocation as well as to offer the Father my congratulations. This year marked 25 years since Father Cappelloni was ordained as a priest and gave his life to God and the community.

Father was born in Scranton, Pennsylvania, where he attended high school and continued his education at the University of Scranton. Then he continued his studies and his desire to become a priest led him to Mount St. Mary's College and Seminary where he earned a master's in systematic theology and in theology in counseling.

When Father Cappelloni returned to northeastern Pennsylvania, he spent time on the faculties of several schools and took the time to guide and counsel young students. He received his first pastoral assignment to St. Martin of Tours in Jackson, Pennsylvania, where he restored the church into a beautiful house of worship and served there until recently when he was transferred to Holy Name of Jesus in Scranton.

Mr. Speaker, it is my privilege to say that not only has Father Cappelloni earned the respect of his parishioners for his altruism and kindness but also his peers have recognized his intelligence and wisdom by naming him the Dean of Catholic Clergy for all of Susquehanna County.

Mr. Speaker, the good Father is an accomplished chef, an excellent musician, a host without par and a humanitarian above all. I thank him for being here today. His presence and blessing on this House means so very much to me and the people I represent.

THE CHECK IS IN THE MAIL

(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, in the next couple of weeks, Americans will be receiving a tax refund of moneys paid to the Federal Government. The other side of the aisle claimed America could not afford it, we should not do it, it is not right.

Ladies and gentlemen, when that check arrives in the mail of those millions of Americans, I think they will thank the House of Representatives for their efforts in restoring faith in government. We are returning surplus to them and making certain our economy can be reinvigorated by that $55 billion of revenue we are sending home to them. Not our money, not our money here in Washington, but the money of the hardworking taxpayer.

The minority leader recently said if he had a chance to do it again, he would raise your taxes. Ladies and gentlemen, that is the difference of the political parties in power. Republicans

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would like to give you your money back. Others on the other side would like to take more and waste more of your hard-earned cash. The economy is struggling. Unemployment, layoffs are occurring throughout America. Let us signal to our constituents whose side we are on.

Ladies and gentlemen, we are on your side, hardworking Americans, giving you faith in government, restoring freedom, and making certain your hard-earned dollars are not wasted in the Capitol. If we keep it here, you can be assured it will be wasted. If we send it home, you will buy clothes for your kids, take your summer vacation, put your money in your savings account, but, after all, God bless you, it is your money.

RECOGNIZING 150TH ANNIVERSARY OF THOMASVILLE, NORTH CAROLINA

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

Mr. WATT of North Carolina. Mr. Speaker, I rise today to pay tribute to the city of Thomasville, North Carolina, part of which is located in my congressional district, as residents begin to celebrate the 150th anniversary of the founding of their city. The name Thomasville might sound familiar to my colleagues, because the Thomasville Furniture Company was established there and still has its headquarters in the Chair City. This fine company has made the city's name famous around the world. The 18-foot-high chair downtown serves as a symbol of the industry's importance to the city.

While Thomasville is synonymous with furniture, it is a city of around 20,000 people and a thriving community in North Carolina's Piedmont Triad region.

Thomasville is named for State Senator John W. Thomas who helped pioneer the construction of the first railroad across North Carolina. He founded the town of Thomasville next to the railroad in 1852.

I salute my good friend Mayor Hubert Leonard and wish all the best to the residents of Thomasville as they celebrate the city's 150th anniversary.

CONGRATULATING THE LIDSKY FAMILY AND THE FOUNDATION FIGHTING BLINDNESS

(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, the Lidsky family from my congressional district has inspired me to work toward a cure for eye degenerative diseases. Three out of the four of the Lidsky children—Ilana, Isaac and Daria—suffer from retinitis pigmentosa, a disease which in time will lead to blindness.

The Lidskys fight valiantly each and every day by broadening their network, working closely with scientists and organizing events to help raise research funds. On Sunday, September 9, together with the Foundation Fighting Blindness, the Lidskys will host the Generations Luncheon and Bazaar. The Foundation Fighting Blindness is rated by the National Health Council as the leading charity for the percentage of program dollars spent on research.

At present, 80 million Americans are at risk for developing diseases that can potentially lead to blindness. But fortunately through the efforts of the Foundation and of families like the Lidskys, the pace of research has accelerated. As a result, the once distant goal, a cure for blindness, is now within sight.

I ask that my colleagues help me in congratulating the Lidskys and the Foundation for their dedication in fighting eye degenerative diseases.

JUDGE RULES BONUSES IN ORDER IN WAKE OF CALIFORNIA POWER SHORTAGE

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

Mr. TRAFICANT. Even though California consumers are suffering the worst power shortage in history and outrageous costs, a Federal judge has ruled that the Pacific Gas and Electric Company can pay their top managers $17.5 million in bonuses. Now, if that is not enough to shock your crock pot, the company said, and I quote, ''If we don't pay this $17.5 million, they're going to leave us.''

Unbelievable. These fat cats should not be rewarded, they should be fired. Throw these bums out. Beam me up.

I yield back the fact that they should hire a proctologist to perform a brain scan on that Federal judge who is somewhere in Disney World.

ARCHER MEDICAL SAVINGS ACCOUNTS

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, when President Clinton took office, there were 38 million people uninsured. After 8 years, there are now roughly 43 million Americans who have no health insurance. Of those people, more than half of them are small business owners, their families, their employees, their loved ones.

The goal of a patients' bill of rights should be to help these people get good health insurance and truly reduce the number of uninsured. One excellent way to do that is to expand Archer medical savings accounts. Increasing access to medical savings accounts would help those people struggling to make ends meet. Medical savings accounts help people get the care they need from a doctor they know. You choose your doctor. You choose your hospital.

Increase the number of insured Americans. Support medical savings accounts and the Fletcher bill.

PATIENTS' BILL OF RIGHTS—DIRECT ACCESS TO OB–GYN CARE

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

Mrs. DAVIS of California. Mr. Speaker, I rise today to talk about a key difference between the Ganske-Dingell bipartisan patients' bill of rights and the Fletcher alternative: direct access to OB–GYN care.

During my tenure in the State assembly, I wrote California's law that gives women direct access to their OB–GYN. This is a simple issue. A woman should not need a permission slip to see her doctor.

Women have different medical needs than men. OB–GYNs often have the most appropriate medical education and experience to address a woman's health care needs. Statistics in fact show that if there are too many barriers between a woman and her doctor, she is less likely to get the medical care that she needs.

The Ganske-Dingell bipartisan patients' bill of rights will require all health plans to give women direct access to their OB–GYN. The Fletcher alternative on the other hand includes conditions that could increase the time, the expense, and the inconvenience of a necessary doctor's appointment.

I urge my colleagues to vote for the real patients' bill of rights, the Ganske-Dingell bill, and give their female constituents access to the health care they deserve.

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WHY UNLIMITED LAWSUITS WILL NOT IMPROVE HEALTH CARE

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

Mr. TIBERI. Mr. Speaker, President Bush has pledged to sign into law the Patients' Bill of Rights that provides a full range of patient protections, including direct access to OB-GYNS, physician choice, emergency room coverage, pediatric care, and a ban on ''gag'' rules. What President Bush will not support is unlimited lawsuits.

A Washington poll released in early June showed a majority of Americans, 49 percent to 40 percent, prefer a different approach than one of unlimited lawsuits, believing that more litigation will drive up costs of medical care in America.

It must be clear that HMOs are not exempt from lawsuits. Federal courts

have ruled 15 times since 1995 that HMOs can be held liable. ERISA does not shield HMOs from medical malpractice liability; it only preempts State laws on coverage of administration of benefits decisions.

Unlimited lawsuits will not improve patient care in America. A recent Harvard University study found that ''almost 60 percent of costs to the malpractice system would wind up in bank accounts of lawyers, court administrators and insurance systems.''

The goal of patients' rights legislation should be about reducing the ranks of the uninsured and increasing access to health care coverage.

Mr. Speaker, I urge support of the Fletcher bill.

VOTE FOR THE REAL PATIENTS' BILL OF RIGHTS

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

Mr. SCHIFF. Mr. Speaker, I rise in support of the Norwood-Dingell-Ganske Patients' Bill of Rights.

For 5 years now, advocates of better health care have advocated for the real Patients' Bill of Rights, only to see that legislation shot down in this House. This year, the fight goes on, and this year, as in the fight with campaign finance reform, opponents of a real Patients' Bill of Rights have offered a phoney. They cannot defeat it directly, so they try to defeat it indirectly with a watered-down, industry-supported version.

Mr. Speaker, we must reject this. To use the parlance of the industry itself, we ought to tell the industry, we need strong medicine to restore the relationship between patients and their physicians, and that bill, that alternative, is simply not on the formulary. That bill exceeds the scope of coverage. That bill simply cannot get in the door without referrals to specialists.

We need a real Patients' Bill of Rights. I worked on a real Patients' Bill of Rights in California and, like my colleague, we passed that bill, as in 30 other States, and now the alternative here, the Fletcher bill, would undermine the work of so many States around the country that have worked to foster the relationship between patient and physician. This cannot be allowed to happen.

NATIONAL MISSILE DEFENSE

(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, one of the marks of a good leader is the ability to make those he leads feel secure from harm.

It has now been 2 decades since President Reagan pointed out that we have no defense from a missile attack. The American people want to be safe from any missile attack, but we still have not deployed a defense system.

President Bush brought implementation of a national missile defense system one giant step closer this week. He met with Russian President Putin to talk about it. President Putin is now more open-minded about that issue, and both leaders will be working hard to reduce the number of nuclear missiles in our national arsenals.

Mr. Speaker, this is a major step forward for our national security. America and the world are a little safer today than we were yesterday. And when Bush and Putin have come to a final agreement on missile arsenals and when we finally have a national missile defense system, every American will sleep more soundly each night with the knowledge that their President is doing everything possible to keep them safe.

SUPPORT GANSKE-DINGELL PATIENTS' PROTECTION ACT

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

Ms. WOOLSEY. Mr. Speaker, after fighting for 5 years, we finally have an opportunity to pass real managed care reform in the House of Representatives. The American people are demanding health care, and it is time for us to stand up and deliver.

By passing the Ganske-Dingell Patients' Protection Act, patients will have access to emergency care, women will be able to see their OB-GYN without health plan interference, and children will have timely access to pediatric specialists.

Mr. Speaker, make no mistake: the Ganske bill is comprehensive, quality health care; a positive step toward improving Americans' health care, putting health care ahead of profits.

When it is time to vote for managed care, I urge my colleagues to vote for the reform that has an option that puts patients and doctors back in charge of their health care.

A TRIBUTE TO FATHER JIM WILLIG

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

Mr. CHABOT. Mr. Speaker, this morning I would like to pay a special tribute to a recently departed friend, Father Jim Willig, a dedicated and dynamic Catholic priest who was called by our Lord last month after a 2-year battle with cancer.

Even while suffering from a debilitating illness, Father Willig continued to give to our community, sharing his memories and his message and inspirational book: Lessons From the School of Suffering: A Young Priest With Cancer Teaches Us How to Live.

The Cincinnati Enquirer noted that even while he faced impending death, ''his faith remained strong and was an inspiration to others, like a lighthouse on a dark and storm-tossed sea.'' The Cincinnati Post accurately stated that ''few touched as many lives as Father Jim Willig.''

Father Willig will be sorely missed in the Cincinnati community, not only by his parents and 10 brothers and sisters and nieces and nephews, but by the countless people he has touched in his ministry.

Father Jim, your flock deeply misses you, but we know you are with our Lord.

GANSKE-DINGELL-NORWOOD BEST CHOICE FOR AMERICA

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, my constituents want a strong and enforceable Patients' Bill of Rights. They are tired of HMOs who deny them the health care that they need. They are tired of insurance company bureaucrats who overrule doctors' decisions. They want a bill like Ganske-Dingell-Norwood and others to protect the patients that they are supposedly required to protect because only this bill gives every American the right to choose their own doctor, the right to see health care specialists, the right to have direct access to an OB-GYN or a pediatrician, and the right to get prescription drugs that their physicians prescribe.

Only this bill holds health care plans accountable when they make a decision that harms or kills someone. Only this bill ensures that external reviews of medical decisions are conducted by independent and qualified experts.

We should take a chapter out of what happened in California. Our Governor there passed major reforms in HMOs, and I think that this House should take a look at what has happened there. They have done a fantastic job in actually being able to negotiate before they actually have to go to the court house.

Mr. Speaker, I ask for the support of my colleagues on this legislation.

V–CHIP TECHNOLOGY UNDERUTILIZED BY AMERICANS

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

Mr. STEARNS. Mr. Speaker, I rise to highlight a study released yesterday by the Kaiser Family Foundation indicating that few parents use the V-chip to block their children from viewing sex and violence on television.

Mr. Speaker, Congress included a provision in the Telecom Act of 1996 that television sets 13 inches or larger sold after January 1, 2000, must be equipped with a V-chip to screen out objectionable programming.

Well, yesterday's study finds that 40 percent of American parents now own a TV equipped with a V-chip. However,

despite high levels of concern about children's exposure to TV sex and violence, just 17 percent of these parents who own a V-chip, or 7 percent of all parents, are using it to block programs with sexual or violent content.

Some of my colleagues are quick to rely on government as a panacea for all of our problems. Yesterday's report reveals that the long arm of government regulation is no substitute for good parenting.

BIPARTISAN PATIENTS' PROTECTION ACT

(Ms. WATSON of California asked and was given permission to address the House for 1 minute and to revise and extend.)

Ms. WATSON of California. Mr. Speaker, I rise today to voice my strong support for the bipartisan Patient Protection Act, H.R. 2563, that will come before the House later this week.

The Ganske-Dingell bill is a step in the right direction for American health care. Doctors and patients must live with the outcome of their decisions. Now it is time for the health maintenance organizations to do the same.

Mr. Speaker, in many instances, HMOs have streamlined services and cut the cost of health administration. Spiraling costs seem to be contained, and medical options seem to be plentiful. However, containment of costs have also adversely affected the quality of patient care.

We now know that reform must happen. We now know that the middleman must be held accountable and liable for medical decisions. We now know that the basic American principles and values must be inherent in medical public policy.

The bipartisan Patient Protection Act gives all Americans the right to choose their own doctors, to hold a plan accountable when the plan makes a decision that could kill.

ENERGY POLICY

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

Mr. KNOLLENBERG. Mr. Speaker, Americans are looking for quick answers on the present energy prices and burden that is put on families and farmers. Nuclear power can help lead us in the right direction to address this problem.

Nuclear power plants provide about one-fifth of America's electricity, and about 30 percent of California's electricity. They also run 24 hours a day, 7 days a week, and are not affected by inclement weather, such as solar and wind.

Besides being able to run efficiently, nuclear power has a strong environmental record. For example, nuclear plants are free of numerous gases such as sulfur dioxide, mercury, carbon emissions, and nitrogen oxide.

Mr. Speaker, it is clear that nuclear power is the answer to at least alleviating the current energy crisis. Nuclear power is shown to be a reliable source, which is why the Congress must take the necessary steps to use nuclear power to address the energy shortages, not just in California, but, of course, the rising energy prices across the country.

SUPPORT THE PATIENTS' BILL OF RIGHTS

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

Mr. RODRIGUEZ. Mr. Speaker, too many times when Americans get sick, not only do they have to fight their illness, but they also have to fight their managed care company. That is not right. It is up to the Congress now to make things happen.

For the last 2 years, we passed a bill and the Republicans have killed it in conference committee. It is time to pass the bill. If my colleagues agree with me that one should see the doctor of one's choice, then they should vote for this. If they agree that that doctor should have the decision to decide if one should see a specialist or not, then they should be in favor of this. If they agree that we should not have a gag order, that doctors should be able to provide the options that one should have, then my colleagues should vote for the Patients' Bill of Rights.

Mr. Speaker, it is up to us now. It allows a review. We did it in Texas. The then Governor, now President Bush, decided then to allow it to go through. Now he has a problem with it. We are only asking that we do the same thing that we have allowed in Texas and that is to allow an opportunity for people to see a doctor of their choice, to allow an opportunity for the physicians to decide on the specialists, to allow them an opportunity to have an external review.

Mr. Speaker, I ask that my colleagues support the Patients' Bill of Rights.

TIME TO IMPLEMENT COMPREHENSIVE AND BALANCED ENERGY POLICY

(Mrs. CAPITO asked and was given permission to address the House for 1 minute.)

Mrs. CAPITO. Mr. Speaker, I come to the floor today to urge this Congress to act immediately and implement a comprehensive and balanced energy policy.

The Bush administration has provided much-needed leadership on this issue, stepping up to the plate and articulating a clear plan to address our energy needs.

One part of the President's plan calls for the construction of 1900 new power plants to catch up with the current demand for electricity. Yesterday, I introduced a bill that calls for construction of one of those plants, using clean-coal technology called coal gasification.

Building more coal gasification plants makes sense for a number of reasons. Number one, the process removes virtually all the sulfur, nitrogen, and other pollutants, leaving cleaner air and water for future generations. Two, it uses an abundant resource, coal, which is the dominant source of power in our country; and three, it means jobs. Building new power plants, coal-based or not, creates lots of new jobs, creates rail operators, barge captains, truckers, construction workers, and also those that will be running the day-to-day operations in the plant.

Today, more than ever, the U.S. needs to adopt a policy making advanced clean coal technology easier and more productive. I look forward to working with this Congress to advance this technology.

PASS MEANINGFUL PATIENTS' BILL OF RIGHTS

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

Mr. ROSS. Mr. Speaker, I am proud to be a cosponsor of the Ganske-Dingell-Norwood-Berry managed care reform legislation, H.R. 2563.

I would like to take a moment to talk about one of my constituents in south Arkansas. Her name is Wendelyn Osborne, who provides a real life example of the need for a meaningful Patients' Bill of Rights.

□ 1030

Mrs. Osborne has a congenital and rare bone disease that involves continuous growth of her jawbone. She was not expected to live past the age of 14. She is now 35.

Wendelyn's disease requires frequent trips to her specialist and surgeries. Unfortunately, each time she has to have an appointment, she must go through her primary care physician. Additionally, her surgeries to correct the continued growth of her jawbone, which are life-threatening, are considered cosmetic, but they are not.

The Ganske-Dingell-Norwood-Berry bill will help Wendelyn in the following ways. It will remove the gatekeeper to her medical care and allow her care to be coordinated by her specialist, and it will give her a fair and timely external appeals process that will allow her to appeal her case to independent medical experts.

Let us pass this bill. Let us pass it for Wendelyn Osborne.

INTRODUCING CHILDREN'S AIR TRAVEL PROTECTION ACT AND PARENTAL RIGHTS PROTECTION ACT

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

Mr. PUTNAM. Mr. Speaker, last year, as thousands of children do every day, a 15-year-old girl from my district logged onto her computer and struck up an online acquaintance. Little did she or her family realize that this was the beginning of a nightmare that continues to this day.

Lindsay's new online friend turned out to be a sexual predator who eventually convinced her to run away from her home in Florida, eventually to Greece. One of the most troubling aspects of this case was the lack of support and the disinterest from Federal authorities. Not only was the FBI reluctant to become involved, but the U.S. Attorney's Office has declined to enforce existing laws, claiming that this series of crimes involving interstate and international air transport and the use of the Internet to lure a child away from home into international sexual servitude is not a matter of Federal jurisdiction.

In response to this failure and the failure of the FAA and the Department of Transportation to use their rulemaking authority to address any of these issues, I have filed legislation that would clarify the power of the Federal Government to bring such predators to justice.

The Children's Air Travel Protection Act and the Parental Rights Protection Act would require that airlines get a written certification that a minor has parental or guardian's permission and would forbid the use of the Internet to interfere with a parent's authority or induce a minor to run away from home.

I would encourage my colleagues to join me in cosponsoring H.R. 2600 and 2601.

PATIENTS' BILL OF RIGHTS

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

Ms. SANCHEZ. Mr. Speaker, today I rise to voice my strong support for a real Patients' Bill of Rights, H.R. 2563, which is sponsored by the gentleman from Iowa (Mr. GANSKE), the gentleman from Michigan (Mr. DINGELL), the gentleman from Georgia (Mr. NORWOOD), and the gentleman from Arkansas (Mr. BERRY).

In working to craft patient protection, we must ask ourselves, are we really helping the patient? One of the biggest concerns raised by the proponents of the competing bill is that the liability limit on punitive damages is too high in the Ganske-Dingell-Norwood-Berry bill.

But I ask the Members, can anyone put a price tag on someone's life? If an HMO is found guilty of negligence, they should be held accountable for their actions; and HMOs exist to help patients, not to harm them. Opponents of the legislation argue that employers will be hurt by the liability provisions in this bill. This is misleading. Employers who do not directly participate in making medical decisions are protected from liability. Employers are also protected by language in the bill which allows them to name a designated decisionmaker to make decisions on their behalf.

I urge my colleagues to vote for H.R. 2563, the Ganske-Dingell-Norwood-Berry bill.

PROVIDING FOR CONSIDERATION OF H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 206 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 206

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. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, 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 amendments printed in 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 the Congressional Record and numbered 5 pursuant to clause 8 of rule XVIII may be offered only by Representative Smith of New Jersey or his designee and only at the appropriate point in the reading of the bill. All points of order against that amendment are waived. During consideration of the bill for further amendment, the Chairman of the Committee of 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. 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 (Mr. FOSSELLA). The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

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

Mr. Speaker, House Resolution 206 is an open rule providing for the consideration of H.R. 2590, the fiscal year 2002 Treasury-Postal Service appropriations bill. It provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, and it waives all points of order against consideration of the bill.

House Resolution 206 also provides that the two amendments printed in the report of the Committee on Rules accompanying the rule shall be considered as adopted. This rule waives all points of order against provisions in the bill, as amended, for failure to comply with clause 2 of rule XXI, which prohibits unauthorized or legislative provisions in an appropriations bill.

House Resolution 206 provides that the bill shall be considered for amendment by paragraph. The rule also waives all points of order against the amendment printed in the CONGRESSIONAL RECORD and numbered 5, which may be offered only by the gentleman from New Jersey (Mr. SMITH) or his designee, and only at the appropriate point in the reading of the bill, and shall be considered as read.

The rule allows the Chairman of the Committee of the Whole to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, the rule provides for one motion to recommit, with or without instructions, as is the right of the minority. The underlying bill, H.R. 2590, provides a total of roughly $17 billion in funding for a variety of Federal agencies and departments, about $1.1 billion more than the current fiscal year, and $400 million more than President Bush's budget request.

The Committee on Rules approved this rule by voice vote last night, and I urge my colleagues to support it so that we may proceed with general debate and consideration of this bipartisan bill.

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

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

Mr. Speaker, I rise in support of the Treasury-Postal Operations appropriations bill for fiscal year 2002 and in support of the rule.

I want to congratulate the gentleman from Oklahoma (Chairman ISTOOK) and the ranking member, the gentleman from Maryland (Mr. HOYER), for their work on this bill and for their recognition of the importance to the entire country of the necessary departments and agencies it funds.

For a moment, let me just say how important this bill is to the American people. It funds such diverse agencies as Customs and the Postal Service. It

increases funding for the Office of National Drug Control Policy and the National Archives.

Mr. Speaker, in addition to the programs and agencies of national interest that I just alluded to, this bill contains a number of significant projects important to my home State of Florida that I would like to highlight briefly.

I am pleased that this bill contains $15 million for the completion of the new Federal courthouse in Miami. I cannot overemphasize the importance to our region that this facility will have. I know full well the burdens that our courts and judges face today. They have a difficult job in ideal circumstances. However, when these jurists are not given adequate facilities and resources, their job is made that much more difficult.

For the very same reasons, it is worth noting that this bill continues significant funding for the proposed new United States Courthouse in Orlando. I am especially pleased to see that the Committee on Appropriations has directed that the courthouse must complement the historic community and the future Florida A&M college of law.

As an alumnus of the law school, I am certain that the new facility in Orlando will continue the proud tradition of FAMU.

Additionally, this bill contains funding for improvements to the Federal building in Jacksonville and to the Federal Courthouse in Tallahassee. Let me be perfectly clear, these are necessary funds; and, frankly, they are needed throughout the country.

As the ranking member, the gentleman from Maryland (Mr. HOYER) and the others note in the report that accompanies this bill, this is not an issue of luxury for the judiciary. The courthouse requests represent an effort to keep up with the skyrocketing judicial workload while ensuring a safe environment for employees, detainees, and the public. I could not agree more.

Mr. Speaker, very soon in this debate my colleague and neighbor, the gentlewoman from Florida (Mrs. MEEK), will seek time to explain a very worthy program that she has fought tirelessly for.

Let me briefly extend my support to the First Accounts program. While the gentlewoman from Florida (Mrs. MEEK) will go into more detail, suffice it to say that this is one of the few programs in this bill which specifically targets low-income Americans. I wholeheartedly support the program and urge its full funding and authorization.

Finally, Mr. Speaker, I would like to discuss what I perceive to be one major omission of this otherwise good bill. This bill funds the Federal Election Commission. It has now been 240 days since our last Federal election, 240 days since we discovered what problems exist in this country when it comes to elections.

Mr. Speaker, I am embarrassed to report to the American people that, since the last election, Congress has done nothing, nothing in the area of appropriations. While we are spending millions of dollars on the Salt Lake Olympics and billions on a tax cut for the wealthy, we have not spent one penny to fix the problems that plague the last election, not one cent.

Columnist E.J. Dionne said yesterday, ''Some problems are genuinely difficult to solve. Some problems are easy. When the solutions are clear, a failure to act is irresponsible, the result of a lack of will.''

I submit to my colleagues and to the American people that the solutions to our disgraceful election systems are abundantly clear. Congress' failure to act is worse than irresponsible, it is shameful. The amendment I will offer later today is the first step toward fixing the problems that our States face in updating and modernizing their election equipment.

In fact, to my knowledge, Mr. Speaker, this will be the first time that Congress discusses this issue in the context of floor consideration of a relevant appropriations measure. Sure, Members have spoken in special orders, in travel around the country, or in hearings. They have had 1-minutes here on the floor. But, until today, we have been unable to discuss dollars and cents. I look forward to the candid debate that I am certain the amendment will generate.

With that aside, Mr. Speaker, let me again say that this is a reasonably good bill, and the rule is fine as far as it goes. I thank the gentleman from Oklahoma (Chairman ISTOOK) and the ranking member, the gentleman from Maryland (Mr. HOYER), for bringing this bill to the House.

This is a mostly bipartisan bill that helps millions of Americans from coast to coast, and I urge passage of the bill and adoption of the rule.

□ 1045

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield 4½ minutes to my friend, the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding me this time, Mr. Speaker, and I rise in support of the rule. I think the rule is a fair rule that gives opportunity to debate this bill and protects some of the more controversial items that are within the bill for full debate.

I also want to say that I agree with the member of the Committee on Rules, the gentleman from Florida (Mr. HASTINGS), who has observed that this is a good bill and deserves passage. He is correct on that. I will be speaking more to that in the course of general debate.

Mr. Speaker, I wanted to rise to comment on the amendment that the gentleman from Florida (Mr. HASTINGS) will offer at the time of the bill's consideration. He will offer an amendment that will provide $600 million, as I understand it, to the FEC, for the purposes of effecting reforms in our election process throughout the United States.

It is clear that we need to invest in democracy. We invest a lot of dollars in national defense. We invest a lot of dollars in health care, education, and domestic spending. We invest a lot of dollars in entitlement programs. All of those dollars, in my opinion, are well invested, for the most part. But the Federal Government, Mr. Speaker, has never invested dollars in Federal elections. Never.

We have always allowed that to be a burden that we place on the States and local subdivisions. We assumed, correctly in most instances, incorrectly in some, that those elections would be held in a manner that would serve our democracy well. But, Mr. Speaker, our democracy is not served well when some Americans go to the polls, having registered to vote, and show up at the polls and, in the first instance, may find that their name is not on the list and, therefore, they are not allowed to vote, but are told that someone will try to get on the telephone and see if it can be straightened out, but find that in this high-tech age in which we find ourselves happily that lo and behold they cannot get through to the central office and cannot find out whether that individual is able to vote.

Too many jurisdictions do not have the ability to provide a provisional ballot to say, here, go ahead and vote, and then when tomorrow comes we will have some time and we will check to see whether or not this individual is a valid voter; and if they are, because they are entitled to vote, they will also ensure that that person's vote is counted. Every American that goes to the poll assumes that they go to the poll for the purposes of expressing their opinion in this, the greatest democracy on the face of the earth. They expect to play a role in the decision-making process of their country. And if their vote is not counted, they are discriminated against, they are precluded from participating fully in our democracy.

Happily, the gentleman from Ohio (Mr. NEY), the chairman of the Committee on House Administration, and myself and many others, including the ranking member of the Committee on the Judiciary, the gentleman from Michigan (Mr. CONYERS), have sponsored legislation which will do what the gentleman from Florida seeks to do, and that is, A, provide resources; provide resources for technology that will ensure at least that technology does not undermine the voter's intent and constitutional right. In addition, it will say to States who take any Federal dollars that they need to comply with certain requirements; that they need to have a registration system that works; that they need not disqualify, they must not disqualify otherwise totally qualified Americans from voting by some inadvertent or mistaken or perhaps conscious effort to undermine the ability to vote of some Americans.

In addition, we are going to provide for provisional ballots, good registration, purging that is not unfair, and a system that has technology that works for every American. That is the minimal that we ought to do as a Nation.

We are proposing the investment this year, for which we are budgeting fiscal year 2002, of $550,000 million. That sounds like a lot of money. It is a lot of money. But spread across the 50 States, it is not. And I would hope that we will have full debate on the gentleman's amendment.

I am not sure what the disposition will be today, but in the final analysis we ought to adopt the gentleman's proposal. It is a proposal for democracy for our Nation's ideals and for our objectives.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume merely to respond to the distinguished gentleman from Maryland, the ranking member of the committee, that the jurisdiction allows for what is being contemplated today. I want to thank the gentleman from Maryland (Mr. HOYER) because I know of his sincerity in proposing measures that will assist in remedying the many problems in this country with reference to our election system.

I have been asked often, as I travel about the country, how much is it going to cost? And my reply has been and will continue to be that democracy does not have a price. We spend money around here on fleas knees studies. So it would seem to me that we could find money to correct problems that exist throughout this Nation with reference to the infrastructure for our election systems.

Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I rise today in opposition to the previous question. I am very concerned about the fact that we are looking today at allowing a congressional pay raise as part of this rule.

I have to tell my colleagues that at this time, when we have just completed a decade where the watchwords have been fiscal responsibility, where we have been able to move to the point where we no longer have annual budget deficits, where we have actually paid down some debt, where we have had a great history over the last few years, and since I came to Congress to continue in that tradition, to preach frugality, to show fiscal responsibility, to be aggressive about paying down the debt, in my own State right now we have uranium miners, we have people who are exposed to radiation through fallout from Federal testing of nuclear weapons. They are dying right now and the Federal Government will not even fund them the compensation they are due. The Federal Government is sending them IOUs saying, well, we do owe you this money, we just do not have the money to give you, but we are okay giving a congressional pay raise.

I just do not think that fits with the times. And I think it is up to the Members of Congress to stand up and say we really do believe in fiscal responsibility. It is important we make a statement to the American people about our concerns about being responsible with their tax dollars.

This is an interesting procedural issue. We do not get to specifically have a straight up-or-down vote on a pay raise. I think we should. I think people deserve that. I think Congressmen ought to stand up and say whether or not they are for that. So for that reason I make these comments in opposition to the previous question and urge my fellow Members to vote ''no'' as well.

Mr. LINDER. Mr. Speaker, I yield myself 30 seconds to point out that nothing in this bill whatsoever deals with a Member of Congress' pay. No word whatsoever in this bill deals with congressional pay.

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

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

I would say to the gentleman from Georgia (Mr. LINDER) that it is regrettable that it does not, because I for one believe that we are deserving of a cost of living adjustment, just so I go on record.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I want to clarify the situation. We have historically, on this bill, on the previous question, had a vote. We have had a vote because we think the public is entitled to that. If the previous question were not passed, an amendment may be in order to preclude the cost of living adjustment for Members.

Long ago we decided, the gentleman from Illinois (Mr. HASTERT), the Speaker of the House, and the gentleman from Missouri (Mr. GEPHARDT), the minority leader, that that was the fair and proper thing to do. Everybody in the leadership on both sides has agreed that cost-of-living adjustments that go to everybody in the Federal service are justified.

This is not in that sense a pay raise. It is what most Federal Government employees receive, and we will receive less than, by about 1.2 percent, than Federal employees do.

Mr. LINDER. Mr. Speaker, will the gentleman yield, and I will be glad to yield him a minute of my time?

Mr. HASTINGS of Florida. I yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, I would ask, does the gentleman from Maryland expect to vote for the previous question?

Mr. HOYER. Mr. Speaker, if the gentleman from Florida will yield to me for a response.

Mr. HASTINGS of Florida. I yield to the gentleman from Maryland.

Mr. HOYER. The gentleman from Maryland will certainly vote for the previous question, and I urge the Members to vote for the previous question.

Mr. LINDER. I thank the gentleman.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 4½ minutes to my good friend and colleague, the distinguished gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Speaker, first of all, I am humbled and privileged this morning to have been given time by a young man for whom I have great admiration and praise, the gentleman from Florida (Mr. HASTINGS), who is now a member of the Committee on Rules. God has wrought that I should stand here and be able to speak after he gives me the opportunity. I thank him so much.

I am pleased to be a member of the Subcommittee on Treasury, Postal Service, and General Government of the Committee on Appropriations, serving with the gentleman from Oklahoma (Mr. ISTOOK) and my good friend, the gentleman from Maryland (Mr. HOYER); and I rise in support of the rule for this bill. It is an open rule. The rule provides a self-executing amendment that I offered that will make the $10 million in fiscal year 2002 funding that the bill provides for the First Accounts program contingent upon the authorization of the program.

The gentleman from Ohio (Mr. OXLEY), of the Committee on Financial Services, had asked the Committee on Rules not to protect the First Accounts program from a point of order. The self-executing amendment is a means to address the concerns of the gentleman from Ohio, and I thank him and the Committee on Rules for supporting my amendment.

The First Accounts initiative is a demonstration program that is designed to help check-cashing ripoffs by improving the access of low- and moderate-income Americans to basic financial services that most of us take for granted. Most of us take for granted that we can go to the nearest corner to an ATM machine or to a bank and have our financial services needs met. That is not so in all communities in this country. It is one of the few programs in this Treasury, Postal bill that is specifically geared to helping low-income Americans.

It is estimated that 8.4 million low-income American families, 22 percent of all such families, do not have bank accounts. And, remember, families without bank accounts frequently resort to check-cashing services to pay bills and cash checks. My colleagues may have read in the newspapers recently of one very large check-cashing firm which has now been sued for having 30 stores across this country that were charging very high interest to low-income people. It is a ripoff, it is a sham, and of course this First Accounts services will allow people who do not have banks in their areas, who do not have credit unions in their areas to be able to cash their checks without having to pay such large interest on it.

We want to provide these ''unbanked'' families with low-cost access to financial services, and we think this will increase the likelihood that they will begin a savings program and accumulate some assets. It also will significantly decrease their reliance upon high-cost check-cashing services. In some of these neighborhoods, dotted throughout the neighborhoods, there are these big signs ''check cashing services''; and of course on the day these people are paid, they are standing in line to get their checks cashed at these high-interest ripoffs in their community.

We are very happy that there is a placeholder in the bill to address election reform. And of course, the gentleman from Florida (Mr. HASTINGS) has spoken to that and so has the gentleman from Maryland (Mr. HOYER). If this country is going to right itself from the many wrongs we have seen in the last election, there certainly will be great attention to election reform. We must address it this year, not only for the problems we have in Florida but the problems we have throughout this Nation.

Because this is a Nation of laws, we must begin to provide laws and provide resources so people will get the right to vote. I cannot emphasize that too strongly and that people have died for this right. Certainly we in Congress would be remiss if we do not give them a fine, strong intellectual system; and I think this bill will sooner or later provide for that.

□ 1100

Mr. Speaker, I thank the committee and the people who are members of this committee. We will go forward certainly from this after passing this strong rule to pass the Treasury and General Government Appropriations bill.

Mr. Speaker, I thank the gentleman from Florida (Mr. HASTINGS) and the members of the Subcommittee on Treasury, Postal Service, and General Government.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, this amendment, consistent with the work of the gentlewoman from Florida (Mrs. MEEK) and the chairman of the Committee on Financial Services, the gentleman from Ohio (Mr. OXLEY), is included in the rule as self-executing, and I thank the Committee on Rules for doing that.

I rise first to congratulate the gentlewoman from Florida for working on this issue. It is a critically important issue to millions of what the gentlewoman referred to as the ''unbanked,'' those who are not in the banking system. They do not have checks or ATM cards. They get ripped off every week when they try to cash their check or when they need a little money to bide them over. It is a significant problem.

I am pleased that the gentleman from Ohio (Mr. OXLEY) and the gentlewoman from Florida (Mrs. MEEK) have reached an agreement on this; and I hope the Committee on Financial Services will, in the very near future, authorize this program so this money, which is now fenced, subject to authorization, can move forward and the Treasury Department can implement a program which is critically necessary.

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

Mr. LINDER. Mr. Speaker, I urge my colleagues to support the previous question.

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

The SPEAKER pro tempore (Mr. FOSSELLA). 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. MATHESON. Mr. Speaker, I object to the vote on 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.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 293, nays 129, not voting 11, as follows:

[Roll No. 267]

YEAS—293

Abercrombie
Ackerman
Akin
Allen
Andrews
Armey
Baca
Bachus
Baker
Baldacci
Ballenger
Barr
Barton
Bass
Bentsen
Bereuter
Berman
Biggert
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Boyd
Brady (PA)
Brown (FL)
Brown (SC)
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capuano
Cardin
Carson (IN)
Castle
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Engel
Eshoo
Farr
Fattah
Filner
Flake
Fletcher
Foley
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastings (FL)
Hastings (WA)
Hefley
Herger
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Houghton
Hoyer
Hunter
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
Lampson
Largent
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Linder
Lowey
Lucas (OK)
Manzullo
Markey
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McHugh
McInnis
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (PA)
Pickering
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rodriguez
Roemer
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryun (KS)
Sabo
Sawyer
Saxton
Schakowsky
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Simpson
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spratt
Stark
Stenholm
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Traficant
Upton
Visclosky
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
Wynn
Young (AK)

NAYS—129

Aderholt
Baird
Baldwin
Barcia
Barrett
Bartlett
Becerra
Berkley
Berry
Bilirakis
Blagojevich
Boswell
Brady (TX)
Brown (OH)
Bryant
Burr
Capito
Capps
Carson (OK)
Chabot
Chambliss
Coble
Costello
Davis (CA)
Davis, Jo Ann
DeMint
Dingell
Edwards
Emerson
English
Etheridge
Evans
Everett
Ferguson
Forbes
Fossella
Gekas
Gibbons
Goode
Graves
Green (WI)
Hart
Hayes
Hayworth
Hill
Hilleary
Holt
Honda
Hooley
Hostettler
Hulshof
Inslee
Israel
Jenkins
Johnson (IL)
Kaptur
Keller
Kelly
Kennedy (MN)
Kerns
Kildee
Kind (WI)
Kucinich
LaHood
Langevin
Larsen (WA)
Latham
Leach
Lewis (KY)
LoBiondo
Lofgren
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Mascara
Matheson
McIntyre
McKinney
Meehan
Mica
Moore
Napolitano
Northup
Ose
Paul
Peterson (MN)
Petri
Phelps
Pitts
Platts
Pomeroy
Price (NC)
Rehberg
Riley
Rivers
Rogers (MI)
Ross
Royce
Ryan (WI)
Sanchez
Sanders
Sandlin
Schaffer
Schiff
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Smith (WA)
Solis
Stearns
Strickland
Stump
Stupak
Tancredo
Terry
Thune
Thurman
Tierney
Toomey

Turner	Udall (NM)	Vitter
Udall (CO)	Velazquez	Wu

NOT VOTING—11

Hutchinson	Lipinski	Snyder
Hyde	McGovern	Spence
Lantos	Scarborough	Young (FL)
Lewis (CA)	Skelton	

□ 1127

Mrs. EMERSON, Ms. KAPTUR, Messrs. HAYES, BERRY, LEWIS of Kentucky, SIMMONS, FORBES, SHUSTER, GIBBONS, KENNEDY of Minnesota, PITTS, SHERWOOD, LEACH, BILIRAKIS, TANCREDO, HILLEARY, POMEROY, STUMP, EVERETT, HILL, MOORE, and Ms. HART changed their vote from ''yea'' to ''nay.''

Messrs. PASTOR, HILLIARD, FRANK, LAFALCE, and Ms. PELOSI changed their 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. FOSSELLA). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON H.R. 2620, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2002

Mr. HOBSON, from the Committee on Appropriations, submitted a privileged report (Rept. No. 107–159) on the bill (H.R. 2620) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

□ 1130

GENERAL LEAVE

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2590, and that I may include tabular and extraneous material.

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

There was no objection.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 206 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. 2590.

□ 1131

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. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, with Mr. DREIER 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 Oklahoma (Mr. ISTOOK) and the gentleman from Maryland (Mr. HOYER) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK).

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

Mr. Chairman, I am pleased to present to the House H.R. 2590. This is the fiscal year 2002 Treasury, Postal Service, and General Government appropriations bill.

As reported, this bill, of course, is within the agreed-upon balanced budget that has been agreed to by the House with the Senate and the President. The bill, compared to the current fiscal year operations, is $1.1 billion above the current operations. It is also some $340 million above the original request from the White House, although that number, Mr. Chairman, was amended somewhat. The supplemental request included funds for the 2002 Winter Olympics, which has been funded through the supplemental and has been reallocated accordingly within this bill.

As reported, Mr. Chairman, the spending allocation enables us to do a number of significant things regarding Federal law enforcement in particular.

Mr. Chairman, realizing that we have been favored with a positive allocation from the full committee chairman, the gentleman from Florida (Mr. YOUNG), it is a fair question how we have applied the extra $1 billion that has been made available. The short answer is we have sought to address some very significant needs, in particular in Federal law enforcement. Some 30 percent of Federal law enforcement is funded through this appropriation measure. We have also sought to address some very compelling needs regarding information technology.

Let me give an example, Mr. Chairman. We are all aware that the IRS has had significant problems dealing with the complexity of the Tax Code and in having a modern information system that will enable taxpayers to have correct information in the hands of the IRS and not be receiving incorrect notices. This allocates significant funding to accelerate the information technology advancement in the IRS.

In particular, within the Customs Service, we have what might be fairly called, Mr. Chairman, a rickety computer system that is utilized for handling some $8 billion worth of trade each day that goes through ports of entry with the U.S. Customs Service. That system is, frankly, on the verge of collapse; and we do not need to be losing $8 billion daily in trade because of an antiquated information system in Customs.

Even beyond the pace set by the administration's budget, we have put the funding in for what is called the Automated Commercial Environment, which is the new Customs information technology system that ties together some 50 agencies that are involved in the imports and exports handled by the Customs Service to make sure that this trade that is so vital to the economy of the United States of America can flow unimpeded.

So those areas, law enforcement, trade, drug interdiction as a key component of law enforcement, and the information technology, are the main areas in which we have provided investments through the Subcommittee on Treasury, Postal Service, and General Government bill.

The bill places, as I mentioned, a priority on counter-drug efforts in law enforcement. Let me mention some the elements by which that is done.

We have the Customs Air and Marine Interdiction Program, which has not had the aircraft or the boats to be able to keep up with the degree of smuggling of illegal drugs into the United States, such as in southern Florida, where I visited recently. They are in sore need of modern equipment to be able to stem the flow of illegal narcotics into America.

We put significant new investments into the effort, the manpower, expanding the manpower where they are overburdened and overworked, and also expanding the equipment available to them to do that.

We have funding for the Integrated Violence Reduction Strategy by Alcohol, Tobacco and Firearms, which is trying to stem the use of illegal weapons, or legal weapons used illegally, by people in the commission of violent crimes. Both the Youth Crime Interdiction Initiative and the Integrated Violence Reduction Strategy receive significant new funding in this measure.

Also significantly increased is what is known as HIDTA, the High Intensity Drug Trafficking Area program. Some $231 million in Federal resources is made available in this bill for coordinating the efforts between the State, the local and the Federal law enforcement agencies, which all must work together, especially in the areas where there are significant problems of drug trafficking.

We also have, Mr. Chairman, an effort to try to address the accumulated backlog that is clogging up the court system. Federal courthouses are funded in this bill to the tune of $326 million

in construction, following the priorities laid out by the administration and the General Services Administration and the Administrative Offices of the Courts, to make sure that we are putting the funding where the courts are most overcrowded. So this includes the funding for site acquisition, design and/or construction of some 15 court houses across the Nation, which is one beyond the number that was originally proposed by the President, but does follow the same priority list as everyone has agreed upon, including the administration.

In regard to legislative items, I would like to point out, Mr. Chairman, that we continue the prohibition that is part of current law to make sure that Federal funds are not used to help pay for abortions through the Federal Employees Health Benefits Plan. This also continues the requirement that FEHBP includes coverage for prescription contraceptive services with certain circumstances for concerns of conscience and with key exceptions, but overall a clear policy on the coverage of contraceptives.

As we move through consideration of this measure on the floor, Mr. Chairman, I know we will hear different amendments. I will not try to cover them all at this time, rather than give an overview of the bill; but I know we will hear many different policies proposed that, frankly, Mr. Chairman, I do not think will be in order under the bill, or, even though they might technically be in order, will not be proper for inclusion in this bill and should be addressed through other legislation. We hope to keep this appropriation bill clear of any extraneous riders that are not really part of the central purpose of the measure.

I wanted to thank my colleagues on the subcommittee for all of their hard work and effort in putting this bill together. The gentleman from Maryland (Mr. HOYER), the ranking member of the Subcommittee on Treasury, Postal Service, and General Government, has been especially helpful in working together to resolve differences; and, frankly, Mr. Chairman, we have been able to come to agreement on some things that sometimes there are significant policy differences on, but a lot of hard work with the gentleman from Maryland (Mr. HOYER) and everyone else has gotten us through that.

I want to thank his staff members, including Scott Nance; the gentleman from Wisconsin (Mr. OBEY) and his staff; Rob Nabors; and of course, I would be remiss if I did not thank the excellent staff that we are able to enjoy on the Subcommittee on Treasury, Postal Service, and General Government: the chief clerk, Michelle Mrdeza; Jeff Ashford; Kurt Dodd; Tammy Hughes; and, on a delegated status from the Secret Service, Chris Stanley.

It has taken a lot of hard work to go through the details in this bill, having as many different Federal agencies that are at the heart of the executive branch, including the White House, the Office of Management and Budget, the General Services Administration, Office of Personnel Management, the Treasury Department itself, and many of the core Federal agencies, including in particular law enforcement.

I believe this is a good bill, Mr. Chairman, which merits people's support. It advances our objectives to combat the flow of illegal drugs, yet to improve the flow of legal commerce. It tries to address significant problems of overcrowding in the Federal courts by making sure that facilities are available to them.

Mr. Chairman, I would ask every Member of this body to support this bill, and look forward to working with the Members in considering amendments that they may offer.

Mr. Chairman, I include the following for the RECORD.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 2002 (H.R. 2590)
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE TREASURY					
Departmental Offices	162,381	181,768	173,496	+11,115	-8,272
Department-wide systems and capital investments programs	62,150	70,828	68,828	+6,678	-2,000
Office of Inspector General	32,827	35,150	35,318	+2,491	+168
Treasury Inspector General for Tax Administration	118,166	122,342	123,133	+4,967	+791
Treasury Building and Annex Repair and Restoration	30,932	32,932	30,932	.....	-2,000
Expanded Access to Financial Services	9,978	.....	10,000	+22	+10,000
Financial Crimes Enforcement Network	37,493	45,155	45,760	+8,267	+605
Counterterrorism Fund	54,879	44,879	36,879	-18,000	-8,000
Federal Law Enforcement Training Center:					
Salaries and Expenses	99,264	100,707	101,769	+2,505	+1,062
Acquisition, Construction, Improvements, & Related Expenses	54,086	21,895	22,834	-31,252	+939
Total	153,350	122,602	124,603	-28,747	+2,001
Interagency Law Enforcement: Interagency crime and drug enforcement	103,248	106,487	106,965	+3,717	+478
Financial Management Service	206,396	211,594	212,316	+5,920	+722
Bureau of Alcohol, Tobacco and Firearms	771,143	803,521	814,199	+43,056	+10,678
GREAT grants	.....	.....	10,000	+10,000	+10,000
Total	771,143	803,521	824,199	+53,056	+20,678
United States Customs Service:					
Salaries and Expenses	1,878,557	1,961,764	2,059,170	+180,613	+97,406
Harbor Maintenance Fee Collection	2,993	2,993	2,993	.....	.....
Operation, Maintenance and Procurement, Air and Marine Interdiction Programs	132,934	162,637	183,853	+50,919	+21,216
Miscellaneous appropriations (P.L. 106-554)	6,985	.....	.....	-6,985	.....
Automation modernization:					
Automated Commercial System	122,443	122,432	122,432	-11	.....
International Trade Data System	5,389	5,400	5,400	+11	.....
Automated Commercial Environment	130,000	130,000	300,000	+170,000	+170,000
Subtotal	257,832	257,832	427,832	+170,000	+170,000
Customs Services at Small Airports (to be derived from fees collected)	1,993	3,000	3,000	+1,007	.....
Offsetting receipts	-2,000	-3,000	-3,000	-1,000	.....
Total	2,279,294	2,385,226	2,673,848	+394,554	+288,622
Bureau of the Public Debt	182,699	185,370	187,318	+4,619	+1,948
Payment of government losses in shipment	1,000	1,000	1,000	.....	.....
Internal Revenue Service:					
Processing, Assistance, and Management	3,594,966	3,783,347	3,808,434	+213,468	+25,087
Tax Law Enforcement	3,366,380	3,533,198	3,541,076	+174,696	+7,878
Earned Income Tax Credit Compliance Initiative	144,681	146,000	146,000	+1,319	.....
Information Systems	1,522,416	1,563,249	1,573,065	+50,649	+9,816
Business systems modernization	71,593	396,593	391,593	+320,000	-5,000
Staffing tax administration for balance and equity	140,690	.....	.....	-140,690	.....
Total	8,840,726	9,422,387	9,460,168	+619,442	+37,781
United States Secret Service:					
Salaries and Expenses	824,885	857,117	943,777	+118,892	+86,660
Acquisition, Construction, Improvements, & Related Expenses	8,921	3,352	3,457	-5,464	+105
Total	833,806	860,469	947,234	+113,428	+86,765
Total, title I, Department of the Treasury	13,880,468	14,631,710	15,061,997	+1,181,529	+430,287
TITLE II - POSTAL SERVICE					
Payment to the Postal Service Fund	28,936	76,619	29,000	+64	-47,619
Advance appropriation, FY 2002	66,952	67,093	67,093	+141	.....
Advance appropriation, FY 2003	.....	.....	47,619	+47,619	+47,619
Total	95,888	143,712	143,712	+47,824	.....
TITLE III - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
Compensation of the President and the White House Office:					
Compensation of the President	390	450	450	+60	.....
Salaries and Expenses	53,171	54,165	54,651	+1,480	+486
Executive Residence at the White House:					
Operating Expenses	10,876	11,914	11,695	+819	-219
White House Repair and Restoration	966	8,625	8,625	+7,659	.....
Special Assistance to the President and the Official Residence of the Vice President:					
Salaries and Expenses	3,665	3,896	3,925	+260	+29
Operating expenses	353	314	318	-35	+4
Council of Economic Advisers	4,101	4,192	4,211	+110	+19
Office of Policy Development	4,023	4,119	4,142	+119	+23
National Security Council	7,149	7,447	7,494	+345	+47
Office of Administration	43,641	46,032	46,955	+3,314	+923
Office of Management and Budget	68,635	70,521	70,752	+2,117	+231

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 2002 (H.R. 2590)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of National Drug Control Policy:					
Salaries and expenses	24,705	25,100	25,267	+562	+167
Counterdrug Technology Assessment Center	35,974	40,000	40,000	+4,026	.....
Total	60,679	65,100	65,267	+4,588	+167
Federal Drug Control Programs:					
High Intensity Drug Trafficking Areas Program	206,046	206,350	231,500	+25,454	+25,150
Special Forfeiture Fund	233,086	247,600	238,600	+5,514	-9,000
Unanticipated Needs	998	1,000	1,000	+2	.....
Elections Commission of the Commonwealth of Puerto Rico	2,494	.....	.....	-2,494	.....
Total, title III, Executive Office of the President and Funds Appropriated to the President	700,273	731,725	749,585	+49,312	+17,860
TITLE IV - INDEPENDENT AGENCIES					
Committee for Purchase from People Who Are Blind or Severely Disabled	4,149	4,498	4,609	+460	+111
Federal Election Commission	40,411	41,411	43,223	+2,812	+1,812
Federal Labor Relations Authority	25,003	26,378	26,378	+1,375	.....
General Services Administration:					
Federal Buildings Fund:					
Appropriations	476,523	276,400	276,400	-200,123	.....
Advance appropriation, FY 2002-2004	(276,400)	.....	.....	(-276,400)	.....
Limitations on availability of revenue:					
Construction and acquisition of facilities	(477,676)	(386,289)	(328,816)	(-148,860)	(-57,473)
Repairs and alterations	(681,613)	(826,676)	(826,676)	(+145,063)	.....
Installment acquisition payments	(185,369)	(186,427)	(186,427)	(+1,058)	.....
Rental of space	(2,943,854)	(2,959,550)	(2,959,550)	(+15,696)	.....
Building Operations	(1,624,771)	(1,748,949)	(1,760,369)	(+135,598)	(+11,420)
Subtotal	(5,913,283)	(6,107,891)	(6,061,838)	(+148,555)	(-46,053)
Repayment of Debt	(70,595)	(72,000)	(72,000)	(+1,405)	.....
Total, Federal Buildings Fund	476,523	276,400	276,400	-200,123	.....
(Limitations)	(5,983,878)	(6,179,891)	(6,133,838)	(+149,960)	(-46,053)
Policy and Operations	137,406	138,499	137,515	+109	-984
Office of Inspector General	34,444	36,025	36,290	+1,846	+265
Electronic Government (E-Gov) Fund	.....	20,000	5,000	+5,000	-15,000
Allowances and Office Staff for Former Presidents	2,511	3,552	3,196	+685	-356
Expenses, Presidential transition	7,084	.....	.....	-7,084	.....
Total, General Services Administration	657,968	474,476	458,401	-199,567	-16,075
Merit Systems Protection Board:					
Salaries and Expenses	29,372	30,375	30,375	+1,003	.....
Limitation on administrative expenses	2,424	2,520	2,520	+96	.....
Morris K. Udall Foundation:					
Morris K. Udall scholarship	1,996	1,746	.....	-1,996	-1,746
Native Nations Institute	.....	250	.....	.....	-250
Morris K. Udall Trust Fund	.....	.....	2,500	+2,500	+2,500
Environmental Dispute Resolution Fund	1,248	1,309	1,309	+61	.....
National Archives and Records Administration:					
Operating expenses	208,946	244,247	243,547	+34,601	-700
Reduction of debt	-6,084	-6,612	-6,612	-528	.....
Repairs and Restoration	101,536	10,643	10,643	-90,893	.....
National Historical Publications and Records Commission: Grants program	6,436	4,436	10,000	+3,564	+5,564
Total	310,834	252,714	257,578	-53,256	+4,864
Office of Government Ethics	9,663	10,060	10,060	+397	.....
Office of Personnel Management:					
Salaries and Expenses	93,888	99,036	99,036	+5,148	.....
Limitation on administrative expenses	101,762	115,928	115,928	+14,166	.....
Office of Inspector General	1,357	1,398	1,398	+41	.....
Limitation on administrative expenses	9,724	10,016	10,016	+292	.....
Government Payment for Annuitants, Employees Health Benefits	5,427,166	6,145,000	6,145,000	+717,834	.....
Government Payment for Annuitants, Employee Life Insurance	35,000	33,000	33,000	-2,000	.....
Payment to Civil Service Retirement and Disability Fund	8,940,051	9,229,000	9,229,000	+288,949	.....
Total, Office of Personnel Management	14,608,948	15,633,378	15,633,378	+1,024,430	.....
Office of Special Counsel	11,122	11,784	11,823	+701	+39
United States Tax Court	37,223	37,305	37,621	+398	+316
Total, title IV, Independent Agencies	15,740,361	16,528,204	16,519,775	+779,414	-8,429
Grand total	30,416,990	32,035,351	32,475,069	+2,058,079	+439,718
Current year, FY 2002	30,350,038	31,968,258	32,360,357	+2,010,319	+392,099
Advance appropriations, FY 2002 / FY 2003	66,952	67,093	114,712	+47,760	+47,619
(Limitations)	(5,983,878)	(6,179,891)	(6,133,838)	(+149,960)	(-46,053)

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 2002 (H.R. 2590)—Continued
(Amounts in thousands)

	FY 2001 Enacted	FY 2002 Request	Bill	Bill vs. Enacted	Bill vs. Request
Scorekeeping adjustments:					
Bureau of The Public Debt (Permanent)	145,000	148,000	148,000	+3,000	.....
Federal Reserve Bank reimbursement fund	131,000	134,000	134,000	+3,000	.....
US Mint revolving fund	13,960	22,000	17,000	+3,040	-5,000
Sallie Mae	1,000	1,000	1,000	.....	.....
Federal buildings fund	-74,000	31,000	-16,000	+58,000	-47,000
Advance appropriations:					
Postal service, FY 2001/2002	64,436	.....	.....	-64,436	.....
Postal service, FY 2002/2003	-66,952	.....	-47,619	+19,333	-47,619
Across the board cut (0.22%)	-47,000	.....	.....	+47,000	.....
OMB/CBO adjustment	35,491	.....	.....	-35,491	.....
Total, scorekeeping adjustments	202,935	336,000	236,381	+33,446	-99,619
Total mandatory and discretionary	30,619,925	32,371,351	32,711,450	+2,091,525	+340,099
Mandatory	14,679,607	15,690,450	15,690,450	+1,010,843	.....
Discretionary	15,940,318	16,680,901	17,021,000	+1,080,682	+340,099

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

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

Mr. Chairman, I rise in support of this bill. This is a reasonable bill, and I thank the gentleman from Oklahoma (Chairman ISTOOK) and the staff for working closely with our staff and with me and with our Members on bringing this bill to the floor.

As I said, I believe it is a reasonable bill, a bill that is higher than fiscal year 2001 and about one-third higher than the President's request. The bill provides strong support for our law enforcement agencies. Forty percent of law enforcement is covered by this bill, which surprises some, but it is a critically important component of our law enforcement efforts at the Federal level.

We support our law enforcement agencies by including $170 million above the President's request for the Customs Service to modernize their systems for the assessment and collection of taxes and fees, which total over $20 billion annually. That is important for all of our exporters and importers. It is important for every consumer in America, and the increase is an appropriate step for us to take to ensure that the information technology capability of Customs is at the level it needs to be.

It includes $15 million above the request for Customs Service to hire additional inspectors, a very important objective; $33 million more for Customs inspection technology; and $45 million in additional funding for the Secret Service to hire additional agents to reduce staggering overtime levels.

The chairman mentioned that, but let me call to the attention of some who may not know these figures that some of our Secret Service agents have been asked to work 90 hours per month.

□ 1145

Obviously, the job of a secret service agent is extraordinarily stressful. They need to be alert at all times; obviously, sometimes tense times as they guard the President, the Vice President and other dignitaries, and asking them to work 90 hours overtime is simply not safe for them or safe for those whom they protect.

In addition, we add an additional $25 million for the high intensity drug trafficking areas, the HIDTA program, and the chairman referred to those. They are an extraordinarily important asset of our law enforcement in this country, and a complement to local law enforcement in their fight against drugs and the trafficking of drugs. Their major contribution, in my opinion, is that they bring together Federal, State, and local law enforcement agencies to coordinate with one another to confront, to arrest, and to incarcerate those who would undermine the health of our communities by selling drugs on our streets, in our schools, and in our communities.

Mr. Chairman, for the IRS, this bill provides the Internal Revenue Service with a funding level above the President's request, including $325 million to modernize their computer systems and $86 million to complete the hiring of over 3800 employees necessary to establish a strong balance between compliance and customer service at the IRS.

Mr. Chairman, some years ago, we passed the Reform and Restructuring Act which asked the IRS to become more efficient and more customer-friendly. We also, at the same time, at the insistence of Secretary Rubin, then Secretary of the Treasury, hired a new Commissioner, Charles Rossotti. Mr. Rossotti is doing an excellent job and I think that perception is shared across the aisle and across ideologists. He is a business manager of the first stripe. He has brought his business management skills to IRS; and, because of that, I think we are seeing an improved IRS, a more efficient IRS, but there are still problems.

Mr. Chairman, significant improvements were made to the bill during the committee consideration. We were able to add back $10 million for the First Accounts program. We acted on that in the manager's amendment. There has been an agreement that the money appropriated for the First Account system will be subject to authorization.

We also provided a provision which carries out existing law of pay parity for our Federal employees with our military employees. Federal employees will continue to have, as the chairman has pointed out, the option, their choice, of contraceptive coverage under the Federal employee health benefit program.

Obviously, no bill comes to the floor that is a perfect one; and I want to mention, Mr. Chairman, some of my continuing concerns.

First, I am concerned about the decline in compliance activities at the IRS. I make the analogy to setting a speed limit at 55 or 60, and then having no enforcement of that speed limit. Clearly, what will happen not only in the short term, but over the long term, will be that drivers will drive faster and faster because of the lack of enforcement, and safety will be at risk. Frankly, what happens in the IRS, with less and less enforcement, we have, unfortunately some, who will not comply with their obligations. What that does is it places higher obligations on those who voluntarily and legally comply.

Mr. Chairman, in-person audits have decreased from 2 million in 1976 to 247,000 in 2000, an 88 percent decline. Now, that is an 88 percent decline from 2 million down to 247,000, but when we consider it in the context of the fact that we have millions of more taxpayers 25 years later, that decline in percentages of tax returns audited is even more dramatically reduced.

The additional FTEs included in this bill will go to help this problem, but I will continue to monitor, and I know the committee will as well, this situation closely to determine that the IRS is able to do the job that the Congress and the American public want them to do.

Another concern I have is the funding for courthouse construction. Although this bill includes funding above the President's request, the committee has fallen short of the judiciary's 5-year courthouse project plans. In fact, we have funded only half of what they say is needed over these last 5 years for courthouses.

As we have seen an increase in prosecutions, an increase in incarcerations to make our streets safer, the good news is the crime statistics throughout our country have gone down. That is what we wanted them to do. At the same time, the demands on our courthouses have gone up. In order to accommodate that, we need to invest to make sure that those courthouses are up to the job. I would hope that the committee would continue to focus on this issue very carefully.

The longer we underfund the judiciary's request, the higher the cost and the more pressing the need becomes.

Mr. Chairman, I am also concerned with several provisions in this bill that reduce legislative oversight responsibilities of the Executive Office of the President. We are going to be talking about those. There is a certain sensitivity that is particularly important as Congress reviews the budget request for the Executive Office of the President. In my opinion, the President of the United States deserves the appropriate respect and deference. However, it is also important that Congress not relinquish its oversight responsibilities. We will hear about these issues today as other Members of the body have similar concerns, and amendments will be offered.

I am encouraged, however, that this bill contains a placeholder for an issue important to all Americans, and that is election reform. We are going to be discussing that when the gentleman from Florida (Mr. HASTINGS) offers an amendment to add substantial dollars to this bill. I will not debate it further at this time, but it is a very significant concern which we will have to deal with either today or in a supplemental some weeks ahead.

Many Members of the body, Mr. Chairman, are rightfully concerned that neither the administration nor Congress has acted on election reform. I truly believe, as I have said in the past, that election reform is the civil rights issue of the 107th Congress. There is no more basic right for an American or anyone who resides in a democracy but to have the right to vote, but as importantly, to have that vote easy to cast and properly counted.

Mr. Chairman, I have had several conversations with the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), who has shown a great willingness to consider and support election reform and

election reform funding. I appreciate his efforts, and I hope we can make some positive progress on this issue for all Americans.

Mr. Chairman, in closing, let me say that this is a good bill. It funds properly the priorities that are the responsibility of this bill, and I would urge Members to support it when it comes time for final passage.

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

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

Mr. HOYER. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Virginia (Mr. MORAN), who has been so focused on the needs of Federal employees, and their pay and benefits; he has been extraordinarily helpful in years past and this year in fashioning a bill to ensure that Federal civilian employees are treated fairly and that we have the ability to not only retain our excellent public employees, but also to recruit, to fill the vacancies that will occur in increasing numbers in the years ahead.

Mr. MORAN of Virginia. Mr. Chairman, I very much thank the gentleman from Maryland (Mr. HOYER), my very close friend and neighbor and leader in so many ways, and particularly on the issues that are involved in this Treasury-Postal appropriations bill. I wanted to refer to three of them in particular: the effect on the Federal workforce; gender parity in terms of health insurance; and the money for the Customs modernization that is in this bill.

In terms of the Federal workforce, this includes an amendment that the gentleman from Maryland (Mr. HOYER), the gentleman from Virginia (Mr. WOLF), and I put in the full committee markup. It also reflects an amendment that I had added to this year's budget resolution that we should be providing the same pay raises for Federal civilian employees as we do for military employees. President Bush's budget includes a 4.6 to 5 percent increase for military employees and, in some cases, up to 10 percent. We think that civilian employees who work side-by-side with military personnel should get the same pay raise.

We have a crisis developing in the Federal workforce. Over the next 5 years, up to half of our Federal workforce will retire or at least be eligible for retirement. There are a number of things we can do to address this crisis. One of them is to implement the Federal Employees Pay Compensation Act that was passed back in 1990. Right now, we have a 32 percent pay gap between Federal civilian employees and people who perform the same function in the private sector. There is a 10 percent gap between military personnel and those people who perform the same function in the private sector. Both of those gaps should be narrowed and eventually eliminated, but we should at least provide the same pay raise for civilian as well as military personnel.

In terms of the Federal Employees Health Benefits Plan, this plan has been going up by double digits in each of the last 4 years. So it is important that we bring these premium costs under control while maintaining the current coverage of services, and since about half of our workforce are women, which we would expect, we should certainly treat women the same as we do men in terms of its coverage. Right now, there is a disparity.

President Bush's budget expressly rejects the bipartisan contraceptive coverage provision that has been part of this bill since 1998, so we put it back in in committee to make sure that women's contraception is covered under Federal health insurance plans. It is the largest single out-of-pocket expense for women during their working years, and there is no question that this is an important aspect of health insurance coverage and should be mandated if the executive branch is not going to include it.

There is no additional cost to the plan, according to the Office of Personnel Management; and I am glad that this will be part of this bill and should certainly be enacted.

Now, the last thing is the Automated Commercial System for Customs. There is an inclusion of money for the Customs Service to continue the computerization of our Customs Service. This is terribly important. We have miles of trucks backed up on our borders. This should have been put in place years ago. We will now be on schedule to put Customs automation on line within the next 5 years.

Mr. Chairman, this is a good bill. It should be passed with a strong bipartisan vote.

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Iowa (Mr. LEACH) for the purposes of a colloquy.

Mr. LEACH. Mr. Chairman, I would like to briefly mention the subject the gentleman from Maryland (Mr. HOYER) mentioned earlier and that is the courthouse issue and the priority that might be given it. I would first like to compliment the committee and the professionalism in which they have approached the courthouse issue. As the gentleman knows, there is a long list which has been developed with the Department of Justice in a very professional, nonpolitical way.

I represent a town called Cedar Rapids, Iowa, which is on the cusp of whether it should be funded this year or the following year.

□ 1200

It is my understanding, based on some public announcements this past week, that Senate appropriations leadership has indicated that they expect to fund the Cedar Rapids Courthouse, at least the beginning planning funding of about $15 million.

What I would like to inquire of the gentleman is, if resources become available and we can move down this next step, if there is any possibility that Cedar Rapids could be considered in this round.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. LEACH. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I thank the gentleman from Iowa, because I know he has been working diligently to secure the needed courthouse in Cedar Rapids.

I want to tell the gentleman that that is indeed the item that is next on the priority list that we have. We are fortunate we were able to go one beyond what the administration had proposed as far as funding courthouses. And again, as the gentleman mentioned, on a professional priority basis, a nonpolitical basis, Cedar Rapids has now moved to the top of the list, and we are looking at the potential of being able to find a way to potentially fund that during this year.

Obviously, we have not been able yet to reach that conclusion. We are still not through the entire budget process, but we do want to work together with the gentleman to look at the potential of making sure that moves along rapidly.

I do want to assure the gentleman that whether it ended up being this year or next year, it is at the very top of our priority list now.

Mr. LEACH. I appreciate that.

Mr. Chairman, I would like to just conclude with two comments.

One, again, I would express my appreciation for the professionalism of this whole consideration. Cedar Rapids, like many towns in America, has been on this list, and each town is anxious to get their courthouse done. There is a case for everyone around the country. It is my impression that the gentleman's subcommittee has been exceptionally professional in how they have done the prioritization.

I would only conclude with one brief aspect for my community. The community has really done a whole lot on the cost containment grounds with low-cost ground, et cetera. This is the heart of community revitalization for Cedar Rapids, so it is both a judiciary matter and, frankly, a community matter.

So to the degree that sympathetic consideration can be given this year, I personally would be deeply appreciative, and I thank the gentleman from Oklahoma for his thoughtful leadership.

Mr. ISTOOK. I thank the gentleman from Iowa. I very much appreciate his terrific effort on this matter.

Mr. HOYER. Mr. Chairman, I yield 4 minutes to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies. She does an extraordinary job. We are pleased with her help on this bill. I appreciate the gentlewoman commenting on this, and her very important intervention.

Ms. KAPTUR. Mr. Chairman, I thank the able gentleman from Maryland

(Mr. HOYER), the ranking member of the Subcommittee on Treasury, Postal Service and General Government, for yielding me this time.

I rise to engage the chairman of the subcommittee on Treasury, Postal Service and General Government, the gentleman from Oklahoma (Mr. ISTOOK), in a colloquy regarding public debt management.

Mr. Chairman, as part of the House report accompanying the fiscal year 2002 appropriation bill for the Treasury Department, the Committee on Appropriations directs the Bureau of Public Debt to provide a report to review the complete debt program of the Bureau from a fiscal management perspective, providing cost comparisons between high amount-low volume debt instruments and low amount-high volume debt instruments.

Another major concern regards the ownership of our public debt, particularly the extent and growth in foreign ownership of U.S. debt securities.

I would say to the chairman, the ownership of the government's debt is increasingly in the hands of foreign owners. Our government may not be sufficiently active in promoting the domestic ownership of our debt, especially to individuals, something that many of us in this Chamber can recall being a matter of national will and, indeed, pride.

As part of this review of the national debt, I believe that we should have a detailed report regarding the levels of ownership of savings bonds and other forms of public debt, rates of return on those savings bonds and other forms of public debt, and how savings bond ownership historically compares to other forms of public debt.

Would the gentleman agree that the review of the complete debt program of the Bureau of the public debt requested by the committee should contain a thorough analysis of debt ownership, differentiating between foreign and domestic customers as well as between individuals by income category, corporations, and governments; trends over the last 20 years with respect to what groups are purchasing U.S. debt; the amount of interest being paid to each bondholder category; and developments and trends over the last 20 years with respect to what media and methodologies are being used to affect debt transactions?

Mr. ISTOOK. Mr. Chairman, will the gentlewoman yield?

Ms. KAPTUR. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I thank the gentlewoman for her interest, which is bona fide, on an important issue.

Yes, it is the intent of the Committee that the report provide information on customer demographics and transaction changes such as the gentlewoman described, as well as the detailed cost data, with sufficient detail to allow us to differentiate among all of the major forms in which the public debt is financed.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman very much for the clarification and for his willingness to engage in this colloquy. It has been a pleasure to work with the gentleman.

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia (Mr. KINGSTON) to engage in a colloquy.

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I also thank the ranking member and the chairman, both of them, for their support of the Federal Law Enforcement Training Center in Artesia, New Mexico, and in Brunswick, Georgia.

This very important Federal Training Center trains over 70, I believe the number exactly is 71, different Federal agencies. They have over 250 different classes. They get all kinds of hands-on training. It is very important for our law enforcement effort.

Mr. Chairman, I would be certainly remiss on this 3-year observance of the terrible tragedy we had with the Capitol Hill Police in this very building to not recognize yesterday's moment of silence in the memory of those great officers who bravely put their lives on the line and sacrificed their lives 3 years ago for this body and for all the tourists who come to the United States Capitol. They were trained at the Federal Law Enforcement Training Center.

Mr. Chairman, I wanted to ask the chairman if he would engage in a colloquy with me. I appreciate the gentleman's courtesy. I want to thank the gentleman for all the support he has given, and also ask a question.

As the gentleman knows, FLETC, the Federal Law Enforcement Training Center, is in the midst of a master plan for construction to meet their long-term capacity requirements, in particular the closure of the temporary U.S. Border Patrol Training Facility in Charleston, South Carolina, and to allow for transition of all basic training for border patrol officers to be carried out at the FLETC location in Brunswick, Georgia, and in Artesia, New Mexico, on those campuses, by the year ending 2004.

This transition will increase the workload both at Glynco and Artesia. Glynco is preparing to meet the increased demand. It is very important that they have the space and facilities needed to accommodate the additional students.

I greatly appreciate the efforts of the chairman and the ranking member and all the subcommittee members for the improvements that are already in this bill. I greatly appreciate the manager's amendment, which the gentleman just passed, and the gentleman's support of the additional construction funds.

Mr. Chairman, I just wanted to ask, as we move into conference, if the gentleman could say that these additional resources, and any others that may be out there, will have the support of the chairman as we go through the process with the other body.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. KINGSTON. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. I thank the gentleman for yielding.

I am very well aware of the important work being done at Glynco and of FLETC's critical role in providing the very highest quality in consolidated law enforcement training to Federal law enforcement organizations, as well as others that participate.

I applaud the strong personal support of the gentleman from Georgia for FLETC's work to achieve this mission.

We have indeed addressed some important construction requirements at FLETC to keep it on its necessary construction schedule. I certainly want to assure my colleague that I look forward to working with him further to ensure that additional FLETC funding is going to be given every consideration as the bill does move through the process.

Mr. KINGSTON. I certainly thank the chairman for that.

Again, I wanted to emphasize to the chairman and to the very capable staff, we appreciate everything that they do for them, not just in Brunswick, Georgia, but in Artesia.

I also want to thank the gentleman from Maryland (Mr. HOYER) for his support of FLETC. The gentleman from Maryland (Mr. HOYER) has visited the facility before, and I know staff has visited it, but the doors are wide open. Any time the Members want to come to Georgia, we would be glad to put on our dog and pony show for the gentleman and show off the facility.

Mr. ISTOOK. I certainly look forward to meeting the dogs and the ponies.

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

Mr. Chairman, I simply want to say to the gentleman from Georgia, he is absolutely correct, the Federal Law Enforcement Training Center, located in Glynco, in his district, is not only a law enforcement agency that trains Treasury law enforcement, but, as the gentleman knows, trains a broad array of law enforcement officers, including non-Federal officers. It is a very, very important facility. They are one of the experts in the field.

We are very pleased to work with the gentleman and with them to carry out the very, very important job of not only training initially our law enforcement officers but from time to time giving them training that keeps them both technically, physically, mentally on top of their game.

I am also pleased, as the gentleman knows, that we are going to provide some local law enforcement training for all the law enforcement officers that are located here so they can keep up to speed on a week-to-week and month-to-month basis.

But there is no doubt that FLETC's job and its location at Glynco, which we have fought to keep centralized, so we do not putting training centers all

over the country and can marshall and focus our expertise at that site, is a very important effort. I appreciate the gentleman's comments.

Mr. Chairman, I yield 4 minutes to the gentlewoman from Florida (Mrs. MEEK), a very outstanding member of the subcommittee and of the Committee on Appropriations, someone who represents her district extraordinarily well in south Florida, in the Miami area, and someone who I count as a very dear friend. She has an amendment that has been included, which is a very, very important one. I think she wants to talk about that.

Mrs. MEEK of Florida. Mr. Chairman, I thank the gentleman for yielding time to me, the ranking member of our subcommittee. I thank the gentleman from Oklahoma (Mr. ISTOOK), the chairman.

Mr. Chairman, this is a very good bill. Certainly we need the support of the entire Congress on this bill. It is quite an improvement over last year's bill, and that is as it should be.

Mr. Chairman, there are many items in the bill that I like very much. There are one or two that perhaps could have been included that perhaps were not. I like the First Accounts program that pays parity to people of low income, and I like the parity amendment between the civilians and the military.

I like protection for the civil service. We heard very good testimony from the civil service, and I feel good about the fact that the bill provides $45 million for the Secret Service to address their overtime concerns.

There is $15 million for additional Customs Inspectors, which we need desperately in certain coastal areas of this country. There is $33 million to improve Customs inspection technology and $14 million for Customs air improvement programs.

I cannot say too much on behalf of law enforcement in the area of the Treasury-Postal bill in that each of the law enforcement agencies did receive considerable help through this bill. They very much needed it.

The Customs Service's Automated Commercial Environment, which we call the ACE program, ACE received $170 million more than the President's request. It is important that this particular initiative be bolstered by our subcommittee.

Most of all, Mr. Chairman, we owe a debt of gratitude to the staff of this committee. I am sure each of our subcommittees have wonderful staffs, but I saw that this particular committee staff went beyond what staff normally does to reach out to Members who need help, and I appreciate that.

We provide $15 million for the Miami Federal courthouse. That has been a long time coming, but it is here now; and thanks to the subcommittee, we have the remaining funds to build the Federal courthouse in Miami.

All Members realize that the Federal courts are really packed, and they do need money. They are the busiest ones in the country. Mr. Chairman, this bill does a lot.

I also want to mention the fact that there is one issue that we are not putting enough emphasis on in this country, and in this particular bill we did not put emphasis on it, either. That was electoral reform. The time has come that we do pay sufficient attention to election reform, and this is the committee to do that. So I do hope that this problem will be addressed in a better fashion another year.

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I am advised that my good friend, the gentleman from Maryland (Mr. HOYER), and the gentleman from Ohio (Mr. NEY) have already introduced legislation that will help us in terms of election reform. They are providing leadership on that, and it does not only fit some of the problems in Florida but the entire Nation.

Now, I do not have the time to discuss all the particulars, Mr. Chairman, and all the needs that were met through this particular piece of legislation, and there are, I am sure, other items that we could have funded and could have done a better job of; but we did cover law enforcement, we covered Customs, certainly, we covered the First Accounts initiative, and I am pleased with those significant steps that we take in this bill to improve our support for Treasury law enforcement, particularly with respect to Customs and the Secret Service.

I mentioned the $300 million investment for ACE, and as I have repeatedly discussed before, we need more Customs employees at Miami International Airport and the Miami seaport. And I thank the members of the committee and urge support of this bill.

Mr. ISTOOK. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding me this time. I would like to comment on a statement that appears in the report accompaning this legislation, to the effect that the Federal Elections Commission (FEC) has asked for approximately, $2.5 million, to update and enhance voting system standards. The committee notes they support these efforts but will wait for authorization from the Committee on House Administration, of which I am a member and of which the gentleman from Maryland (Mr. HOYER) is also a member.

I have good news for the chairman. I think I can save him some of that $2.5 million, and that is the reason I rise today. I have introduced a bill, H.R. 2275, that would hand this standards-setting duty over to the National Institute of Standards and Technology, which is the Nation's standard-setting organization. NIST is specifically given the mission of, and is well equipped to, set standards. They would do a very fine job of setting voting technology standards, at considerably less cost, and essentially at no cost to the gentleman's budget.

Let me describe this bill a bit more. As I said, the National Institute of Standards and Technology is the Nation's chief standard-setting organization; and they do not just pull standards out of the air. They always work with the user communities. They have a 200-year history of doing this, and do it well. A commission, which would be formed as part of this, would have the director of the National Institute of Standards and Technology as the Chair. The commission would also include a member from the American National Standards Institute, which is the private sector arm of standard setting and is well-known. There would be a representative of the Secretaries of State throughout this country, a representative from the Election Directors of the States, representatives from local governments, county clerks, city clerks and so forth, as well as technical representatives, individuals who are in universities and have experience working on voting and voting standards issues. And, of course, I am sure they will work with the FEC on this.

This commission would recommend standards. They would establish rather immediate voluntary technical standards; and then, after some time, they would develop permanent standards which are accepted by the user community. These standards would ensure the usability, accuracy, integrity, and security of voting products and systems used in the United States.

It is very important to recognize the Federal Government does not control the election apparatus. But H.R. 2275 outlines what we can do to help the city clerks and county clerks, who actually operate the voting systems, and the State authorities who supervise the local systems. Now, why have NIST do this? As I said, because they have the experience. They do this constantly, and I am certain they would do a very good job.

Let me add another comment, Mr. Chairman. I understand there is another amendment which will be offered later to include in this bill an extra $600,000 for communities to buy voting equipment. I think that is premature. I do not think anyone should buy new voting equipment until we review, determine, and establish good voting standards.

Let me give a specific example of why this is important. More and more of the voting machines are computerized, and yet they do not have any emphasis on security. The average college freshman could hack these systems and change election results. We need far better standards for security, integrity and usability so that any citizen can use them without training and the vote will accurately reflect the intent of the voter.

There is a lot of work to be done here. I believe asking NIST to set these initial standards is a good way to start. Additional legislative work that will

have to be done will come from the Committee on House Administration and will be done by the gentleman from Maryland (Mr. HOYER), the gentleman from Ohio (Mr. NAY), who is chairman of that committee, and by myself as a member, and with the other committee members.

There is much to be done here, but I believe having NIST work on the voting standards with the Federal Elections Commission and all the user groups is a very good way to start. And I just want to pass that information on to the chairman, and hopefully help him save some money in this bill.

Ms. RIVERS. Mr. Chairman, I rise today to speak about the Members' annual cost of living allowance, not to oppose the COLA but to reject the procedure we are using to consider it.

During my time in Congress, we have addressed this issue several times. In 1997, I opposed the increase because the Federal budget was in deficit, and we were proposing massive cuts to programs that everyday people rely upon. I was also concerned about the process the House employed in considering the COLA. I was unhappy that there was little public debate on the issue and only a procedural rather than a straight yes or no vote.

In 1999, the procedure was the same. Again, I was uncomfortable; and as I did with the 1996 COLA, I did not accept the increase and returned the net amount to the Treasury.

Now, many Members argue that COLA is not a raise per se and that the statute automatically authorizes implementation without requirement of debate or vote. Several point out that COLAs for other workers operate in just this fashion. This is true. It is absolutely correct. However, we are not like other workers. One hundred percent of our costs, both for employment and office expenses, are borne by the taxpayers. We also set our own salaries, and we have no direct employer or supervisor, except the public in the collective.

Few workers in this country enjoy such circumstances. We have the luxury through our own action, or in this case inaction, to alter the amount of money we earn. Given that, I believe a substantive vote on the COLA is the appropriate way to handle the annual increases. Nevertheless, it does not appear that my views are likely to prevail on this issue, although I will continue to promote a direct vote.

Mr. Chairman, I am not opposed to the COLA itself. I believe that Members can justify a 3.4 percent increase in their wages, but I also believe that the taxpayers who pay our salaries have a right to ask for that justification. In order to do so, however, they must be able to understand the House's action relative to its compensation.

I am not here to criticize or demean the hard work of the good people with whom I serve in this body. Nor do I wish to disparage the views of those who disagree with me. I have a personal sense of propriety that we should be doing this publicly. I am making it clear to my constituents that Congress is indeed voting to raise our salary.

Mrs. LOWEY. Mr. Chairman. I want to commend Chairman ISTOOK and Ranking Member HOYER for their hard work on this bill. I also want to thank members of the Appropriations Committee for supporting the reinstatement of my provision to provide contraceptive coverage to America's federal employees.

This is a very important provision, and I am grateful that the vote to sustain this coverage was both bipartisan and strong.

I am very proud to say that this provision, which gives 1.2 million federal employees of reproductive age access to contraception in their health plans, has been very, very successful.

Since the provision's enactment, there have been no problems with implementation and no complaints received by the Office of Personnel Management (OPM). Let me repeat that—no plan, no provider, no beneficiary has contacted OPM with a concern or complaint about the contraceptive coverage provision.

Before my provision was enacted, 81% of all FEHB plans did not cover the most commonly used types of prescription contraception. A full 10% covered no prescription contraception at all.

Today, federal employees can choose the type of contraception best medically suited for them.

My colleagues, let's remember why this is so very important.

Contraception is a family issue, and it is basic health care for women.

Although abortion rates are falling, today—still—nearly half of all pregnancies in America are unintended and half of those will end in abortion. Increasing access to the full range of contraceptive drugs and devices is the most effective approach to reducing the number of unintended pregnancies.

Americans share our goal. According to a recent national survey, 87 percent support women's access to birth control, and 77 percent support laws requiring health insurance plans to cover contraception.

Their message is clear: If we want fewer abortions and unintended pregnancies, we must make family planning more accessible.

And, my colleagues, this important benefit has not added any cost to FEHB premiums. This is important because when first introduced, the two main arguments against my provision were that covering contraceptives would add prohibitive cost to FEHB plans, and discriminate against religious providers.

Neither of those charges have proven to be true. This benefit has not added any cost to FEHB premiums.

Since the provision's inception, the OPM has not received any complaints about the provision from either beneficiaries, health professionals, or participating health plans. And this year's bill continues to respect the rights of religious organizations and individual providers.

These protections are identical to those that passed by the House in 1999. Let me summarize what the religious exemption in the bill right now provides.

Two plans identified by OPM as religious providers are explicitly excluded from the requirement to cover contraceptives, and any other plan that is religious is given the opportunity to opt out.

Furthermore, individual providers are exempted from having to provide contraceptive services if it is contrary to their own religious beliefs or moral convictions.

I believe that Americans want us to look for ways—as we did with contraceptive coverage—to work together, to find common ground. Increasing access to family planning is one way we can do that.

This is a good provision and I thank my colleagues for continuing to support it.

Mr. OXLEY. Mr. Chairman, I want to first thank Mr. ISTOOK and Mr. YOUNG for their cooperation in addressing the concerns of the Committee on Financial Services with respect to the Treasury, Postal and General Government Appropriations bill for fiscal year 2002. And while I am supportive of the bill in its current form, I do have a concern with certain language contained in the committee report. That language states:

> The Committee is aware that concerns have been expressed about the impact of the Federal Reserve/Department of Treasury proposed regulation to redefine real estate brokerage and management activities. The Committee expects Treasury to work with the Department of Housing and Urban Development when developing the final rule.

This language contradicts section 103 of the Gramm Leach Bliley Act of 1999 which provides that the Federal Reserve Board, together with the Department of the Treasury, shall have the sole responsibility to determine for financial holding companies what activities are financial in nature or incidental or complementary to such financial activity. Given this conflict between statutory law and the Appropriations Committee report, I have every expectation that the Federal Reserve Board will follow the letter and intent of the law.

In noting this contradiction, I am not expressing an opinion on the Federal Reserve Board/Treasury proposal to classify real estate brokerage and management activities as financial activities. I trust the Federal Reserve Board and the Department of the Treasury will fully consider the views of the public, the industries affected by this proposal, as well as the relevant Federal and State agencies, and take any time necessary to do so.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of H.R. 2590, the Treasury and Postal Appropriations Act for Fiscal Year 2002. I congratulate Chairman ISTOOK on his leadership on this bill. This bill meets our requirements under the Balanced Budget Act and properly provides for critical operations of the Treasury Department and other important agencies.

I also want to thank the Subcommittee, in particular, for including a requirement that I requested to prevent federal government websites from collecting personal information on citizens who access federal websites and doing so without the knowledge of the person visiting the site. This is an important policy for our government—it is a policy that makes clear that we will lead by example when it comes to protecting peoples' privacy on the web.

Mr. Chairman, last year I added a provision to the Treasury, Postal Service and General Government Appropriations bill to prohibit federal agencies funded under this bill from using funds to monitor and collect personally identifiable information from the public who access government websites. Unfortunately, the previous Administration chose to ignore this law and allowed federal websites to continue to use tracking software to gather personal information from citizens who visit the website of federal agencies.

Even more disturbing, this past April a summary report by the Inspector Generals of each federal agency found that 64 federal websites are still using unauthorized tracking software, despite our direction to do otherwise.

What that means to the average citizen is that our government could be creating a database that would know about your visit to the

IRS website and what you looked at there, your visit to the NIH website where you may have looked up information on a personal health matter, or that your child visited the website of the Drug Czar's office to do a report on the dangers of drug abuse. Do we really want to allow the government to keep that information about you and do so without your knowledge? The answer is clearly no.

Given the fact that my previous efforts have gone largely ignored, this year I expanded the provision to apply government-wide to all federal agency websites.

Mr. Chairman, the federal government has a responsibility to set the standard for privacy protection in the information age. Federal websites are fast becoming a primary source of information for the public and that's an excellent development. Now, it is essential that we not allow the public to lose confidence in the Internet or their taxpayer funded federal websites. These websites were designed to serve the public—they were not designed for the government to secretly collect personal information and track our movements on the Internet.

Mr. Chairman, we must ensure that if you visit a federal government website, both our tax dollars and our privacy are protected. With this prohibition in place, we do just that.

Again, my thanks to Chairman ISTOOK for his help and leadership on this issue. I urge support of the bill.

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

Mr. ISTOOK. Mr. Chairman, I have no further requests for time, and I yield back the remainder 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 amendments printed in House Report 107–158 are adopted.

The amendment printed in the CONGRESSIONAL RECORD and numbered 5 may be offered only by the gentleman from New Jersey (Mr. SMITH) or his designee, and only at the appropriate point in the reading of the bill.

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. 2590

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 Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $3,500,000 for official travel expenses; not to exceed $3,813,000, to remain available until expended for information technology modernization requirements; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, $174,219,000: *Provided,* That of these amounts $2,900,000 is available for grants to State and local law enforcement groups to help fight money laundering.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $68,828,000, to remain available until expended: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated shall be used to support or supplement the Internal Revenue Service appropriations for Information Systems.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $35,508,000.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $123,474,000.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, $30,932,000, to remain available until expended.

EXPANDED ACCESS TO FINANCIAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

To develop and implement programs to expand access to financial services for low- and moderate-income individuals, $10,000,000, such funds to become available upon authorization of this program as provided by law and to remain available until expended: *Provided*, That of these funds, such sums as may be necessary may be transferred to accounts of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $45,837,000, of which not to exceed $3,400,000 shall remain available until September 30, 2004; and of which $7,790,000 shall remain available until September 30, 2003: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Secretary, $36,879,000, to remain available until expended, to reimburse any Department of the Treasury organization for the costs of providing support to counter, investigate, or prosecute unexpected threats or acts of terrorism, including payment of rewards in connection with these activities: *Provided*, That use of such funds shall be subject to prior notification of the Committees on Appropriations in accordance with guidelines for reprogramming and transfer of funds.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $11,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109, $102,132,000, of which $650,000 shall be available for an interagency effort to establish written standards on accreditation of Federal law enforcement training; and of which up to $17,166,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2004: *Provided*, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: *Provided further*, That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: *Provided further*, That funds appropriated in this account shall be available, at the discretion of the Director,

for the following: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be waived by the Secretary for law enforcement training activities in foreign countries undertaken pursuant to section 801 of the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104–32; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training sponsored by the Center: *Provided further*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That the Federal Law Enforcement Training Center is authorized to provide training for the Gang Resistance Education and Training program to Federal and non-Federal personnel at any facility in partnership with the Bureau of Alcohol, Tobacco and Firearms: *Provided further*, That the Federal Law Enforcement Training Center is authorized to provide short-term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $27,534,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary to conduct investigations and convict offenders involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, as it relates to the Treasury Department law enforcement violations such as money laundering, violent crime, and smuggling, $107,576,000, of which $7,827,000 shall remain available until expended.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $213,211,000, of which not to exceed $9,220,000 shall remain available until September 30, 2004, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 812 vehicles for police-type use, of which 650 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where a major investigative assignment requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $20,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; not to exceed $50,000 for cooperative research and development programs for Laboratory Services and Fire Research Center activities; and provision of laboratory assistance to State and local agencies, with or without reimbursement, $816,816,000, of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); of which not more than $10,000,000 shall remain available until September 30, 2003, for Gang Resistance Education and Training grants; of which up to $2,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries including Social Security and Medicare, travel, fuel, training, equipment, supplies, and other similar costs of State and local law enforcement personnel, including sworn officers and support personnel, that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms: *Provided*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco and Firearms to other agencies or Departments in fiscal year 2002: *Provided further*, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: *Provided further*, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''Curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase and lease of motor vehicles; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed $40,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service, $2,056,604,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; not to exceed $4,000,000 shall be available until expended for research; of which not less than $100,000 shall be available to promote public awareness of the child pornography tipline; of which not less than $200,000 shall be available for Project Alert; not to exceed $5,000,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081; not to exceed $8,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation; not to exceed $30,000,000 shall be available until expended for the procurement and deployment of non-intrusive inspection technology; and not to exceed $5,000,000 shall be available until expended for repairs to Customs facilities: *Provided*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be $30,000.

HARBOR MAINTENANCE FEE COLLECTION

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103–182, $2,993,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs ''Salaries and Expenses'' account for such purposes.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $181,860,000, which shall remain available until expended: *Provided*, That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of the Treasury, during fiscal year 2002 without the prior approval of the Committees on Appropriations.

AUTOMATION MODERNIZATION

For expenses not otherwise provided for Customs automated systems, $427,832,000, to remain available until expended, of which $5,400,000 shall be for the International Trade Data System, and not less than $300,000,000 shall be for the development of the Automated Commercial Environment: *Provided*, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until the United States Customs Service prepares and submits to the Committees on Appropriations a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including OMB Circular A–11, part 3; (2) complies with the United States Customs Service's Enterprise Information Systems Architecture; (3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the

Customs Investment Review Board, the Department of the Treasury, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office: *Provided further*, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until such expenditure plan has been approved by the Committees on Appropriations.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2002 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $43,000,000. From amounts in the United States Mint Public Enterprise Fund, the Secretary of the Treasury shall pay to the Comptroller General an amount not to exceed $250,000 to reimburse the Comptroller General for the cost of a study to be conducted by the Comptroller General on any changes necessary to maximize public interest and acceptance and to achieve a better balance in the numbers of coins of different denominations in circulation, with particular attention to increasing the number of $1 coins in circulation.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $192,327,000, of which not to exceed $15,000 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until expended for systems modernization: *Provided*, That the sum appropriated herein from the General Fund for fiscal year 2002 shall be reduced by not more than $4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at $187,927,000. In addition, $40,000, to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service for pre-filing taxpayer assistance and education, filing and account services, shared services support, general management and administration; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,808,434,000 of which up to $3,950,000 shall be for the Tax Counseling for the Elderly Program, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; conducting a document matching program; resolving taxpayer problems through prompt identification, referral and settlement; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $3,538,347,000, of which not to exceed $1,000,000 shall remain available until September 30, 2004, for research.

EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

For funding essential earned income tax credit compliance and error reduction initiatives pursuant to section 5702 of the Balanced Budget Act of 1997 (Public Law 105–33), $146,000,000, of which not to exceed $10,000,000 may be used to reimburse the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.

INFORMATION SYSTEMS

For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $1,573,065,000 which shall remain available until September 30, 2003.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service, $391,593,000, to remain available until September 30, 2004, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided,* That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11 part 3; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1–800 help line service.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 745 vehicles for police-type use, of which 541 are for replacement only, and hire of passenger motor vehicles; purchase of American-made side-car compatible motorcycles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $25,000 for official reception and representation expenses; not to exceed $100,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year, $920,112,000, of which $2,139,000 shall be available as a grant for activities related to the investigations of exploited children and shall remain available until expended: *Provided*, That up to $18,000,000 provided for protective travel shall remain available until September 30, 2003.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, $3,457,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 110. Any obligation or expenditure by the Secretary of the Treasury in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 2002, shall be made in compliance with reprogramming guidelines.

SEC. 111. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 112. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 2002 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

SEC. 113. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, United States Customs Service, Interagency Crime and Drug Enforcement, and United States Secret Service may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: *Provided*, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 118. The Secretary of the Treasury may transfer funds from ''Salaries and Expenses'', Financial Management Service, to the Debt Services Account as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such Salaries and Expenses account from debt collections received in the Debt Services Account.

SEC. 119. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence and intelligence-related activities of the Department of the Treasury 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) during fiscal year 2002 until enactment of the Intelligence Authorization Act for fiscal year 2002.

SEC. 120. Section 122 of Public Law 105–119 (5 U.S.C. 3104 note), as amended by Public Law 105–277, is further amended in subsection (g)(1), by striking ''three years'' and inserting ''four years''; and by striking '', the United States Customs Service, and the United States Secret Service''.

SEC. 121. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate a museum at its National Headquarters in Washington, D.C., without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

This title may be cited as the ''Treasury Department Appropriations Act, 2002''.

Mr. ISTOOK (during the reading). Mr. Chairman, I ask unanimous consent that the bill through title I be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN. Are there amendments to this portion of the bill?

Mr. KUCINICH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, senior citizens in my district have worked hard their entire lives and, with the help of Social Security, have been able to enjoy their golden years. A favorite pastime of seniors is attending card parties. Seniors enjoy the card playing. It can be fun and challenging as a test of skill and luck. Sometimes people will go from one card party to the other, they enjoy it so much. I see that as I visit my district. Something people do not like, though, is when they know that cards are being played with a stacked deck, a game that is rigged. That is really repugnant to the American sense of fairness.

Well, in its efforts to turn Social Security over to Wall Street, the administration has stacked the deck against senior citizens on Social Security, because the administration's Commission on Social Security is stacked with the kings of finance who want to privatize Social Security so they can get money for Wall Street interests. One member of the administration's Commission on Social Security is a former World Bank economist; another member, president of the business-financed Economic Security 2000, favors a fully privatized system; another member, an investment company executive with Fidelity; another member, AOL Time Warner former chief operating officer, who, at the same time, is involved with a Labor Department matter where the Labor Department has filed suit against Time Warner for denying its own workers health and pension benefits.

The deck is being stacked against our seniors. And while Wall Street's backing for the commission is being made known, Wall Street Journal reports on June 12 of the year 2001, a range of financial service firms are pooling their efforts and millions of dollars for advertising to assist in privatization. But the ad dollars, the Wall Street Journal goes on to say, are a pittance compared to the billions of dollars at stake for Wall Street should Mr. Bush achieve his goal of carving private accounts from Social Security. To help build its own war chest, the coalition will hold a luncheon at New York's Windows on the World atop the World Trade Center.

The deck is stacked against the people of this country. Social Security is headed to the stock market to benefit the kings of finance. That is all this is about.

Well, we have other things to do in this Congress. We know that the administration has a doublethink on the size of the Social Security financial problem. The administration's tax cut would reduce revenue by about the same amount of the shortfall between Social Security obligations and revenues. The administration considers the tax cut ''quite modest.'' Says Paul Krugman of The New York Times, in today's New York Times in an article on the op-ed page, ''If it's a modest tax cut, then the sums Social Security will need to cover its cash shortfall are also modest. We're supposed to believe that $170 billion a year is a modest sum if it's a tax cut for the affluent, but that it's an insupportable burden on the budget if it's an obligation to retirees.''

He talks about the commission wanting it both ways, what George Orwell called doublethink. That is what the commission report is all about, Paul Krugman says. It is biased, internally inconsistent, and intellectually dishonest.

I will be offering an amendment, Mr. Chairman, and that amendment would establish a commission that would oppose the privatization of Social Security. This commission would have the ability to protect Social Security and stop the diversion of Social Security revenues to the stock market and a reduction of Social Security benefits. This commission would be the answer to this administration's stacked deck, which wants to privatize Social Security to take money from the seniors and to give it to Wall Street.

The truth is that Social Security is solvent through the year 2034 without any changes whatsoever, and we have to defend the right of our senior citizens to have a secure retirement free from the greedy hands of Wall Street trying to glom on to that Social Security Trust Fund. We need to defend Social Security and everything it stands for.

Ms. SOLIS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I thank the gentleman from Ohio for offering this amendment which would require the Treasury Department to establish a commission to oppose the privatization of Social Security.

President Bush and his Commission on Social Security are using scare tactics and misleading claims to sell their privatization plan to American women. Privatizing Social Security will only hurt women, who rely most heavily on Social Security for their retirement.

The President's commission would have us believe that women would be better off giving up their guaranteed lifetime benefits for a risky private account. But we cannot afford to gamble the security and independence of our seniors on an uncertain stock market, which is just too risky. Women rely on Social Security in their senior years because they tend to earn less and live

longer than men. They are also less likely than men to have private pensions through their employers. And women often spend less time in the workforce, taking almost up to 11½ years out of their careers to care for their families.

Do my colleagues know that in my own district about 58 percent of the Latina elderly women live alone and live in poverty? We should be concentrating on how we can improve Social Security benefits to reduce this deplorable level of poverty and not talking about privatizing schemes that will actually reduce their benefits.

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I urge support for the Kucinich amendment.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank the gentleman from Ohio (Mr. KUCINICH) for raising this issue. There is obviously a desire to privatize Social Security by some. We, on this side, think that is a bad, bad mistake.

There can be no more dramatic showing of why that is a mistake than to look at the stock market into which presumably those private investments would go over the last 60 days. If one was retiring now and taking out their assets, they would lose. Obviously, if they had retired a year ago they may have won. But that is not a very secure Social Security.

The gentleman from Ohio (Mr. KUCINICH) raises an excellent point. This issue will be one of the most critical issues that we confront in this Congress. It will be debated not only in the Halls of Congress but throughout this country. I thank the gentleman from Ohio (Mr. KUCINICH) for raising this issue in his usual dramatic, pointed, and effective way.

Mr. HINCHEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I too would like to say a word about the proposed plan to begin a privatization of Social Security. We are being told by the privatizers in the Bush administration and elsewhere that the Social Security system is in some jeopardy and that, in fact, if we do not take drastic action, that the plan will begin to exhaust its funds somewhere around the year 2016.

Well, 2016 under the present set of circumstances is the point at which Social Security will begin to pay out more than it is taking in. But even at that moment it will have a surplus which will be in the trillions of dollars. The surplus today, for example, is $1.2 trillion. That is to illustrate that the Social Security system is in no crisis whatsoever. But we are being told that it is because the privatizers want to undermine the confidence of the American people in this system of Social Security which has provided just that now for almost 70 years.

Social Security has taken a situation where more than half of the American elderly are living under the poverty level and changed that to a situation where virtually no retirees, no elderly people are living in poverty thanks to the stability and the security in Social Security.

Now, the estimate that says that Social Security will begin running out of funds around 2016, of course, is just that. It is an estimate. It is based upon numbers that are made up. It is projections based upon those made-up numbers. If we used a different set of numbers, of course, we would likely come up with a different result.

Let us try that. Let us take the numbers that were used to justify the President's tax cut, a tax cut which I regard as being irresponsible, particularly in view of the fact that it gives most of its benefits to the wealthiest 1 percent of the population; but let us take the numbers that were used by the administration to justify that tax cut. Under those numbers we come up with a very different situation.

If we were to apply those numbers to the Social Security scenario, those more optimistic numbers, those numbers that show economic growth going out into the future, what we find is the Social Security system does not begin to pay out more benefits in 2016, but, rather, the Social Security system will last with great strength and vigor until at least 2075.

So, what does that tell us? It tells us that people are being disingenuous, people are being dishonest, people are using numbers to try to create an impression to undermine confidence in Social Security where there is no justification whatsoever for undermining confidence in Social Security.

The President tells us he would like to have a system whereby people could invest in the stock market. Well, there is nothing wrong with that. People, if they can afford it, ought to invest in the stock market. Why does the President not set up a program whereby this government will match the funds that people set aside outside of Social Security, independent of Social Security, and have that money invested in the stock market? That would be a very good idea. It would not undermine Social Security. It would leave it just as it is, strong and secure, providing benefits into the future just as it was intended to do and has always done.

If the President were really serious about trying to do something to help people in their retirement years, I have an idea for him. Here is what we ought to do. He ought to send to this Congress legislation which would strengthen the private pension plans of all American workers. We need that because there are a growing number of corporations in this country which are undermining their own pension plans, which are providing fewer benefits to their workers in the future, taking away from them health insurance as well.

We need to protect those pension plans. Many corporations are using those pension plans to pretend that they are profits within the company, thereby enhancing the compensation of executives for the company and making it appear as if the company is actually stronger than it is. That is wrong, and the private pension plans ought not to be used in that way.

So Social Security is in no trouble. Let us leave it. If we want to do something for retirees, we can set up an independent plan.

AMENDMENT NO. 4 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. 4 offered by Mr. KUCINICH:

At the end of title I (before the short title), insert the following:

SEC. ____. The Secretary of Treasury shall establish a commission to oppose the privatization of Social Security, the diversion of Social Security revenues to the stock market, and the reduction of Social Security benefits.

Mr. ISTOOK. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. ISTOOK. Mr. Chairman, I understand the gentleman from Ohio (Mr. KUCINICH) has made his presentation and is prepared to have the Chair rule on his point of order.

Mr. KUCINICH. Mr. Chairman, that is correct.

Mr. NADLER. Mr. Chairman, I am deeply troubled by the way this Administration appears to tackle difficult policy questions. I fear a pattern may be developing.

The GAO is already investigating Vice President's CHENEY's secret meetings with energy executives on federal energy policy. There are questions about this Administration's faith-based office consulting with the Salvation Army about allowing discrimination with federal funds. There are further allegations that the President's Medicare Drug Plan was done in secret consultation only with representatives from the drug companies. Now, the Social Security Commission is looking at only one way to strengthen Social Security—they want to privatize it.

This type of one-sided look at policy questions is hurting the Bush Administration. Poll after poll shows that there is a growing concern that the President is too concerned with powerful special interests. His Administration appears to care more about energy companies and drug companies, than about consumers and seniors who need to buy prescription drugs.

Well, today, we are offering the President the opportunity to change that perception. Why not balance his one-sided, unbalanced, biased, pro-prviatization Social Security Commission with another Commission to study the other side of the issue? Both Commissions could make recommendations, and Congress and the President could hear from both sides of the debate before making any decisions. This is entirely reasonable, and I hope this amendment is adopted.

The new Commission, unlike Bush's current Commission, might be composed of people

who have NOT advocated raising the retirement age and cutting benefits. The President should not have any problem filling the seats on this Commission, because most Americans do not support raising the retirement age or cutting benefits.

The new Commission might point out many of the views that Bush's Commission might not mention. The new Commission could study the need, feasibility, cost, fairness, and risks involved in privatization.

It might conclude, as many of us do, that privatization of Social Security is not necessary, not workable, not cheap, not fair, and not worth the risk.

Let me briefly explain these shortfalls.

First, privatization is not necessary. The Social Security Trustees predict a system that is solvent for 37 years and may in fact be solvent as far as the eye can see.

Second, the Trustees predictions are pessimistic, and have had to be revised every year.

Third, the Trustees pessimistic predictions are unreliable because they don't take into account the affect of the predicted long term labor shortage on wages, productivity, unemployment, or immigration policy.

IT WON'T WORK

(1) Privatization does not restore solvency to the system—simply diverting 2% of payroll to individual accounts simply makes the funding problem worse. It hastens the insolvency of the system.

(2) Privatization plans that claim to restore solvency to Social Security, only do so because they also cut guaranteed benefits, increase the retirement age, or create huge deficits in the non-social security federal budget. Cutting benefits, raising the retirement age, or adding general fund revenues can make the system solvent with or without the private accounts.

THE TRANSITION COSTS TOO MUCH

(1) The transition costs to a private system are enormous. Furthermore, $1.3 trillion of the surplus is no longer available to finance the transition because of the tax cut.

(2) There are enormous administrative costs to setting up millions of small investment accounts. Why not simply put that money into Social Security directly to make the system more solvent?

IT IS UNFAIR

(1) Under privatization the rich will earn more than the poor in their private accounts. Two percent of $70,000 is much more than two percent of $20,000. This will increase the disparity in the system.

(2) Privatization hurts women—who generally earn less, live longer, and take time out from the paid workforce to care for children.

(3) Privatization (diverting funds to private accounts) may jeopardize existing survivor and disability payments—putting children and those with disabilities at risk.

IT IS EITHER RISKY OR WILL NOT PRODUCE MAJOR GAINS

(1) Investing in the stock market is riskier than investing in bonds. As a result of the risk, the potential for gains is higher, but the potential for losses is higher as well. So, privatization could leave millions in poverty—is that a risk we are willing to take?

(2) If you want to minimize the risk of people ending up poor, you could limit their investments in lower risk stocks or mutual funds. Fine, but then the rate of return is smaller, and the accounts are less likely to make up for the cuts in guaranteed benefits needed to set up the accounts.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Oklahoma (Mr. ISTOOK) insist on his point of order?

Mr. ISTOOK. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill; and, therefore, it violates clause 2 of rule XXI.

That rule states in pertinent part: ''An amendment to a general appropriation bill shall not be in order if changing existing law.''

This amendment gives affirmative direction, in effect, and I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman wish to be recognized on the point of order?

Mr. KUCINICH. Mr. Chairman, I have made my point.

The CHAIRMAN. The Chair is prepared to rule.

The Chair finds that the amendment imparts direction to the executive. As such, it is legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

TITLE II—POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $76,619,000, of which $47,619,000 shall not be available for obligation until October 1, 2002: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2002.

This title may be cited as the ''Postal Service Appropriations Act, 2002''.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per year as authorized by 3 U.S.C. 102, $450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: *Provided further*, That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $54,651,000: *Provided*, That $10,740,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $11,695,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed

as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $8,625,000, to remain available until expanded, of which $1,306,000 is for 6 projects for required maintenance, safety and health issues, and continued preventative maintenance; and of which $7,319,000 is for 3 projects for required maintenance and continued preventative maintenance in conjunction with the General Services Administration, the Secret Service, the Office of the President, and other agencies charged with the administration and care of the White House.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $3,925,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $318,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisors in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $4,211,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $4,142,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $7,494,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $46,955,000, of which $11,775,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President: *Provided*, That $4,475,000 of the Capital Investment Plan funds may not be obligated until the Executive Office of the President has submitted a report to the House Committee on Appropriations that (1) includes an Enterprise Architecture, as defined in OMB Circular A–130 and the Federal Chief Information Officers Council guidance; (2) presents an Information Technology (IT) Human Capital Plan, to include an inventory of current IT workforce knowledge and skills, a definition of needed IT knowledge and skills, a gap analysis of any shortfalls, and a plan for addressing any shortfalls; (3) presents a capital investment plan for implementing the Enterprise Architecture; (4) includes a description of the IT capital planning and investment control process; and (5) is reviewed and approved by the Office of Management and Budget, is reviewed by the General Accounting Office, and is approved by the House Committee on Appropriations.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, $70,752,000, of which not to exceed $5,000,000 shall be available to carry out the provisions of chapter 35 of title 44, United States Code, and of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or the Committees on Veterans' Affairs or their subcommittees: *Provided further*, That the preceding shall not apply to printed hearings released by the Committees on Appropriations or the Committees on Veterans' Affairs: *Provided further*, That none of the funds appropriated in this Act may be available to pay the salary or expenses of any employee of the Office of Management and Budget who calculates, prepares, or approves any tabular or other material that proposes the sub-allocation of budget authority or outlays by the Committees on Appropriations among their subcommittees: *Provided further*, That of the amounts appropriated, not to exceed $6,331,000 shall be available to the Office of Information and Regulatory Affairs, of which $1,582,750 shall not be obligated until the Office of Management and Budget submits a report to the House Committee on Appropriations that provides an assessment of the total costs of implementing Executive Order 13166: *Provided further*, That the Housing, Treasury and Finance Division shall, in consultation with the Small Business Administration, develop subsidy cost estimates for the 7(a) General Business Loan Program and the 504 Certified Development Company loan program which track the actual default experience in those programs since the implementation of the Credit Reform Act of 1992: *Provided further*, That these subsidy estimates shall be included in the President's fiscal year 2003 budget submission and the Office of Management and Budget shall report on the progress of the development of these estimates to the House Committee on Appropriations and the House Committee on Small Business prior to the submission of the President's fiscal year 2003 budget.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed $12,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $25,267,000; of which $2,350,000 shall remain available until expended, consisting of $1,350,000 for policy research and evaluation, and $1,000,000 for the National Alliance for Model State Drug Laws: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $40,000,000, which shall remain available until expended, consisting of $17,764,000 for counternarcotics research and development projects, and $22,236,000 for the continued operation of the technology transfer program: *Provided*, That the $17,764,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $233,882,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of the enactment of this Act: *Provided*, That up to 49 percent, to remain available until September 30, 2003, may be transferred to Federal agencies and departments at a rate to be determined by the Director: *Provided further*, That, of this latter amount, not less than $2,100,000 shall be used for auditing services and activities: *Provided further*, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2001, shall be funded at fiscal year 2001 levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness.

SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and other purposes, authorized by 21 U.S.C. 1701 et seq.,

$238,600,000, to remain available until expended, of which $180,000,000 shall be to support a national media campaign, as authorized in the Drug-Free Media Campaign Act of 1998, of which $4,000,000 shall be made available by grant or other appropriate transfer to the United States Anti-Doping Agency for their anti-doping efforts; of which $50,600,000 shall be to continue a program of matching grants to drug-free communities, as authorized in the Drug-Free Communities Act of 1997; of which $1,000,000 shall be available to the National Drug Court Institute; and of which $3,000,000 shall be for the Counterdrug Intelligence Executive Secretariat: *Provided,* That such funds may be transferred to other Federal departments and agencies to carry out such activities.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000.

This title may be cited as the ''Executive Office Appropriations Act, 2002''.

Mr. ISTOOK (during reading). Mr. Chairman, I ask unanimous consent that the bill through page 40, line 2, be considered as read, printed in the RECORD, and open to amendment at any time point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDMENT OFFERED BY MR. ISTOOK

Mr. ISTOOK. Mr. Chairman, I offer an amendment on behalf of myself and the gentleman from Maryland (Mr. HOYER).

The Clerk read as follows:

Amendment offered by Mr. ISTOOK:

On page 27, strike line 21 through page 28, line 22;

On page 28, strike line 24 through page 29, line 4;

On page 31, strike line 10 through page 32, line 17;

On page 33, strike line 1 through page 34, line 11; and

On page 39, strike lines 20 through 25.

On page 27, line 21, insert the following:

EXECUTIVE OFFICE OF THE PRESIDENT

For necessary expenses of the Executive Office of the President, including compensation of the President, $139,255,000; of which $450,000 shall be available for compensation of the President, including an expense allowance at the rate of $50,000 per year, as authorized by 3 U.S.C. 102; of which $54,651,000 shall be available for necessary expenses of the White House Office as authorized by law, including not to exceed $100,000 for travel expenses, to be expended and accounted for as provided by 3 U.S.C. 103.

Mr. WAXMAN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

Mr. ISTOOK. Mr. Chairman, this amendment does not add any dollars of spending to the bill, nor does it reduce any dollars of spending to the bill. The effect of the amendment, however, is just to consolidate several accounts dealing with the Executive Office of the President, the White House office.

By way of explanation, Mr. Chairman, this amendment is offered on behalf of myself and the ranking member, the gentleman from Maryland (Mr. HOYER). We have had some continuing discussions throughout the process of considering this legislation trying to accommodate the legitimate needs both of the executive branch and the legitimate needs of the legislative branch.

The executive branch sees that in having the White House accounts split up into some 18 different accounts, a needless complexity that adds expense, that adds burdens, that adds administrative hurdles that they must go through to accomplish anything.

For example, when we have funding that is appropriated separately to the executive residents, to White House repairs, to special assistants to the President, to the Office of Policy Development, to the White House office and so forth, any time they may have something as simple as say a service contract for copier services, or equipment repairs, they have to enter into multiple contracts, do multiple sets of bookkeeping.

Mr. Chairman, there is a burden that they see that they want to have removed to make it easier for the White House to do business.

On the other hand, we in the Congress have legitimate needs and desires to have oversight over spending of public funds. The gentleman from Maryland (Mr. HOYER) and I have been working diligently to try to strike the right balance.

We did want to offer an amendment, Mr. Chairman, and I think the point of order was raised against what the gentleman from California thought was going to be the amendment which had some substantive language to try to put in some safeguards for the benefit of the Congress to make sure that consolidating these accounts would not remove our oversight ability, and would make sure that the persons involved in the White House and expending public funds are still accessible and available to the Congress when we might need testimony and information and to perform our constitutional duties.

Because the gentleman from California intended to offer an objection to the unanimous consent that was necessary to do that, the gentleman from Maryland (Mr. HOYER) and I offer the second amendment which does consolidate accounts. It does not have the additional language that we would like to have; but I would represent to the body that the gentleman from Maryland (Mr. HOYER) and I and everybody else involved with this intend to make sure that the final product of this committee, whatever it might or might not do with consolidated different accounts, does so with all of the necessary safeguards to protect the proper constitutional prerogatives of the Congress.

So this amendment, Mr. Chairman, I believe will clearly be in order. It does not consolidate all 18 of the accounts that are generally under the Executive Office of the President. It does a consolidation of the funding of some 10 of those, but it is done with the express intent and purpose of being the placeholder that we need as we continue to work with the Senate and in conference, and of course with the White House in fashioning the final bill that ultimately will come before this body.

Mr. Chairman, I repeat that this amendment does not increase nor decrease the funding for the White House and the Executive Office of the President. It merely takes 10 separate line items in the bill, consolidates them into one so we might indeed make sure that we can bring up this issue when we get into a conference with the Senate. It is our placeholder for that purpose.

Mr. WAXMAN. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The gentleman withdraws his point of order.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, before the gentleman from California (Mr. WAXMAN), the distinguished ranking member of the Committee on Government Reform, leaves, the gentleman from Oklahoma (Mr. ISTOOK) correctly points out that this is a placeholder. As I told the gentleman from California, I opposed the original amendment that was offered. It was defeated in committee. But I believe this is a subject worthy of discussion between now and conference, and I want to assure the gentleman that I will be talking with him as well to get his thoughts on this proposal that OMB has made.

Clearly they believe it is a proposal which will encourage greater efficiencies and effectiveness of management. Whether that is the case or not, we will see. I assure the gentleman that I will discuss it further with him.

□ 1245

Mr. WAXMAN. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from California.

Mr. WAXMAN. I thank the gentleman very much for those assurances. I understand the chairman of the subcommittee also expressing the view that this is a placeholder.

The original proposal I found very troublesome. It would do things like allow all the money from the National Security Council to be used for the residence of the Vice President. I do not think that much power ought to be delegated away from the Congress to the executive branch. There are many accounts over which we ought to have a much closer opportunity to review.

I thank the gentleman for his assurances and will look forward to discussing the issue with him further.

Mr. HOYER. I thank the gentleman.

Reclaiming my time, let me say to the gentleman that the gentleman is correct that money could be shifted from the NSC account to other accounts, the Vice President's account or

any other account. Obviously, that would have to be done, however, with the approval of the committee, because they would need a request to shift from one program to the other. However, I raised similar concern that this would facilitate that happening. Because at times we do not give as careful attention to the shifting of funds from one account to another as we do to the initial appropriations to that account, I think the gentleman's concern is well placed. I expressed it as well in committee. We will see how comfortable we can become with the ultimate agreement that we might reach.

I thank the gentleman for his input.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. ISTOOK).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92–28, $4,629,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, $43,689,000, of which no less than $5,128,000 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $26,524,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

To carry out the purpose of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), the revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $6,086,138,000 of which (1) $348,816,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

New Construction:

Alabama:

Mobile, U.S. Courthouse, $11,290,000

Arkansas:

Little Rock, U.S. Courthouse Annex, $5,022,000

California:

Fresno, U.S. Courthouse, $121,225,000

District of Columbia:

Washington, U.S. Courthouse Annex, $6,595,000

Washington, Southeast Federal Center Site Remediation, $5,000,000

Florida:

Miami, U.S. Courthouse, $15,000,000

Orlando, U.S. Courthouse, $4,000,000

Illinois:

Rockford, U.S. Courthouse, $4,933,000

Maine:

Jackman, Border Station, $868,000

Maryland:

Montgomery County, FDA Consolidation, $19,060,000

Prince Georges County, National Center for Environmental Prediction, $3,000,000

Suitland, U.S. Census Bureau, $2,813,000

Suitland, National Oceanic and Atmospheric Administration II, $34,083,000

Massachusetts:

Springfield, U.S. Courthouse, $6,473,000

Michigan:

Detroit, Ambassador Bridge Border Station, $9,470,000

Montana:

Raymond, Border Station, $693,000

New Mexico:

Las Cruces, U.S. Courthouse, $4,110,000

New York:

Brooklyn, U.S. Courthouse Annex—GPO, $3,361,000

Buffalo, U.S. Courthouse Annex, $716,000

Champlain, Border Station, $500,000

New York, U.S. Mission to the United Nations, $4,617,000

Oklahoma:

Norman, NOAA Norman Consolidation Project, $10,000,000

Oregon:

Eugene, U.S. Courthouse, $4,470,000

Pennsylvania:

Erie, U.S. Courthouse Annex, $30,739,000

Texas:

Del Rio III, Border Station, $1,869,000

Eagle Pass, Border Station, $2,256,000

El Paso, U.S. Courthouse, $11,193,000

Fort Hancock, Border Station, $2,183,000

Houston, Federal Bureau of Investigation, $6,268,000

Virginia:

Norfolk, U.S. Courthouse Annex, $11,609,000

Nationwide:

Non-prospectus Construction: $5,400,000:

Provided, That funding for any project identified above may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That all funds for direct construction projects shall expire on September 30, 2003, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) $826,676,000 shall remain available until expended for repairs and alterations which includes associated design and construction services: *Provided further*, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project, as follows, except each project may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount:

Repairs and Alterations:

California:

Laguna Niguel, Chet Holifield Federal Building, $11,711,000

San Diego, Edward J. Schwartz Federal Building, U.S. Courthouse, $13,070,000

Colorado:

Lakewood, Denver Federal Center, Building 67, $8,484,000

District of Columbia:

Washington, 320 First Street Federal Building, $8,260,000

Washington, Internal Revenue Service Main Building, Phase 2, $20,391,000

Washington, Main Interior Building, $22,739,000

Washington, Main Justice Building, Phase 3, $45,974,000

Florida:

Jacksonville, Charles E. Bennett Federal Building, $23,552,000

Tallahassee, U.S. Courthouse, $4,894,000

Illinois:

Chicago, Federal Building, 536 South Clark Street, $60,073,000

Chicago, Harold Washington Social Security Center, $13,692,000

Chicago, John C. Kluczynski Federal Building, $12,725,000

Iowa:

Des Moines, 210 Walnut Street Federal Building, $11,992,000

Missouri:

St. Louis, Federal Building 104/105 Goodfellow, $20,212,000

New Jersey:

Newark, Peter W. Rodino Federal Building, $5,295,000

Nevada:

Las Vegas, Foley Federal Building—U.S. Courthouse, $26,978,000

Ohio:

Cleveland, Anthony J. Celebrezze Federal Building, $22,986,000

Cleveland, Howard M. Metzenbaum U.S. Courthouse, $27,856,000

Oklahoma:

Muskogee, Federal Building—U.S. Courthouse, $8,214,000

Oregon:

Portland, Pioneer Courthouse, $16,629,000

Rhode Island:

Providence, U.S. Federal Building and Courthouse, $5,039,000

Wisconsin:

Milwaukee, Federal Building—U.S. Courthouse, $10,015,000

Nationwide:

Design Program, $33,657,000

Heating, Ventilation and Air Conditioning Modernization—Various Buildings, $6,650,000

Transformers—Various Buildings, $15,588,000

Basic Repairs and Alterations, $370,000,000: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance notice is transmitted to the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for ''Repairs and Alterations'' may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading ''Repairs and Alterations'', may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2003, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading ''Repairs and Alterations'' or used to fund authorized increases in prospectus projects; (3) $186,427,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $2,959,550,000 for rental of space which shall remain available until expended; and (5) $1,764,669,000 for building operations which shall remain available until expended: *Provided further*, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2002, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $6,086,138,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

POLICY AND OPERATIONS

For expenses authorized by law, not otherwise provided for, for Government-wide policy and oversight activities associated with asset management activities; utilization and donation of surplus personal property; transportation; procurement and supply; Government-wide responsibilities relating to automated data management, telecommunications, information resources management, and related technology activities; utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; agency-wide policy direction; Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses, $137,947,000, of which $25,887,000 shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $36,478,000: *Provided*, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $5,000,000 to remain available until expended: *Provided*, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the House Committee on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $3,196,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL SERVICES ADMINISTRATION—GENERAL PROVISIONS

SEC. 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 402. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 2002 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 404. No funds made available by this Act shall be used to transmit a fiscal year 2003 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided*, That the fiscal year 2003 request shall be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 406. Funds provided to other Government agencies by the Information Technology Fund, General Services Administration, under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757) and sections 5124(b) and 5128 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1424(b) and 1428), for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 407. From funds made available under the heading ''Federal Buildings Fund, Limitations on Availability of Revenue'', claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 408. The amount expended by the General Services Administration during fiscal year 2002 for the purchase of alternative fuel vehicles shall be at least $5,000,000 more than the amount expended during fiscal year 2001 for such purpose.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $30,555,000 together with not to exceed $2,520,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C.

5601 et. seq.), $2,500,000, to remain available until expended: *Provided,* That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute: *Provided further,* That not later than 90 days after the date of the enactment of this Act, the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation shall submit to the House Committee on Appropriations a report describing the distribution of such funds.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $1,309,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $244,247,000: *Provided*, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings: *Provided further,* That of the funds made available, $22,302,000 is for the electronic records archive, $16,337,000 of which shall be available until September 30, 2004.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $10,643,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $10,000,000, to remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $10,117,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $99,636,000, of which $3,200,000 shall remain available until expended for the cost of the governmentwide human resources data network project; and in addition $115,928,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $21,777,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8909(g), and 9004(f)(1)(A) and (2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2002, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $1,498,000; and in addition, not to exceed $10,016,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $11,891,000.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $37,809,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

This title may be cited as the ''Independent Agencies Appropriations Act, 2002''.

TITLE V—GENERAL PROVISIONS

THIS ACT

SEC. 501. 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. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 504. None of the funds made available by this Act shall be available in fiscal year 2002 for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Department of the Treasury.

SEC. 505. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 506. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the ''Buy American Act'').

SEC. 507. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 508. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 509. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 510. The provision of section 509 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 511. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2002 from appropriations made available for salaries and expenses for fiscal year 2002 in this Act, shall remain available through September 30, 2003, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 512. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 513. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 514. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 515. None of the funds made available in this Act may be used to pay the salary of any officer or employee of the Office of Management and Budget who makes apportionments under subchapter II of chapter 15 of title 31, United States code, that prevent the expenditure or obligation by December 31, 2001, of at least 75 percent of the appropriations made for fiscal year 2002 to carry out the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.), the Food for Progress Act of 1985 (7 U.S.C. 1736*o*), and section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)).

Mr. ISTOOK (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 68, line 2, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just wanted to note for anyone that may be confused because we had a pause, we were anticipating there would be another amendment that was to have been presented a moment ago. Obviously, it has not. So the effect of what we have asked unanimous consent to do is to open up the bill to amendments and move on to title VI, which is the general provisions where we know there are several Members that have amendments to offer in that section.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. ISTOOK. I yield to the gentleman from Maryland.

Mr. HOYER. So am I correct that through title VI now is closed?

Mr. ISTOOK. We are opening up the bill up to title VI. The entire bill is open for amendment to title VI. Then Members who have amendments on title VI may offer those. We are about to close off the bill prior to title VI.

Mr. HOYER. Mr. Chairman, as I understand it, we are now closed through title VI. I thank the gentleman for yielding.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2002 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided*, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for

space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 608. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 609. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 610. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 611. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 612. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2002, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 613 of the Treasury and General Government Appropriations Act, 2001, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2002, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 613; and

(2) during the period consisting of the remainder of fiscal year 2002, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2002 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2002 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 2001 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2001, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2001, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2001.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 613. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the word ''office'' shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 614. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 615. Notwithstanding section 1346 of title 31, United States Code, or section 609 of this Act, funds made available for fiscal year 2002 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 616. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 617. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2002 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 618. None of the funds made available in this Act for the United States Customs

Service may be used to allow the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 619. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 620. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or ''new age'' belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 621. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: ''These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, U.S.C. (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.'': *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 622. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 623. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 624. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 625. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 626. (a) In this section the term ''agency''—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the General Accounting Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 627. Notwithstanding 31 U.S.C. 1346 and section 609 of this Act, funds made available for fiscal year 2002 by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of $800,000 including the salary of the Executive Director and staff support.

SEC. 628. Notwithstanding 31 U.S.C. 1346 and section 609 of this Act, the head of each Executive department and agency is hereby authorized to transfer to the ''Policy and Operations'' account, General Services Administration, with the approval of the Director of the Office of Management and Budget, funds made available for fiscal year 2002 by this or any other Act, including rebates from charge card and other contracts. These funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives, the Chief Information Officers Council for information technology initiatives, and the Procurement Executives Council for procurement initiatives). The total funds transferred shall not exceed $17,000,000. Such transfers may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 629. (a) IN GENERAL.—In accordance with regulations promulgated by the Office of Personnel Management, an Executive agency which provides or proposes to provide child care services for Federal employees may use appropriated funds (otherwise available to such agency for salaries and expenses) to provide child care, in a Federal or leased facility, or through contract, for civilian employees of such agency.

(b) AFFORDABILITY.—Amounts so provided with respect to any such facility or contractor shall be applied to improve the affordability of child care for lower income Federal employees using or seeking to use the child care services offered by such facility or contractor.

(c) ADVANCES.—Notwithstanding 31 U.S.C. 3324, amounts paid to licensed or regulated child care providers may be in advance of services rendered, covering agreed upon periods, as appropriate.

(d) DEFINITION.—For purposes of this section, the term ''Executive agency'' has the meaning given such term by section 105 of title 5, United States Code, but does not include the General Accounting Office.

(e) NOTIFICATION.—None of the funds made available in this or any other Act may be used to implement the provisions of this section absent advance notification to the Committees on Appropriations.

SEC. 630. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 631. Nothwithstanding section 1346 of title 31, United States Code, or section 609 of this Act, funds made available for fiscal year 2002 by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which

benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science; and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 632. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 633. Subsection (f) of section 403 of Public Law 103–356 (31 U.S.C. 501 note) is amended by striking ''October 1, 2001'' and inserting ''October 1, 2002''.

SEC. 634. Section 3 of Public Law 93–346 as amended (3 U.S.C. 111 note) is amended by inserting '', utilities (including electrical) for,'' after ''military staffing''.

SEC. 635. Section 6 of Public Law 93–346 as amended (3 U.S.C. 111 note) is amended by inserting '', or for use at official functions in or about,'' after ''about''.

SEC. 636. During fiscal year 2002 and thereafter, the head of an entity named in 3 U.S.C. 112 may, with respect to civilian personnel of any branch of the Federal government performing duties in such entity, exercise authority comparable to the authority that may by law (including chapter 57 and sections 8344 and 8468 of title 5, United States Code) be exercised with respect to the employees of an Executive agency (as defined in 5 U.S.C. 105) by the head of such Executive agency, and the authority granted by this section shall be in addition to any other authority available by law.

SEC. 637. Each Executive agency covered by section 630 of the Treasury and General Government Appropriations Act, 1999 (as contained in section 101(h) of division A of Public Law 105–277) shall submit a report 60 days after the close of fiscal year 2001 to the Office of Personnel Management regarding its efforts to implement the intent of such section 630. The Office of Personnel Management shall prepare a summary of the information received and shall submit the summary report to the House Committee on Appropriations 90 days after the close of fiscal year 2001.

SEC. 638. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF PERSONAL INFORMATION ON USE OF INTERNET.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any Federal government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to the rendition of the Internet site services or to the protection of the rights or property of the provider of the Internet site.

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

(1) The term ''regulatory'' means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term ''supervisory'' means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 639. (a) Section 8335(a) of title 5, United States Code, is amended by striking the period at the end of the first sentence and inserting: ''or completes the age and service requirements for an annuity under section 8336, whichever occurs later.''.

(b) The amendment made by subsection (a) takes effect on the date of enactment with regard to any individual subject to chapter 83 of title 5, United States Code, who is employed as an air traffic controller on that date.

SEC. 640. (a) IN GENERAL.—Title 5, United States Code, is amended by inserting after section 4507 the following:

''§ 4507a. Awarding of ranks to other senior career employees

''(a) For the purpose of this section, the term 'senior career employee' means an individual appointed to a position classified above GS–15 and paid under section 5376 who is not serving—

''(1) under a time-limited appointment; or

''(2) in a position that is excepted from the competitive service because of its confidential or policy-making character.

''(b) Each agency employing senior career employees shall submit annually to the Office of Personnel Management recommendations of senior career employees in the agency to be awarded the rank of Meritorious Senior Professional or Distinguished Senior Professional, which may be awarded by the President for sustained accomplishment or sustained extraordinary accomplishment, respectively.

''(c) The recommendations shall be made, reviewed, and awarded under the same terms and conditions (to the extent determined by the Office of Personnel Management) that apply to rank awards for members of the Senior Executive Service under section 4507.''.

(b) REGULATIONS.—Section 4506 of title 5, United States Code, is amended by striking ''the agency awards program'' and inserting ''the awards programs''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 45 of title 5, United States Code, is amended by inserting after the item relating to section 4507 the following:

''4507a. Awarding of ranks to other senior career employees.''.

SEC. 641. Section 640(c) of the Treasury and General Government Appropriations Act, 2000 (Public Law 106–58; 2 U.S.C. 437g note) is amended by striking ''violations occurring between January 1, 2000 and December 31, 2001'' and inserting ''violations that relate to reporting periods that begin on or after January 1, 2000, and that end on or before December 31, 2003''.

SEC. 642. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO;

(B) OSF Health Plans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 643. (a) The adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2002 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 4.6 percent.

(b) Funds used to carry out this section shall be paid from appropriations which are made to each applicable department or agency for salaries and expenses for fiscal year 2002.

Mr. ISTOOK (during the reading). Mr. Chairman, I ask unanimous consent that the bill through page 95, line 16, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AMENDMENT NO. 9 OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. INSLEE:
Page 89, strike lines 18 through 20.

Mr. INSLEE. Mr. Chairman, this amendment will assure that the Vice President's budget retains responsibility for the electrical costs associated with the Vice President's personal residence.

As Members know in quite a bit of controversy recently, the proposed bill in fact would remove responsibility for those personal bills, those electrical bills at the Vice President's residence and shift them away from the Vice President's budget and over to the financial shoulders of the United States Navy. We think that is a big mistake. We think it is a big mistake to remove accountability while many Americans are having great problems with their own electrical bills, for the Vice President to remove responsibility financially from his budget and shift it somewhere else in the Federal Government.

We would suggest that our amendment will benefit three groups of people by assuring accountability in the midst of this energy crisis remains with the Vice President's budget:

First, it will help our constituents, our citizens. The reason is, is that our citizens now are experiencing, many of them, skyrocketing energy costs. In my district people are paying 30, 40, 50, 60 percent more for their electrical

bills. My constituents cannot send their bills for these skyrocketing electrical rates to the U.S. Navy. We do not think it is the right message to our constituents for the Vice President to say, but I'm going to send my skyrocketing electrical bill, and that bill is skyrocketing, to the U.S. Navy. We think it is the wrong message for our constituents. So it is good for our constituents who expect personal accountability in these expenditures.

Second, it is good for the U.S. Navy. We have got a lot of service personnel out there who justifiably are not happy about their housing, their pay, sometimes their health care. It is the wrong message to the sailors to be saying that that budget has got to take on the personal electrical expenses of the Vice President's residence.

Third, this amendment is good for the Vice President. The Vice President said he has not asked for this change to be made. This idea was not his, apparently. But the fact of the matter is, and perhaps it is sad to report, but it is true, there are Americans who are concerned about the Vice President's apparent lack of concern for the crisis in energy and some people who have suggested that he might be perhaps too close to the oil and gas industry.

Now, I think it would be beneficial if we can squelch those rumors, those rumors that have come up due to these secret meetings that the Vice President has had with the oil and gas industry he now refuses to divulge information about. Let us help him squelch the rumors about that by showing he will be personally accountable in this electrical rate crisis.

Some people have suggested that his comments about conservation, saying that conservation is just a personal virtue but not an economic policy, some people have concern that that shows too much closeness to the energy industry. Let us help him squelch those rumors to show he wants to be personally accountable and understands the problems of real Americans in this regard.

Some people have suggested that when the Vice President sat for 8 months and did nothing about the electrical crisis in California, Oregon and Washington, some people are concerned that that has demonstrated a lack of compassion and understanding for the plight of people on the West Coast whose energy prices have gone through the roof. Let us help him squelch those rumors to show personal accountability for these.

And some people have suggested that the Vice President's willingness to drill in our most pristine wilderness areas demonstrates not being in touch with the will of the American people but a little too close to the oil and gas industry. Let us help him squelch those rumors by showing personal accountability in fact for these obligations of the Vice President's office.

Mr. Chairman, perhaps this seems like a small budget item, and it is certainly a small dollar amount, about $180,000, in the context of the Federal budget. But leadership involves understanding the plight of those who are led. We have had a lot of people who are in tough times right now because of the downturn in the economy and the huge escalation in their energy prices. Let us help the Vice President demonstrate that he is in touch with the needs of ordinary Americans and assure that the Vice President's budget will in fact remain responsible for his electrical prices.

Mr. ISTOOK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was hopeful that we could get through this debate without having an amendment such as this offered because I think it is based upon very misleading arguments and claims. I would certainly hope that nobody in this body would want to take a cheap shot at the Vice President of the United States. The Vice President by law resides at the Naval Observatory here in Washington, D.C. The grounds are under the jurisdiction of the United States Navy.

Two years ago, they installed a separate meter for the residence. Now, it is not just the residence that comes through it because there is all the security lighting and there is the Secret Service needs. There is a lot more than would normally come under any residence. Besides that, it is a 33-room building that has the official functions as well as the residential functions as part of it.

□ 1300

After they installed the meter, Mr. Chairman, 2 years ago, they found out that the former Vice President, Mr. Gore, overspent on utilities 220 percent of his office budget. What they did then was have the Navy make up the difference for former Vice President Gore's utility bill, which I believe the difference was somewhere in the neighborhood of $125,000.

In December of 1999, under the former administration, the former administration proposed consolidating the utility bills of the Vice President's residence with the Navy's overall utility bills at the Naval Observatory to be under the jurisdiction of the Navy. That proposal was carried forward and carried out in the current budget, and the budget for the Vice President was reduced by the same amount as we had allocated for former Vice President Gore's utility bills.

Former Vice President Gore went into the Navy to pay the utility bill once they had a separate meter and found out how much it was. Now we are told that Mr. CHENEY is being irresponsible because the Navy is going to pay the bill, which means the taxpayers pay the bill, which was the same people that pay it anyway.

But, yet, Mr. Chairman, what they are not mentioning is that Mr. CHENEY is using about one-fourth less energy than Mr. Gore did at the residence. Now, there is your story. The current Vice President is only using 75 percent as much energy as the last Vice President. Yet they try to twist and manipulate things to make it appear that somehow Mr. CHENEY is being irresponsible and trying to evade his electric bill.

There is no truth to such an assertion. This is merely carrying out the plan that was put in place by the former administration, the Clinton administration, to have the Navy pick up the difference between what Mr. Gore had in his budget to pay his utility bill and what the actual bill was, because it was far beyond what Mr. Gore had in his budget. But, instead, they try to twist it where somehow Mr. CHENEY, who has reduced the bill, supposedly Mr. CHENEY is the one being irresponsible? No matter how it is manipulated, Mr. Chairman, that does not wash.

I would hope that any person who tries to use this to embarrass the Vice President of the United States would rethink it and perhaps get a little bit embarrassed, if not ashamed, at what they are trying to do.

This is an outrageous argument that we have been hearing on this. It is not based upon accountability of who pays the bills, because we have the meter, we know regardless. We know that the bill is something that is going to be at the taxpayers' expense, whether it is routed through the Naval Observatory account or whether it is routed through the Office of the Vice President; but the funding was not put in Mr. Gore's budget, and the funding was not put in Mr. CHENEY's budget to pay the entirety of the expense. Either way, the Navy was picking up the difference.

Mr. CHENEY is the one who is being responsible, who is getting by with 75 percent as much energy as Mr. Gore was using. That is the bottom line, and that is what we ought to be focusing on.

I do not yield on something as outrageous as this. I yield back the balance of any time.

Mr. FILNER. Mr. Chairman, I rise in support of the Inslee-Filner amendment.

Mr. Chairman, I thank the gentleman from Washington for raising this issue. We are not trying to embarrass the Vice President of the United States; we are trying to embarrass the administration for not having an energy policy for this country.

We are not arguing whether the taxpayer is going to have this bill one way or the other; we are arguing that the people in the West Coast are paying double and triple the prices they paid last year, and they have no help. The administration will not step in and do anything about their prices, will not do anything about the energy cartel that is doing this.

The Vice President does not have to worry about that. He just asks for a shift of the accounts. We are not accusing the Vice President of being irresponsible; we are accusing the Vice

President of being clueless. We have suffered for a year in San Diego, California, and the West Coast, with manipulated prices that have doubled and tripled what we were paying a year ago. Think of the small business person who is paying $700 or $800 a month, and, 60 days after deregulation, is paying $2,500 a month.

I want the Vice President to think about the small business person who had to close his doors because he did not have anybody to take his bill up. And he conserves. I will accept your premise that the Vice President conserves. Our people conserved, and what happened? Their price went up, and they did not have anybody to bail them out.

Sixty-five percent of small businesses in San Diego County face bankruptcy today. We have asked the administration for help. What about the person on fixed income who was paying $40 or $50 a month and is facing a bill of $150 to $200 a month, and he or she conserved? They are using 30, 40, 50 percent less electricity and their price doubled or tripled anyway. Do they have the Navy to bail them out? No.

We asked the administration, we have asked the Federal Energy Regulatory Commission for a year now, bring us cost-based rates to the West Coast. That is what went on in this country for almost a century, the cost of production plus a reasonable profit. It costs 2 or 3 cents a kilowatt to produce, the energy companies charge 3 or 4 cents, and they were making a real hell of a profit there. We were told to buy utility stocks when we grew up, that is the safest. That same 2 cents or 3 cents per kilowatt of electricity was selling for $3 or $4 recently.

We do not have a free market in electricity on the West Coast; we have a manipulated market that is throwing people out of business, throwing people out of their homes, and the electricity crisis, Mr. Chairman, still exists. Prices have gone down recently, but I will tell you the retail prices were not affected by that change, and my small businesses in San Diego and the rest of California and the West Coast are facing bankruptcy.

Now, Mr. CHENEY, who met with the Congress, people did not want to hear that. Now, I know why they did not want to hear it. He did not care whether the prices went up. He did not care if you conserved and your prices went up. It is not coming out of his budget. Just shift the budget over, coming out of the Navy budget.

I would say to the gentleman from Oklahoma (Mr. ISTOOK), we are not arguing whether the taxpayer is going to pay one way or another. We are not arguing that Mr. CHENEY is irresponsible. We are saying the administration is clueless about the suffering of the people who live on the West Coast and who have been paying these outrageous prices for a year. And we cannot transfer them to the Navy, although I am asking my constituents, since this seems to be the administration policy, shift your bills over to the Navy, I am asking all my constituents and all the people across the country, send your bills to the Navy care of the Vice President. Here is the address. Send your bills, which have doubled or tripled over the last year, to the U.S. Navy, care of Vice President CHENEY, who lives at what was called the U.S. Naval Observatory. If that is the administration policy, let us take advantage of it.

But I will tell you, if the Vice President thinks that they can escape a responsible energy policy, I challenge him to come to the West Coast and show how he has paid for his electricity bills.

Mr. HINCHEY. Mr. Chairman, I move to strike the last word.

Mr. INSLEE. Mr. Chairman, will the gentleman yield?

Mr. HINCHEY. I yield to the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, I just wanted to make the point, the gentleman from Oklahoma was suggesting that somehow we are personally critical of the Vice President's attempt to move this accountability over to the Navy, and that is not our criticism. In fact, what we have been told is that the Vice President said this was not his idea; and if it is not his idea, I agree with him, it is a bad idea. He is not personally responsible for this.

Neither are we criticizing him for use of electricity in his residence. We are told he actually has taken some steps to reduce his electrical usage, and I think that is great. He should be lauded for his personal virtue in that regard.

What we are critical, however, of, and the point we are trying to make here, is that this administration, while shifting accountability to the Navy, is not lifting a finger to help get refunds of the billions of dollars that are owed to our constituents on the West Coast.

The economic analysis of some folks indicates we have been overcharged $8 billion by electrical gougers on the West Coast, although today the Federal Energy Regulatory Commission, finally, because we have been pushing them, not the administration, they have finally said we are going to do something marginal for California; but we are not going to lift a finger for Washington and Oregon.

Washington and Oregon need refunds. The point we are trying to make is this administration, while it is shifting responsibility for electrical rates to the Navy, will not lift a finger to help us get refunds in the States of Washington or Oregon, because of this worshipping at the alter of the free market.

That is the criticism we have of the Vice President. We laud him for his conservation. We now want him to get busy and help us get refunds in the Pacific Northwest.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first of all, I want to clarify some of the remarks that were made by the chairman. We believe that the difference is approximately 15 percent in the last 4 months. If you compare the first 6 months, it is an interesting comparison, because the Vice President, of course, was not in residence at the Vice President's residence. They were refurbishing the residence for the Vice President.

If you are just comparing the last 4 months, including a hot day yesterday and a cool month of June, there was a 15 percent difference over those 4 months between the two energy costs, which is clearly explained by the difference in weather.

But that attempts to respond to an alleged attack on the Vice President by attacking his predecessor. Now, I know consistency is the hobgoblin of small minds, but it would seem to be fair to the former Vice President not to go after these energy costs, as the majority wants the present Vice President to be free of these attacks.

The gentleman from Washington State pointed out, absolutely correctly, this is not about the Vice President. This is about the cost of energy. This is about a sensitivity that the administration ought to have, that the Congress ought to have, to the cost of heating one's home, of air conditioning one's home.

Now, let me correct, if I might, the chairman. The Secret Service is separately metered. The Secret Service has its own meter. Why? Because they use a lot of electric utilities. They use a lot of security lights, and they are metered themselves. So this is not an opportunity nor an effort to embarrass the Vice President.

But I will tell my friend, the chairman of this committee, with whom I have been working positively, who did not serve on all the years from 1995 to 2001 when there were repeated attempts to embarrass the President and the Vice President on the expenditures in the White House account, repeated attempts, unlike, I will tell the chairman, as he knows I feel strongly about, unlike 1981 through 1989, when Ronald Reagan was President of the United States, and unlike 1989 to 1993, when George Bush the First was President of the United States. It did not start to occur, for Members of Congress to go after individually either the Vice President or the President on administration of the House in which they live, until 1995, and it became very popular in 1996, 1997 and 1998 to rag on the President and the Vice President.

That is not what this is about. We have a crisis in America, and that crisis is energy costs. Some people in California and other areas of this country are put to the test of whether they are going to pay for an electrical bill or pay for their prescription drugs or pay for food.

Mr. INSLEE. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I am glad to yield to my friend from the Northwest, from Washington State, who has offered this

amendment, to cogently raise this issue for all of America, not for the Vice President.

Mr. INSLEE. Mr. Chairman, I just want to read to the gentleman an e-mail I got from a guy named Cliff Sinden a few months ago. He said, ''I saw the press conference with you and the Senator. The message was the U.S. Government won't do a darn thing for you, just conserve. I have cut my electric consumption by 50 percent from last year, and the next 2 months should be even more, with the full effect of my conservation efforts.

□ 1315

What reward do I get? A $45 increase in my monthly charges.''

I guess it is true that no good deed goes unpunished.

What we are saying by this amendment is that it is important for the administration to have an appreciation of what individual Americans are going through. Sending this signal to them is consistent with the rest of the administration's policies that they do not understand the depth of this crisis, and that is why we think this amendment is important.

Mr. HOYER. Mr. Chairman, reclaiming my time, and I thank the gentleman for the addition to the remarks that I made and that he is making.

I would reiterate what the gentleman just said. This is an issue about us focusing on what it costs from an emergency standpoint to run the residency of the Vice President and the residency of the White House, the President; it is not to embarrass either one of them. I do not think Vice President CHENEY is frankly using more or less energy than Vice President Gore.

What I think we ought to have is a focus of this Congress on those costs so that it shows us very clearly what it costs to heat, to air condition homes. I think in that respect, it is a good educational amendment and gives us a better budget focus, and I urge its adoption.

Mr. STRICKLAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think this issue is in the larger scheme of things, as we talk about our national budget, certainly not a huge sum of resources or money, but the most important thing we do in this Chamber is to decide how to use the resources available to us.

I am struck by the fact that last weekend when I was in my district, I met with a veteran who shared with me his concern that currently, when he went to the VA to get his prescriptions filled, he pays a $2 co-pay for his prescription, and that is likely to be increased to $7 per prescription. He shared with me that he takes 12 prescriptions a month. Going from a $2 copay to a $7 copay is a 250 percent increase for veterans in order for them to be able to get the medicines they need.

Mr. Chairman, we make choices around here all the time about how we are going to use our resources.

I have another constituent in my district who wrote me, saying that they had a child who was very ill and on oxygen, and they are struggling to keep their electricity from being cut off because they have been unable to pay their electricity bills.

Again, we make choices up here about how we are going to use our resources.

Now we want to use military funds to pay for the electricity bill at the Vice President's home. Well, in southern Ohio, we have a saying: ''What is good for the goose is good for the gander,'' and I would like to share with my colleagues some quotes from the Vice President that appeared recently in the July 17 issue of The New York Times. I read: ''Several weeks ago, Mr. CHENEY said consumers should decide for themselves whether or not they wanted to conserve electricity based on their ability to pay utility bills.'' I quote: ''If you want to leave all the lights on in your house, you can, Mr. CHENEY said. There is no law against it. But you will pay for it.''

What is good for the goose is good for the gander. It is unwise and I think unconscionable at a time when we are requiring veterans to pay more for their prescription drugs, when we are having constituents communicate with us about their ability to keep the electricity on in their homes, even when they have a sick child in that home, it is wrong to use military resources for this purpose.

Mr. Chairman, I simply would urge us to do the right thing. I do not think this is an attack on the Vice President, I really do not. It has been said here today that there is evidence that the Vice President has made efforts to conserve, and we applaud him for that. But there are Americans who are suffering deeply and greatly over this energy problem, and this administration has not responded appropriately, and we are just simply saying to the Vice President and to this administration, what you expect out of the American people in terms of responsibility and of paying their own bills, we should expect out of the Vice President.

Mr. FILNER. Mr. Chairman, will the gentleman yield?

Mr. STRICKLAND. I yield to the gentleman from California.

Mr. FILNER. Mr. Chairman, I thank the gentleman from Ohio for his eloquent statement. I would point out to our friends across the aisle, we are bringing up this issue on account of the Vice President, and our motives have been attacked for this.

I will tell my colleagues, we are a year into an incredible crisis on the West Coast; and yet, the majority party of this House has not allowed a debate on this issue. We have not been granted any amendments; we have not been granted any bills. I wrote to the Speaker weeks ago saying, let us have an up or down vote on these issues, of whether we should have cost-based rates on the West Coast, on whether be should have refunds of criminal overcharges. All we are asking is for a debate on this issue and a discussion and a vote. We cannot get it from this party. So we have had to use issues that come up in other bills to make our point.

Our point has been made and we are going to keep making it until we get it addressed. We are paying double and triple charges on the West Coast for our electricity, not because that is what the market, the free market gave us, that is because that is what a manipulated market gave us. We have been paying those bills for a year; we have been overcharged between $10 billion and $20 billion, and we want a refund on those overcharges.

Ms. DELAURO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, just want to really try to put this in some perspective with what my colleagues have been saying. And what the Inslee amendment is about is that we are looking at hard-working Americans, and they are facing sky-high energy bills.

We look at the White House wanting the Congress to relieve the Vice President of his high electricity bill. People have spoken about the Western region of our country and the rolling blackouts, the record-setting gasoline prices in the Northeast and the Midwest, families struggling to pay off their energy heating bills, bills skyrocketing over the last several months. We are now looking at scorching summer temperatures, the high air-conditioning bills. The prices have constrained the budgets of our families, everyone. I guess here, even including the Vice President. But we have been calling, my colleagues and I, for urgent and long-term solutions to get some help and get price relief for consumers, additional funding for LIHEAP, energy efficiency and research.

It has been stated here that the Vice President belittles conservation, little more than a personal virtue. ''If you want to leave all the lights on in your house, the Vice President said, there is no law against it, but you will have to pay for it.''

The fact is that what he is doing is asking the Navy to assume the burden that he has with the high cost of electricity. Unfortunately, millions and millions of Americans do not have that opportunity. They have to pick up the cost of their electricity bills.

It is about relieving the people of this country of the high cost that they are facing and being willing to help them, and this administration has turned a blind eye to the harsh realities that our families face.

Mr. INSLEE. Mr. Chairman, will the gentlewoman yield?

Ms. DELAURO. I yield to the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, just as a closing comment, I just want to make one thing clear. This amendment is not about DICK CHENEY. We have no interest in embarrassing him. Again, we

just want to make clear, this is not about the Vice President personally. We simply are saying that we want our Vice President, whose idea of this was not his, this was not his idea to put this over on the Navy; that is that is why he is not personally responsible for it. If we do it, it is our responsibility.

Here is what we suggest. We just think we want our Vice President, when a constituent comes up to him at one of their town meetings that they hold and says, Mr. Vice President, I have to wear a parka; I have cut my energy 50 percent, but my bills keep going up, we just want our Vice President to be able to say, I know what you mean, mine are too. If we pass this amendment, he will be able to say that. I hope we can have bipartisan support of this idea and realize this is not the Vice President's fault.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as has been said numerous times, the issue here is not how much energy the Vice President is using. No serious-minded person is going to run around the Capitol as a light switch cop or an energy policeman. Mr. CHENEY happens to be the person who occupies the Vice President's residence, but this is not about him, this is about the way the office itself should be dealt with. What the issue really is here is whether or not that office is going to be treated the same as other Americans and whether the existing occupant of the office will be treated the same as previous occupants of the office.

Many Members of this House know that I often quote my favorite philosopher, Archie the Cockroach, and one of the things Archie said once was, ''The cost of living ain't so bad if you don't have to pay for it.'' That is the issue that is at stake today, because if the provision in this bill passes, then whoever occupies that residency in present or future years will not have to pay for increases in the cost of living, as do other Americans.

Now, my understanding is that since 1999, the energy usage at the Vice President's residence has risen from $83,000 to $135,000, and my understanding is that it is expected to be $186,000 this year. So what is at stake is a simple question here: will whoever occupies that residence be insulated from those future increases in costs, increases which the average American will not be insulated from? That is the sole question at issue here, and it has nothing whatsoever to do with whether one likes the Vice President or not. I happen to like him. I have known him since 1965. I consider him to be a good friend and a fine public servant.

But I do note that like all of us, the present occupant of that office has made statements that he probably wishes he had back, and one has been previously cited, when he indicated, quote, ''If you want to leave the lights on in your house, you can, but you have to pay for it.'' The problem is that under the provisions in this bill, he will not, while everyone else does.

I would point out also that if we take a look at the administration's justifications for this provision, we find the following sentence: ''The rationale for this requested transfer of responsibility is based on the fluctuating and unpredictable nature of utility costs.'' Well, as I have tried to make the point, it seems to me that we should not be singling out specific occupants of specific offices in this country for exemption from the volatility of those prices.

I also note that in an article in The New York Times, they indicated that the White House said that by transferring all the President's costs to the Navy, there would be ''no need for the administration to return to Congress to ask for emergency appropriations, in the event of an exceptionally cold winter or hot summer.''

I would point out that it is interesting that they are interested in avoiding the need to ask for a supplemental by burying the cost somewhere else, but unfortunately, low-income families in this country who need programs such as the Low Income Heating Assistance Program are not subject to such delicate considerations.

The budget that the White House has presented for the Low Income Heating Assistance Programs this year effectively delivers about $1 billion less than was delivered last year. So all I am suggesting is that I think offices and persons who occupy them ought to be treated the same as previous and future occupants.

□ 1330

I also suggest that, as the gentleman said earlier, what is sauce for the goose is sauce for the gander. I do not think we ought to be seen as taking actions which exempt persons in government from some of the burdens which are so excruciatingly evident as they are applied to average citizens with respect to energy prices.

Mr. CALLAHAN. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. CALLAHAN. Mr. Chairman, I love this institution, and I love this body, and I respect this institution. I respect this body. These halls of the Capitol are lined with famous people, famous art, as in past years, talking about issues of the day.

But with the advent of C–SPAN, we no longer talk to each other here. We no longer try to convince each other of the merits of our argument. We talk to the television. We are hoping that someone back in Alabama or back in California or back in Wisconsin is watching this, and we can make these political points and embarrass one side or the other.

Mr. Chairman, this debate today is almost ridiculous. We are not disputing the fact that the Vice President and his family have reduced the cost to the Federal taxpayers with respect to the uses of electricity at the official Vice President's residence. How ridiculous can we get when we stand up and argue, trying to embarrass one party or the other party over the uses of electricity?

There is no debate on the merits of this. If the Vice President's bill had shot up twice, then maybe we should talk to him about that. Maybe we should send him a message through C–SPAN or whatever methodology we have.

But the very facts, the undisputed facts, are that that is not the case. The power bills are being reduced since Vice President CHENEY has moved into this Naval facility. The question here is whether it is going to be paid for out of one account or the other account.

If we are trying to impress someone, we ought to impress upon the American people what the Vice President and his family are doing. That is, they are conserving electricity, which is very, very important. We ought to be telling the American people about the history of who used power, who left the lights on, who left the computers on.

But that is not what we are trying to do. We are not concerned about the cost of this. We are concerned about who is going to pay for it.

Let me tell the Members, a lot of people in Alabama watch this program, Mr. Chairman. My mother watches it. I will bet she is watching it right now, although I did not call her and tell her I was coming down here, or I know she would be watching it.

But if the American people we think are so dumb as they cannot see through this charade of an argument, then we do not have enough respect for the American people. If Members respect this institution, if they respect the government, as we have established in this country, if Members respect their own constituents, they would not waste the taxpayers' dollars debating this issue for 2 or 3 hours, trying to embarrass one party and trying to say that this party in power now is doing something wrong, because they are not.

This is a government facility. It is a Naval facility. The government has always paid these bills. The bills are less today than they were this time last year. We ought to get on with the business of the state and look at the rest of the important issues of this particular bill and stop trying to convince people watching this on C–SPAN that someone at the White House or someone at the Vice President's residence is doing something wrong. He is not.

I compliment the Vice President and I compliment Lynn Cheney and I compliment his staff for making the effort to prove to the American people that we can conserve by being the example of reducing his power needs at this official residence of the Vice President of the United States.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair would like to congratulate the gentleman from Alabama (Mr. CALLAHAN) for addressing his remarks to the Chair while he talked about C–SPAN. He was not addressing the audience. He did a great job on that.

Mr. ARMEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was in my office working, and I happened to have my TV on to keep an eye on the floor debate. All of a sudden when this amendment was brought up, I felt like I was getting a wake-up call, or maybe a wake-back call to a bad memory.

Mr. Chairman, 2 or 3 years ago we had a great debate on this floor. We had a great debate in committee. We had a great debate in conference. In this case, it was the tax bill.

A Member of our institution called Congress from the other side of the building and had a very important piece of legislation he was pushing, an amendment to the tax bill on chicken manure. We debated chicken manure for a long time. That member has since retired, and I had thought I would not be debating chicken manure again. I have to tell the Members, Mr. Chairman, this smells like chicken manure to me.

A few years ago, we had a debate about ammunition, the cost of ammunition to the military. The cost was too high, some people said. What we needed was some cheap shots. Mr. Chairman, I think we have some cheap shots today.

The Vice President of the United States for the last 8 years was a Democrat. To my party's credit, and I want to thank my colleagues, none of us were small enough to bring an amendment like this to the floor to try to embarrass the Vice President of the United States, as he inhabits the official residence of the United States, the expenses for which are primarily incurred on behalf of the official duties of the Vice President of the United States; a high honor, indeed, and an enormous responsibility to be the Vice President of the United States.

To have that great office ridiculed on the floor of this House in a debate that is reminiscent of the great chicken manure debate of years past, or the great cheap shot debate of years past, both of which were debates that had some legitimacy in public policy, to have those debates mocked here today in an effort to embarrass the Vice President is disappointing; disappointing I think for me, because I so love this body and so hope for the best to shine in this body; disappointing for America, who might ask their children to tune in for a civics lesson.

Let me just say this. Irrespective of what has been the record of electrical utility usage in the White House for the past 8 years, our current Vice President has already demonstrated a 28 percent reduction in the use of electricity. He is doing his very best as he carries out his official duties to use the resources made available to him for those purposes in order to achieve the results the Nation would hope from his office in the most efficient way possible.

Let me submit, Mr. Chairman, that this body pause for a moment to appreciate and respect the Vice President of the United States. Let me suggest, Mr. Chairman, that we reserve our chicken manure and our cheap shot debates for a more appropriate time.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Chairman, I thank the gentleman for yielding to me, and I thank the chairman.

Mr. Chairman, I came in as the majority leader was praising the Vice President and the hard job that he does. All of us on this side of the aisle agree with that. It is an august office, and he is working hard at his job.

But I will tell the Members, I would say to the majority leader, the small business people in my community are worthy of equal respect for working hard every day, for going to their jobs, for supporting their families, for working 16 and 18 hours a day. They conserve their electricity. They are trying to make their ends meet. They are facing an electricity market which puts them out of business.

Scores of business people in my district are out of business, I would say to the leader. That is the tragedy of this crisis, and 65 percent of all small business in my county face bankruptcy this year. We need to support them. We need to talk about the glory of their jobs.

How about the tough life that people on fixed incomes have, trying to make decisions between cooling their home and having a somewhat comfortable evening, even if their thermostats are set at 78 or 80 or higher; trying to buy their prescriptions; trying to buy their food? Their bill goes up from $40 or $50 to $150 or $200.

They do not have the option, I would say to the majority leader, of asking the Navy to pay their bill. These are people who have worked their whole lives for America. They have been veterans. They have supported and raised children and grandchildren. They are doing their jobs, just like the Vice President is doing his job. They are as worthy of our support and our eloquence as is the Vice President.

We have asked the leader and the Speaker, we have asked and begged them, put on the floor of the House a bill that allows us in our view to help these people. If they do not agree with it, vote it down, but give us a chance to debate these issues in a realistic fashion, so we do not have to use such appropriation bills that they find so difficult for us to speak on.

Give us an up-or-down vote on cost-based rates for the West coast. Give us an up-or-down vote on the refund of $10 billion to $20 billion of overcharges. They cannot shift their bills to the Navy. They cannot get a supplemental appropriation that we just passed last week that paid $750 million because the military had increased electricity bills on the West Coast. They got their bills paid for. How come my constituents, the constituents of the gentleman from Washington (Mr. INSLEE), the constituents of the gentleman from Massachusetts (Mr. FRANK), cannot have their overcharges paid?

I will tell the Members, they are criminal overcharges. The Federal Energy Regulatory Commission has found the prices that we pay in California and the West Coast to be illegal. They are illegal. Yet, we have paid them for 1 year.

I would ask the leader, yes, let us praise the Vice President, but let us praise the average people in our districts who are being brought to their knees by these prices.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield to the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, the majority leader has questioned my right or anyone's right to bring an amendment of this nature. I will not yield to him one inch.

I am not President, Vice President, majority leader, minority leader, committee chair, or ranking member. I am only one Member who understands one basic thing about my constituents: They question whether this administration understands the depth of the problems that they are experiencing.

I am only here not to do anything about Mr. CHENEY, I am just here asking my colleagues to make it so that the Vice President of the United States, who works for all of us, Democrat and Republican alike, can look Americans in the eye and say, my electrical bills are going up, too.

Mr. FRANK of Massachusetts. Mr. Chairman, I would just say in closing, without coming fully on the merits here I had not intended to speak, but I was struck by the objection to the notion that this might be embarrassing.

As one who has been both embarrassed himself and has sought to embarrass others, I regard the right to embarrass each other as one of the most cherished parts of American democracy. I am sorry to see that right denigrated, particularly by people who have freely engaged in it in the past.

□ 1345

Mr. LAHOOD. Mr. Chairman, I move to strike the requisite number of words.

This amendment should be better known as the ''cheap shot'' amendment. This amendment demeans the House. If you want to talk about energy policy, and I am so surprised that Members with as much seniority on the Committee on Appropriations would have the courage to stand up and speak in favor of this amendment. This

amendment demeans the House. It really does, and you know it.

If you want to talk about energy policy, there is going to be an energy bill on the floor next week. If you want to talk about the lousy policy that California has had, because you know they did not have a policy, talk about it next week. But it does not have anything to do with paying the utilities by the Naval Conservancy of the official Office of the Vice President. That has nothing to do with this.

If you think we need an energy policy, take a look at the Bush-Cheney energy policy. They have one. And I think the gentleman from Texas (Mr. BARTON) and his subcommittee are going to trot it out here next week. If you do not like it, bring out an amendment. If you want more LIHEAP money, bring out an amendment. If you want to talk about who should pay the utility bills, bring out an amendment. Not on this bill. This demeans the House. Do not try to discredit the Vice President.

This is a shell amendment to try and demean the Vice President of the United States. I wonder if you would be doing this if your friend Senator LIEBERMAN had been elected Vice President. I doubt if this amendment would be on the floor today if Senator LIEBERMAN were Vice President LIEBERMAN. It would not be, and you know that.

We need an energy policy. We need to pay attention to energy. Nobody would dispute that. But you do not do it by trotting out an amendment trying to embarrass the Vice President of the United States

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. LAHOOD. I yield to the gentleman from Maryland.

Mr. HOYER. I thank my friend for yielding, and he is my friend, and I respect him because he cares about this institution.

Mr. LAHOOD. Absolutely.

Mr. HOYER. I do not know if he was speaking about me, I did not offer this amendment; but I will tell my friend, A, this is an amendment that was offered by the administration in its budget to shift the objective of spending from one account to the other.

Mr. LAHOOD. Reclaiming my time, Mr. Chairman, I would just say to the gentleman that this amendment says the Secretary of the Navy cannot pay the bill. That is not the amendment that was offered by the administration. You know that.

This amendment is being offered to try and embarrass the Vice President because some people around here think the administration does not have an energy policy. Well, we do have an energy policy, and we are going to debate it next week.

Mr. HOYER. Mr. Chairman, will the gentleman continue to yield?

Mr. LAHOOD. Of course.

Mr. HOYER. The gentleman did not allow me to finish.

The fact of the matter is, though, that it is a proposal in the budget to switch presently identified spending in one account to another account.

Mr. LAHOOD. Would you be doing this, would you be supporting this if it was Vice President LIEBERMAN? Of course, you would not. You know that. Nobody on your side would be doing this. We would not be having this debate.

This is a way to embarrass this administration. That is what it is. You do not have any other way to embarrass him, so you trot out this stupid amendment.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. The Chair wishes to inform Members that they should avoid references to Members of the other body.

Mr. LAHOOD. How much time do I have, Mr. Chairman?

The CHAIRMAN. The gentleman from Illinois has 1½ minutes remaining.

Mr. LAHOOD. Mr. Chairman, I suggest to the House, and I am not going to yield to anybody else, you have had plenty of time to demean the House. This amendment demeans the House. It demeans this bill, and it demeans all the Members of the House who vote for it.

So I would suggest that the Members of this House vote against this amendment and send a message you cannot trot out amendments just to embarrass a constitutional officer in the country, the second highest ranking constitutional officer. And, really, what it does, it demeans all of us. We have got better things to do around here than to take a cheap shot at the Vice President.

This is the ''cheap shot'' amendment. Vote it down.

PREFERENTIAL MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes in support of his motion.

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

The distinguished majority leader suggested that this amendment is, in his inimitable styling, chicken manure. I would say that the issue of equity in a democracy is not ''chicken manure,'' it is fundamental to our ability to govern in a democracy with a very large mistrust of government and public officials.

I can understand why someone who thinks that a tax bill that gives $53,000 in tax cuts to the wealthiest 1 percent of people in this society while it denies any tax cut whatsoever to 25 percent of the people who make less than $26,000 a year thinks that kind of a tax bill is equitable would think that an amendment such as this, which tries to address the issue of equal treatment, is somehow ''chicken manure.''

I think it is simply revealing of the mindset which allows people to call a tax bill like that equitable, and I am not at all surprised by it. I think the gentleman misses the larger point, and I am not surprised by that either. But I would simply say that what is at issue here is not as we have said on countless occasions, it is not what we think of the existing occupant of the Vice Presidential office. The issue is whether the second most powerful person in the land should be exempted from the same inflationary costs which are applied to every other citizen in this country. That is the issue.

The issue is not whether we are trying to embarrass the Vice President or not. We did not propose the change contained in this legislation. The White House did. The only way you can object to a change proposed by the White House, if it is carried in a bill like this, is to offer an amendment to delete it. That is exactly what we are doing. And for us not to offer this amendment would be to acquiesce in the pervasive acceptance of inequality and inequity which has become, unfortunately, all too routine under the leadership of this House.

Mr. FILNER. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from California.

Mr. FILNER. Mr. Chairman, I thank the gentleman for yielding to me.

The gentleman from Illinois earlier had said that this amendment demeans the House. I take what the gentleman says very seriously, because he has worked for this House, this institution, and loves this institution; and I know that. But I would say to the gentleman, we would be bringing up these amendments on energy bills if we were allowed to by the majority.

I would like you, Mr. LAHOOD, to go with me to the Committee on Rules when this energy bill you spoke of does come up, and ask them to give us the amendments that we have asked for. Ask them to give us the amendments for cost-base rates in the West; ask them to give us the amendments for overcharges; ask them to give us the amendments that we have sought.

I have written to the Speaker weeks ago to say schedule a bill that treats this crisis. We have been here for a year with this crisis, and have you responded? No. That is what demeans the House, our inability to talk about a crisis affecting America except in this context.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Maryland.

Mr. HOYER. I thank the ranking member for yielding.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Parliamentary inquiry, Mr. Chairman. How much more time remains on the 5 minutes?

The CHAIRMAN. Does the gentleman from Wisconsin, who has the floor on a preferential motion, yield for that purpose?

Mr. OBEY. No, I do not. I would prefer to stick to the rules of the House.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) has yielded to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. As I started to say, I have a great affection and respect for my friend from Illinois, and we are friends; but I have served a long time in this body. He has been here a long time as well. I do not believe I have ever tried to demean this House, and I hope he thinks I never would.

Now, this is not my amendment; but as I started to say to him, this is an amount which speaks to a legitimate legislative perspective, that is to say whether or not an expenditure should be in one section of the bill or another. This is a substantive issue. This is whether or not we should pay the utility bills of the Vice President's residence out of the Vice President's office account or we ought to pay it out of the Navy's account.

Nobody on this floor, nobody, has demeaned the Vice President. I have not heard one adverse word about the Vice President on this floor. This is a legitimate objective of legislators. You may disagree with the amendment, but it is not a demeaning amendment.

The CHAIRMAN. The time of the gentleman from Wisconsin (Mr. OBEY) has expired. Does a Member seek recognition in opposition to the motion of the gentleman from Wisconsin?

Mr. ISTOOK. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) is recognized for 5 minutes in opposition to the motion of the gentleman from Wisconsin.

Mr. ISTOOK. Mr. Chairman, I yield myself such time as I may consume. Mr. Chairman, it would make no sense for this committee to rise at this time to let people try to distract us from the important work of this House. I realize that there is no rule that says you cannot offer a mean-spirited amendment.

Now, there is no rule that says you cannot take a cheap shot. There is no rule, as the gentleman from Massachusetts suggested, that says you cannot try to embarrass somebody, whether it is justified or not. No, there is no rule that requires us to use common sense in this body. There is no rule that requires Members of this House to have an electricity meter outside the door of their office so that their constituents can see how much energy are they consuming. There is no rule that says they cannot ask all their constituents to mail to them the people who either did the wrong things or did nothing to let utility rates and fuel prices go up. There is no rule that says you cannot send them your utility bill or your electric bill.

It saddens me, Mr. Chairman, it saddens me to hear people being caught with such an obvious ploy trying to take a cheap shot at the Vice President and then stand up in front of the Nation, in front of this body, Mr. Chairman, stand up and try to say, oh, we are not trying to embarrass the Vice President. Malarkey. Do not insult people's intelligence that way.

If you were sincere, and you said, well, we just want to make sure that the Vice President is accountable for the utility bills, then you would have said he will pay the bills instead of having the Navy pay them, as Mr. Gore did; he will pay the bills and we are putting money back in the budget to enable him to do so. Because the money that was allocated to Mr. Gore to pay his utility bills, which was $43,000 a year, has been backed out of the Vice President's budget.

In addition to that, over the last couple of years, the Navy paid over $200,000 to pay the utility bills of Mr. Gore's residence. Did they offer an amendment that says the Vice President is going to be accountable for his own bills and we will have the money in his budget so that he can do so? No.

The effect of this is they want to strip money out of the Vice President's budget so he has to choose between paying the electric bills or doing the job that he was elected to do, because they will take away facilities, they will take away staff, they will take away whatever it is. The money is not in the Vice President's budget to pay his utility bills. That was what was proposed by the Clinton administration, to say have the Navy do it. That is what is in this.

And what they are really trying to do is say we want to prevent the Vice President from doing his job. Oh, but we are nice and clean and pure. We are not mean-spirited people at all. They are caught. They are caught embarrassed in front of the country trying to take a cheap shot and come back and try to justify it.

You can dress up a pig in as many dresses and designer costumes as you want, Mr. Chairman, but it is still a pig.

□ 1400

I am not about to kiss this pig. Vote no on any motion to rise and vote no on the amendment itself.

Mr. Chairman, I yield to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, it strikes me as odd that here we are in the legislative branch. As I recall, in this building, which is our office, we have a protection service, an excellent protection service, the Capitol Hill Police. Is that billed, so to speak?

That is billed in a separate account. Maybe we should look at that.

Who provides the medical services, the doctor for the Congress? Is that not the Navy?

Mr. ISTOOK. In short, as the gentleman from Georgia (Mr. KINGSTON) knows, there are a great number of services that are provided to each Member of this body in a collective manner without being allocated or billed to the individual Members.

Mr. KINGSTON. Who runs the Capitol Hill Historical Society or the Architect? Is that billed to the Congress?

Mr. ISTOOK. The Architect of the Capitol is part of the Legislative Branch budget.

Mr. KINGSTON. I think one thing we have to accept as Members of government is that there is a lot of cross billing and overlap.

Here we are in the Legislative Branch and we get the medical services from the Navy. We have the Historical Society services that provide part of the touring of the United States Capitol, our own office, and it is protected by the Capitol Hill Police.

Mr. ISTOOK. Reclaiming my time, the gentleman is correct about cross billing. We can look at the White House. There is a memorandum of understanding at the White House between literally dozens of different Federal agencies because they all become interrelated trying to provide the necessary services to the person that is the Chief Executive and the Commander in Chief of the United States of America. So too with the Vice President. There is a whole collection of entities that become involved in allowing him to do his duty.

Mr. Chairman, I oppose the motion to rise.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). All time has expired.

The question on the preferential motion offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. BARTON of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. LAHOOD. Mr. Chairman, I demand a recorded vote.

Mr. BARTON of Texas. Mr. Chairman, I had the recognition. I asked to strike the requisite number of words before the gentleman from Illinois (Mr. LAHOOD) was recognized.

The CHAIRMAN. A recorded vote has been requested.

A recorded vote was refused.

Mr. BARTON of Texas. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. BARTON of Texas. Mr. Chairman, I want to direct the Members' attention to the word that is carved in the cabinet that is right here before us. It cannot be read too well, but it is tolerance. I want to speak a little bit about tolerance, and I want to speak a little bit about facts.

Facts are troublesome things but they are facts. The fact is that we use about 100 quads of energy in this country every year. A quad is a quadrillion

BTUs. That is a fact. The fact is we produce only about 70 quads. Subtract 70 from 100 and we have a deficit of about 30. Thirty quadrillion BTUs of energy that this Nation is importing. That is a lot of energy.

Most of that is in the form of oil, but not all of it. We import electricity. We import natural gas. We import uranium to be refined into enrichment rods for our nuclear power plants. The only thing we do not import in terms of energy is coal. We are a net exporter of coal.

Some of the gentlemen that are supporting this particular amendment by the gentleman from Washington State (Mr. INSLEE) have been talking about the lack of an energy policy. We are going to have that bill on the floor next week. The major committees in the House reported it out last week. The Committee on Science reported it out by voice vote. That shows a little bit of tolerance there and a little bit of bipartisanship.

The Committee on Energy and Commerce where I am a subcommittee chairman, we reported it on a 50 to 5 vote. The gentleman from Virginia (Mr. BOUCHER) and the gentleman from Michigan (Mr. DINGELL) and others voted for the bill. That shows a little bipartisanship there.

The Committee on Ways and Means was a little bit tougher. It was a party line vote. The Committee on Resources was a bipartisan vote.

Those bills are being packaged together and it will be on the floor next week, we think, on Wednesday. There will be a lot of amendments made in order, some by Democrats and some by Republicans. We will have that debate on energy policy beginning next week.

My subcommittee this fall will put together an electricity restructuring bill, a pipeline safety bill, a nuclear waste bill, a hydroelectric reform bill. Hopefully, we will get bipartisanship, a little tolerance, and we will put those bills on the floor sometime this fall or next spring.

So we will have our energy debate. We will have our energy policy. I think the House will do what it is supposed to do and pass much of that and send it to the other body and hope that they work their will.

The particular pending amendment is kind of cute. Nobody can deny that. It gives people a forum to vent their frustration. Nothing wrong with that. Nothing illegal. But is it really worthwhile? I think not.

If we want to do some cute things look at the lights right up here. Some of the most energy inefficient lights in the country are lighting this debate so to speak.

The powerplant that provides the electricity is an old coal and oil-fired powerplant two blocks from the Capitol that many in the neighborhood think is an environmental hazard. If we want to engage in the kind of debate where we begin to point fingers, let us point at ourselves first. I am willing to be a part of that. But I am not willing to be a part of this particular amendment being considered as a serious amendment. It is really an amendment made in order to try to highlight an issue that we are going to have a lot of opportunity in the next week and in the next months to highlight. I hope we vote against this.

I am working with the gentleman from Washington (Mr. INSLEE). He is a champion of something called real-time metering and net metering. That will be in a bill that will come out of my subcommittee hopefully in the next 6 weeks. He will be a part of that process.

My friend, the gentleman from California (Mr. FILNER) has very eloquently depicted the plight of some of his constituents in southern California. We tried to put together a package for that earlier in the year. It floundered primarily on the fact that we could not get a consensus on price caps and we tried. We tried to get a consensus on price caps and we could not get it.

We may have that debate again next week on the floor, and, if so, we will have a spirited debate and let the votes fall where they may.

But on this amendment we should vote it on down and move on to the more substantive parts of the bill.

Mr. BARRETT of Wisconsin. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think like many Americans, when I first saw the articles in the paper about problems that the Vice President was having at his residence and his attempt to have the cost shifted to the Navy, what struck me more than anything was, wow, that is an expensive place to live. I was just amazed at how expensive it was. I started thinking about the time of year when we are talking about his bills and the major component, of course, is going to be air conditioning. It is summertime. We are here in Washington, D.C.

As I listened to this debate in my office, I was struck by the fact that I had an amendment to this bill that the Committee on Rules would not consider in order which would require the Federal Government when it purchases air conditioners to purchase energy-efficient air conditioners.

Now, the gentleman from Illinois said this was a cheap-shot amendment, and would not be considered if Mr. LIEBERMAN were Vice President. Well, it would just come from the other side of the aisle. This amendment was going to be debated regardless of who was Vice President, it was just who was going to have this amendment.

The point, this Navy Observatory residence is a Federal facility, and it should be using energy-efficient air conditioners. I tried to put in a public policy amendment to this bill to require the GAO to purchase energy-efficient air conditioners. It was denied access. So when I hear people say we are going to have this debate, we wanted to have this debate. We want to have this debate over energy conservation and energy efficiency, and we have been denied it.

That same amendment was part of the staff consensus bill in the Subcommittee on Energy and Air Quality of the Committee on Energy and Commerce that would have required the Federal Government to purchase energy-efficient air conditioners. It was taken out at the subcommittee basically on a party-line vote; a party-line vote saying we do not require the Federal Government to purchase energy-efficient air conditioners.

It is my hope the amendment will be permitted on the floor next week when we discuss the energy bill. But make no mistake about it, many of us on this side of the aisle believe there is a problem and that we, as the Federal Government have to purchase, energy-efficient air conditioners.

Mr. Chairman, in this Chamber we can talk the talk all we want; but until the Federal Government walks the walk, the American people are not going to believe us. Many Americans believe that elected officials say that is a problem for Middle America, but we are politicians, we are going to take care of ourselves. That is what it looks like to the American people. Until we as a Congress say we will lead this fight and try to do more to conserve energy, the American people are not going to buy it. I support the gentleman's amendment. I think it is a good amendment because I think it strikes at the heart of the matter.

To say that somehow it is not offered in good faith is wrong. Remember this change was requested by the administration. The only way to get this language out of the bill is to offer an amendment on the floor. That is exactly what my friend from Washington did. I hope most Members, a majority of Members in this Chamber vote ''yes.'' It is good public policy.

Mr. Chairman, next week we can move on to the real debate which is how do we as the Federal Government make sure that we purchase energy-efficient appliances.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. The Chair would admonish Members to refrain from mentioning Members of the other body by name.

Mrs. NORTHUP. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think it is important to recognize how we got here. We got here because we changed the way we measured the use of electricity and the use of power at the Vice President's residence. It turns out that the Navy has been subsidizing the Vice President's use of electricity for years, for years, all of the time with the previous administration.

Mr. Chairman, we are trying to make sure that we address this fairly. I have to say that I believe that it would have

been nice if the previous administration had had a strategy to address energy for everybody. We all wanted a strategy. They had no strategy, and now we do have a crisis. Many of our constituents are paying for it.

I appreciate the gentleman that talked about our senior citizens on a fixed income and people of moderate income, and small businesses that are closing down. They all could have used a long-range energy strategy, and it failed to materialize with the last administration. That is why our constituents are suffering. I appreciate that the current Vice President has a strategy, that he is working hard to make sure that every American's bills come down.

I appreciate that he is conserving energy and using less than the previous Vice President so that what he advocates in conservation he is also demonstrating by his own actions. But the fact is that we did not have an administration that addressed these causes. In fact, last year the Vice President moved out of his residence and reminded us every day that he had moved to Tennessee, while the American people continued to pay high energy costs on his residence at the Naval Observatory.

So they got hit two ways. They had nobody that was addressing energy policy, and they were paying these energy costs.

The fact is that we are trying to address this now. We have an energy policy. We know the Vice President needs the staff, he needs to be able to do his job. That is why the American people support the Vice President and the Office of the Vice President.

We are glad that he has decided to stay in Washington and do his work instead of moving home like last year's Vice President did. As far as his own personal bills, he does have a residence in Wyoming where he came from, and he is paying the higher bills just like every other American is all over this country. He is paying the higher bills that he is incurring in the residence that he owns.

But just like every other American that goes to work someplace else than the home they own, the business, and in this case the government, is covering those expenses. That is the way every other American is treated. We certainly never send a bill to our Armed Forces when they live in our barracks and our inadequate housing on our bases and tell them to pony up for more of the energy costs, and we should not do that for anybody else that has to be away from the home they own to go to work.

He is here. He is using less energy. He is addressing himself to an energy policy for the first time that will bring all American's prices down.

Thank you, Mr. Vice President, for the restraint you have shown, for the hard work in leadership to stop talking about a problem and put an action plan together, and to have the courage for doing that. And thank you for staying in Washington, D.C. despite energy bills and acrimony and what is in your best political future, and for staying here and doing the job.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. Members are reminded to address their remarks to the Chair.

□ 1415

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think it has been well documented the problems we are having in California with energy. My colleague from San Diego talks about his constituents. I think he works very hard for his constituents. But I would ask the gentleman from California, when Bill Clinton had this problem, for a year and a half, a year and a half, there were no calls for price caps. But now that we have a new President, the political expediency is to say, ''Well, let's have caps,'' to shift the blame.

I would say that, under President Clinton's rule, for 8 years there was no energy policy and now we are developing a policy that looks long term, that is a balance between exploration, technology and, yes, conservation and energy effiency. Bill Clinton's FERC was nonexistent. Where were my colleagues on the other side calling for caps when FERC, in my opinion, did not do their job and let the horse out of the barn that caused many of the problems we are in right now?

George Bush appointed a FERC, and already they have started to act to control prices, and I think FERC has saved a lot of the ratepayers money in the State of California. We have already seen some of the prices come down. Some of that is because of the conservation of California residents who have seen that it is a way to bring their prices down.

Pete Wilson first came up with the idea, Governor Wilson, a Republican, for deregulation. But then we went to Gray Davis, the Governor, and said, if you allow this deregulation, but you do not allow for long-term purchasing contracts, it is going to kill San Diego. In where my friend from San Diego lives, as I do, San Diego Gas and Electric is a private company. They cannot buy public power unless there is an excess. Of course, there is no excess. And when we put ourselves at the mercy of outside resources, which has happened, then we end up in the situation we are in right now.

We warned Governor Davis. Governor Davis came in with a $4 billion surplus and increased that after we balanced the budget because we sent more money to the States. Now the State is bankrupt. There is no money for education. There is no money for health care for the people of California. There is no money for transportation, because he has bankrupted the State. We want our State back.

I would say, where were my colleagues pointing the fingers when all of this was going on and happening under Bill Clinton with no action by FERC? But now we have another President, the finger points, ''Well, how about caps?'' Caps do not produce one ounce of energy.

We have a President now that has an energy plan. We ought to get behind it and pass it. We have gone to a very positive plan. But I want to tell my colleagues, we doubled our population in the last 12 years in California. Most States cannot claim that. We have. But at the same time we have been forced to shut down existing oil and gas refineries. We have been prevented and even shut down many of the electricity generators by the same type of radical environmentalists that shut off all the water in Klamath that put 40 percent of the farmers out of business up there. They do not care.

Where were my friends then when we said, hey, we need more power for long-term planning? They were silent, the same people that are still trying to shut down hydroelectric in northern California, in Washington and in Oregon for fish.

We say, ''Let's build spillways around so we can still have it.'' But, no, to the extremists, to the radical environmentalists, energy and water means growth, and they want to stop all growth.

Where were my friends from California then pointing the finger for their constituents for a long-term plan? We warned that this was going to happen. We are going to double our population in California over the coming decides. If we do not have this long-term plan for infrastructure, for conservation, for technology, for exploration, then we are going to really be in a problem.

But, no, they just want to say caps, let us bring a caps bill to the floor so they can point at the White House, who was in business one day and they started pointing the fingers at the White House.

The White House has helped.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

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

Mr. ISTOOK. Mr. Chairman, I demand a recorded vote; and, pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington (Mr. INSLEE) will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. HINCHEY

Mr. HINCHEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HINCHEY:

Page 89, strike lines 21 through 23 (section 635).

Mr. HINCHEY. Mr. Chairman, this amendment strikes section 635 from the bill here before us. In that section, the administration has proposed a new provision that allows the Secretary of the Navy to accept gifts of food, beverages, table centerpieces, flowers or temporary outdoor shelters for official functions at the residence of the Vice President.

What exactly does the term ''official function'' mean as it relates to this provision? What it means is among these:

Dinners hosting foreign dignitaries; receptions for visiting officials of States, territories or political subdivisions thereof; picnics hosted for residents of the U.S. Naval Observatory or the U.S. Secret Service protective detail; and meetings on policy matters or official social events with Federal agency heads, Members of Congress or with private persons.

This language in the bill before us raises some very serious questions. We know that executive branch employees cannot accept such gifts. We know that Navy personnel cannot accept gifts particularly from people who are seeking to influence them. Frankly, as an ex-serviceman, particularly as a former enlisted Navy veteran, I am deeply troubled by the idea that the Navy is going to be funneling special gifts from private persons and private entities to the Vice President of the United States. It also means that the White House can only accept food and drink in very limited circumstances, such as the annual Christmas party.

Yet this provision, the provision that I am seeking to strike from the bill, gives the green light to the Vice President to accept food and drink from private persons who come to meet with him on policy matters. It is hard to fathom why the administration feels the need for this provision. I hope that the President's tax cut has not left us in such condition that we need to be seeking these kinds of gifts from outside persons, particularly from corporations seeking favors from the administration.

Currently, the entertainment and reception costs incurred in the Vice President's residence for official functions are funded with appropriated dollars, and that is as it should be. Food and beverage at the Vice President's residence cost less than $50,000 a year. Surely we can afford to appropriate these funds so that the Vice President does not need to take handouts from corporations trying to curry favor with the administration.

Unfortunately, instead of trying to avoid the appearance that it is not beholden to special interests, this administration goes out of its way to be extra accommodating. From its decision on arsenic and mining wastes that have benefited big polluters to the Vice President's energy task force that met in secrecy and came up with a plan to benefit big oil and coal, this administration, even in its infancy, has been particularly adept at serving special interests.

Now we have meetings at the Vice President's residence sponsored by we do not know who, sponsored by perhaps Enron and Exxon meeting on energy issues, we can see the banners hanging over the room now; sponsored by Archer-Daniels-Midland on issues relating to agriculture; on meetings of social policy sponsored by the Cato Institute.

This is wrong. We ought not to have this crass kind of commercialization polluting the Vice President's residence. Meetings that occur there ought to be free and clear of inappropriate outside influence. Meetings that occur there and decisions that are made there ought to be based on the merits exclusively, entirely; and they ought not to be subject to the kind of outside influence that these meetings will inevitably be if we allow this provision to prevail.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the last word. I will not take 5 minutes.

We are all concerned about electricity costs, but let me tell Members some of the things that the Vice President and the President are not doing. They are not holding 400 Lincoln Bedroom lavish dinners for campaign contributors every single day for millions of dollars for the DNC. They do not have John Huang, Trie and Riady that are agents for the Chinese government and then sign an executive order giving missile secrets away to the Chinese. They are not holding these lavish parties.

There is a controlling authority, a legal controlling authority in the Vice President's office now, unlike the Vice President that made fund-raising calls out of there and then charged it to the taxpayers. So when you want to point fingers, where were you pointing fingers with the Clinton-Gore administration? Oh, no, they were silent.

But when you talk about costs, let us be realistic. The Vice President is trying to do everything he can to diminish the cost. The President has assigned the military a 40 percent goal of energy reduction. In California, they are already doing that. We were at Camp Pendleton. We were at other military bases. They have shut the things down. That is the same thing the Navy is doing, by reducing consumption. The President is doing that. So is the Vice President. But my colleagues want to talk about increased costs and shifting the blame.

The whole Clinton-Gore administration last year, over the last eight years, you know how corrupt they were. You know the millions and billions of dollars they spent. Look at Africa, $12 million for a trip to Africa. Where were the gentlemen when the President spent $12 million for press and aides going to Africa?

Yes, we are concerned about costs. But when you have got somebody that is focusing on that and then you blast them, we think it is a little ridiculous.

We have a good bill. We have a good balance from the President. We have bipartisan support. What we need to do is focus the energy of my colleagues on the other side. The gentlewoman from California (Ms. LOFGREN) and I are supporting a bill on fusion. We have got 11 nations involved in that. With the help of the gentleman from Massachusetts (Mr. MARKEY), we actually got some things into the bill of the gentleman from California (Mr. THOMAS) to give tax relief to people that conserve energy. Yet my colleagues want to talk about stuff like this. I think it is ridiculous.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first of all, let me respond to what I perceive to be the unfortunate assertion of the gentleman from California with reference to corruption. He uses that word awfully lightly. No such things were ever frankly as I recall asserted even. They may have asserted that there was an overuse, but the word corruption I cannot recall being used. I think it was unfortunate that the gentleman from California used it. There is no such proof of any of that allegation.

The gentleman from Illinois talked about demeaning the House. I did not really get into it, but let me tell you, for the last 6 years we have heard rhetoric like that. The chances of this provision being included in this bill if it were Vice President Gore, the Vice President of the United States, are zero.

I do not say that because I speculate or that is my opinion. It is because I served on this committee for the last 6 years.

□ 1430

I saw the attention to detail and the objections that were raised repeatedly by this committee's majority on expenditures and fine-tooth-comb analysis of those expenditures. This is not about corruption. This is about policy.

Now, I am not going to get deeply into this debate, but I do want to respond as forcefully as I know how to the assertion that somehow these amendments are different than amendments that have been offered in the past by the majority when the other party, my party, was in control of the White House and the Vice Presidency. Very frankly, we can debate these on policy grounds; I think that is appropriate.

There is no assertion here that the Vice President has done something wrong because they suggest that consumables be donated to the Navy for use at the Vice President's residency. What is asserted by the gentleman from New York is that this, again, takes out of our purview, first of all, the oversight on the expenditures, and, secondly, opens up the Vice President's residency to substantial private sector donations. Not to the Vice President's residency, but to the Navy, and puts the Secretary of the Navy in

the position of accepting these donations. That is the issue before us, as to whether or not that is appropriate.

Mr. ISTOOK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will not use 5 minutes. We do not need to bog down in more partisan debate on this. But I would suggest, Mr. Chairman, that we apply the same standard to the Vice President that is currently in the office as was applied to the White House with the current and former occupant. For all I know, Mr. Chairman, it may have been the practice, whether it was expressly authorized or not, by a former Vice President.

But I do know it is the practice every day, every night, involving the Congress of the United States. We have a multitude of meeting rooms here in this United States Capitol building. We have groups that commonly come in here, have breakfasts, lunches, dinners, receptions, in which the food and the beverage is provided by these groups. That is common practice.

Now, to say that somehow the Vice President, by having a far, far smaller number of events where somebody else might provide food or drink, is going to be irresponsible or corrupted, if that is the issue, then I would expect the proponents of this amendment to be on this floor saying kick all these receptions out of the U.S. Capitol, kick them all out of the House and Senate office buildings, if you believe that they have a corrupting influence.

Now, I know it is common, Mr. Chairman, for people to try to arrange meetings at times they can get people together, and you can get people together when you know they are going to have breakfast anyway, or lunch or dinner. That is common practice.

But to say that does not apply to the Vice President, who lives in the Naval Observatory and is away from facilities that otherwise could host things, if you want him bouncing back and forth every time he is going to do the same thing that most Members of Congress do on a regular basis, to be able to meet with people who have come from all across the country because they think they have important things that need to be shared with government officials in Washington, let us apply a uniform standard here.

If one honestly believes that somebody is going to be corrupted by having a hamburger or a steak or chicken or something to drink, or whatever it is, then, by all means, make sure you have a uniform standard, and go for what they call in some States ''the cup of coffee rule,'' that you cannot have a cup of coffee paid for by somebody else because it might corrupt you.

But let us not say that we are going to be putting things on a level playing field or being evenhanded by voting to put that restriction only on the Vice President. I do not think that washes, Mr. Chairman.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

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

Mr. HINCHEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York (Mr. HINCHEY) will be postponed.

AMENDMENT OFFERED BY MR. COLLINS

Mr. COLLINS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLLINS:

At the end of the bill (before the short title), insert the following:

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Federal Buildings Fund'' (and the amount specified in clause (5) under such heading for building operations), and increasing the amount made available for ''National Archives and Records Administration—Repairs and Restoration'', by $14,000,000.

Mr. COLLINS. Mr. Chairman, I rise today on behalf of a project to construct a new Southeastern Regional Archives in Atlanta, Georgia, for its National Archives and Records Administration. The regional archives provides a necessary service of acquiring, preserving and making available for research the permanent records of the Federal Government. Currently, all of the records in the Southeast are stored in a World War II-era warehouse that does not meet building codes and is scheduled to be condemned and torn down. My amendment would transfer $14 million of GSA's buildings operations account into the National Archives Repair and Registration Account.

The Southeast Regional Archives serves Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. Its holdings include the records of the Civil War, World War I, the Tennessee Valley Authority, the Marshall Space Flight Center, the Kennedy Space Center, the Manhattan Project, the Centers for Disease Control, and the Federal courts of the Southeast region.

It is simply unacceptable to continue to store these documents, these important documents, I may say, that detail our Nation's history, in a facility that is due for the wrecking ball. National Archives acknowledges that these historic Federal records are currently at risk, housed in a warehouse wholly inadequate as an archival depository.

With the knowledge that this facility is inadequate for current and future requirements, National Archives began a serious search for a site for a new facility several years ago. Primary among the selection criteria was a site that would provide partnership opportunities with academic and cultural institutions. At its proposed location in Morrow, Georgia, National Archives will be sited immediately adjacent to Clayton College and State University. Sharing the site with National Archives will be the new Georgia Department of Archives and History building.

This effort is the culmination of years of negotiation between officials at National Archives, Clayton college, the Board of Regents of the University System of Georgia, the State of Georgia and the local business community. In recognition of the importance of this project, Congress has previously appropriated funds in FY 2000 for an environmental assessment and in FY 2001 for design of this facility.

The commitment of the Georgia Department of Archives and History, Clayton College and State University, and the National Archives to this project creates a historic partnership for services to the citizens of Georgia, the Southeastern United States, and the United States as a whole. All parties are now fully engaged in the project, and it is critical that we provide the necessary Federal contribution to keep this project on track.

I urge my colleagues to join me in support of this important amendment.

Mr. ISTOOK. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I state that we certainly have no objection to the gentleman's amendment. It is an important need that he has mentioned. We are unsure as we work with him regarding potential sources ultimately for funding, but we realize we need a placeholder in the bill for an account from which to fund it. So I look forward to working with the gentleman from Georgia to fill this important need.

Mr. CARDIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this bill includes $146 million for the Internal Revenue Service to continue the Earned Income Tax Credit Compliance Initiative. I share the concern of the committee that the IRS have adequate resources for expanded customer service and public outreach programs, and strengthened enforcement programs to ensure the highest possible level of taxpayer compliance.

The EITC, which was created in 1970s and was significantly expanded by President Reagan and then again by President Clinton, serves to reward low-income Americans for the work they do. Millions of American families receive much-needed assistance in the form of tax credits that are based on the amount of income they earn.

There is a reason why President Reagan once referred to the EITC as the best anti-poverty and the best pro-family, the best pro-job creation measure, to come out of Congress. Recent studies have found that more than 60 percent of the increase in employment of single mothers has been due to the expansion of the EITC. The EITC has complemented and supported Congress' efforts to end welfare dependency by helping millions of poor women make the transition from welfare to work and remain self-sufficient.

As a member of the Committee on Ways and Means, I have taken a strong

interest in the implementation of the effectiveness of the EITC. For all its success, the EITC has come under strong criticism for its complexity. Groups such as the American Institute of CPAs and the Tax Section of the ABA have commented on the extraordinary complexity of the EITC and have recommended simplification of the credit to assist taxpayers complying with the credit requirements.

The tax bill signed into law earlier this year by President Bush contained among its lesser known provisions important simplification of the EITC. Those changes were made on a bipartisan basis to eliminate disparities between regular income and the EITC and make it easier for low-income working Americans to understand the law and enjoy the benefits of the EITC.

The EITC taxpayer will now be able to base their credit on adjusted gross income, rather than having to do it on additional calculation of modified adjusted gross income. They will also be able to use the same definition of earned income that is used elsewhere in the Tax Code.

Under the new law, the IRS is directed to study and eventually implement use of ''math error authority'' to deny EITC taxpayers who do not reside with the children they claim. Perhaps the most important change is the bill simplifies the AGI tie breaker by giving the parent of a qualifying child clear primacy in claiming the credit.

These changes, which will begin to take effect next year, will have a significant impact on removing complexity from the Tax Code and making it easier for taxpayers to comply with the law in claiming the EITC. They will spare taxpayers from filling out pages of complicated work sheets and hunting down information not required on any other tax form.

EITC compliance has received a great deal of attention and study. Of course, we must work to ensure the integrity of this program, just as we must ensure the integrity of our income tax system. Efforts to further examine and improve the EITC compliance should accurately reflect the recent changes in the credit and IRS's growing list of tools to promote compliance.

Finally, such efforts must focus on IRS management of the program, its outreach and education strategy for taxpayers and tax preparers, and whether it is efficiently allocating its resources to achieve maximum reduction of EITC overpayments.

I am committed to working to streamline and improve the EITC, so that millions of low-income working families receive the assistance that this Congress has intended. I look forward to working with the gentleman from Oklahoma (Chairman ISTOOK) and the ranking member, the gentleman from Maryland (Mr. HOYER), in their continuing efforts to improve the effectiveness of the IRS management of this very important and worthwhile provision of our tax system.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore. Does the gentleman from Maryland wish to address the matter pending before the House, the amendment offered by the gentleman from Georgia (Mr. COLLINS)?

Mr. HOYER. I do, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from Maryland is recognized for 5 minutes.

Mr. HOYER. Mr. Chairman, the gentleman from Georgia talked to me about this amendment just a little while ago, I do not know exactly how long ago it was; and very frankly, I have not had the opportunity to review it, I have not really discussed it with the chairman, and am not going to ask for a vote on this.

But it is my understanding, I want to tell the gentleman from Georgia, first of all, there is a question about whether or not this money can be obligated this year. I do not know the answer to that question, but I will tell the gentleman I want to find that out from the National Archives, whether or not it is able to be obligated this year.

If it is not able to be obligated this year, obviously it will push out an expenditure that could be obligated this year. There is a tremendous backlog, as the gentleman knows, for capital improvements in every area of this country.

Secondly, we have not considered this in the subcommittee or full committee, so I do not know the full merits of this project. The gentleman tells me, and I understand what he is saying, first of all, it is not going to be in his district, so this is not a district concern.

□ 1445

I am a big supporter of the National Archives and its work, and they need facilities that are adequate and protective of the materials that they store. But I am in the unfortunate position of not knowing enough about the amendment, frankly, to support it.

I would tell the gentleman I will not oppose it at this point in time because the chairman wants to accept it, but I will be looking at this and I will discuss it with the gentleman and the conference committee to determine what we are going to do.

Mr. COLLINS. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Georgia.

Mr. COLLINS. Mr. Chairman, I respect the gentleman's opinion and position on this, and I appreciate that, and we will be glad to work with the gentleman and with the Chairman in any way possible that we can to make sure that everyone understands that this project, where the current location is, where the future location will be, and in 2 weeks we will know whose district it possibly will be in, if it is in an open district in Georgia.

But it is a very vital need. It is one that has been worked on for quite some time. Also, in reference to GSA, there is a GSA facility that is across the county line from my particular district that is being closed as an effort to save money in the long run, and we concur with that effort. And we certainly appreciate and respect the gentleman's position.

Mr. HOYER. Mr. Chairman, reclaiming my time, I thank the gentleman for his comments.

In closing, I also want to make the comment that although he takes this money out of an account that is a large account, it is a large account that has huge obligations in terms of the objects to which it is dedicated: that is, the maintenance and repair of Federal buildings all over this country. So although it seems to be a big pot out of which he is taking this money, it is, nevertheless, a pot which does not have enough money in it at this point in time to accomplish what GSA says is necessary in terms of repairs and alterations.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The question is on the amendment offered by the gentleman from Georgia (Mr. COLLINS).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. TRAFICANT:

At the end of the bill (preceding the short title) insert the following new section:

SEC. ____. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

Mr. TRAFICANT. Mr. Chairman, actually, I have a total of four amendments to this bill. This is the Buy American amendment that has been added to all appropriations bills.

Mr. ISTOOK. Mr. Chairman, I reserve a point of order, because I am not sure which of the Traficant amendments is being offered.

Mr. TRAFICANT. Mr. Chairman, it is the Buy American amendment.

The CHAIRMAN pro tempore. The Chair would have to rule that the debate had already begun and the time had passed to reserve a point of order.

Mr. ISTOOK. Mr. Chairman, we have not seen a copy of the amendment. We understood that the only reference was to an amendment at the desk and did not identify which amendment was at the desk.

The CHAIRMAN pro tempore. This is amendment No. 6 printed in the RECORD.

Mr. TRAFICANT. Mr. Chairman, before I go to the elements of this amendment that has been added to all appropriations bills, I have the intention to offer three other amendments, but I may offer only one of them.

Let me explain what the other three are, briefly. One would stop the penny

increase in postage stamps. The other would stop bonuses to postal brass who want to kill Saturday service and raise rates. I am not going to bother with those, but I will later tonight offer an amendment that will kill bonuses to IRS brass.

Now, the amendment, in order to be germane, had to be printed that it would kill all bonus incentives for the entire service. Let legislative history show that that is not my intention and, in conference, if it should pass, the Traficant amendment deals with the brass. Eighty percent of information given to taxpayers was wrong this last year by the Internal Revenue Service. Most of the audits they perform are on lower- and middle-income Americans.

So when I offer that, the argument is going to be that TRAFICANT wants to hurt everybody from getting bonuses. I do not, but to make it eligible, that is the way it reads now, and I would ask that if it passes, that the gentleman from Maryland (Mr. HOYER), our distinguished leader here, to make those changes.

The Buy American amendment is straightforward. Anybody who has, in fact, violated the Buy American Act is not entitled to any money under the bill.

Mr. Chairman, I yield to the distinguished ranking member, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding. I want to say that the gentleman has offered this to previous bills, and we have accepted this on previous bills, and I would presume, although I have not talked to the chairman about it, that he will accept it on this bill.

Mr. TRAFICANT. Mr. Chairman, I yield to the distinguished gentleman from Oklahoma (Mr. ISTOOK), the chairman of the subcommittee.

Mr. ISTOOK. Mr. Chairman, we have no objection to the amendment offered by the gentleman from Ohio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The amendment was agreed to.

Mr. NUSSLE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in favor of H.R. 2590 providing appropriations for the Department of Treasury, Postal Service and various general government operations. I compliment the gentleman from Oklahoma (Mr. ISTOOK), the chairman of the subcommittee, and the gentleman from Maryland (Mr. HOYER), the ranking member, for their work on this bill, as well as for their cooperation in making sure that this bill complies with the Budget Act and the budget resolution of 2002.

H.R. 2590 provides $17 billion in budget authority and $16.3 billion in general outlays for fiscal year 2002. This amount is within the subcommittee on Treasury and postal services and general operations 302(b) allocation, and the bill, therefore, complies with section 302 after the Congressional Budget Act of 1974.

The bill also provides $48 million in advance appropriations for fiscal year 2003, which will account against the allocation established pursuant to next year's budget resolution. This is an advance appropriation which is included in the list of permissible advance appropriations pursuant to section 201 of H. Con. Res. 83, which is the budget.

Mr. Chairman, H.R. 2590 does not designate any emergencies, an act that would increase the appropriation committee's 302(b) allocation. The bill provides $146 million in budget authority for compliance activities related to the earned income tax credit, as the gentleman from Maryland previously stated. Under section 314 of the Budget Act, I am required to increase the appropriate totals in the budget resolution and appropriation committee's 302 allocation by the amount that is appropriated for this activity, up to a maximum of $146 million. So accordingly, I have increased that appropriation committee's allocation. But this will not become permanent until the appropriation bill itself becomes law.

I would note with some amusement that this bill also includes a limitation that prohibits appropriations from being used to pay the salaries of OMB staff who prepare a table that shows the President's discretionary priorities across the 13 appropriation subcommittees. It seems rather curious that while the individual appropriation bills themselves are, of course, submitted to the President of the United States for his approval, he should not be allowed or his staff should not be allowed to even suggest how the overall level of discretionary spending should be allocated among the subcommittees. I would support an amendment to strike this provision. If such an amendment is not offered, I would strongly suggest to the chairman and the ranking member that this provision be dropped in conference. This is irrelevant to this appropriation bill. I would suggest to the committee leadership who have put together a very professional work product that this is a small-minded provision and has no business within this very serious bipartisan work product.

In summary, H.R. 2590 is fully consistent with the budget resolution and on this basis, I urge my colleagues to support this very important bill.

AMENDMENT OFFERED BY MR. FRANK

Mr. FRANK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FRANK:

Page 95, after line 16, insert the following new section:

Sec. ____. No part of any appropriation for the current fiscal year contained in this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

Mr. FRANK (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 Massachusetts?

There was no objection.

Mr. FRANK. Mr. Chairman, the bill that comes before us makes a change in existing law that I think is a mistake. Under existing law, and I am told that it has been this way since 1950, if the United States Senate votes down a nomination, that individual whose nomination was voted down cannot be the subject of a recess appointment. On the other hand, it has always been the case that if the Senate does not act on a nominee, that nominee can be the subject of a recess appointment.

Previous administrations, and I know we had some talk back and forth about whether the amendment involving the Vice President's house and his electric bill would have been offered if we had the former Vice Presidential candidate as the Vice President; I am not sure, as a fellow religionist of the former candidate, maybe the lights would have been out from Friday night to Saturday night, so maybe the electric bill would have been cheaper, but we do not have to face that here. Because this provision, the provision that says that you could appoint someone to a recess appointment, even if that person had been rejected by the Senate, that was requested by the Clinton administration of the Committee on Appropriations and the Committee on Appropriations correctly said no to it. So there is no argument here that there is any differential treatment.

Since President Truman, this has been the rule. The President has a right to make a nomination. The Senate has a right to vote on it. If the Senate fails to vote, then that individual could be given a recess appointment, as was, for instance, Bill Lann Lee, the Assistant Attorney General for Civil Rights. His nomination has not been voted on and, therefore, he could be given a recess appointment. But if the Senate votes someone down, takes up a nomination and votes it down, the law has been that that individual could not be paid and, therefore, could not get a recess appointment.

Now, people will say, and I know we are dealing here with inter-branch situations, and I know one of the taboos is that we here in this Chamber of the people are not supposed to take in vain the name of the lofty institution on the other end of the building, but it is relevant here for legislative purposes, so I assume I will have the indulgence of the Chair in pointing this out.

Here is the problem: right now, there is a difference in impact if the Senate votes someone down or fails to vote. If they fail to vote, that person is eligible for a recess appointment. If they vote the person down, he or she is not eligible. If we adopt the language that this administration and the Clinton administration and previous administrations have asked for, that difference will disappear, whether the Senate votes down a nomination or refuses to vote on it at

all will make no difference in the President's ability to appoint that individual.

I think it is a mistake to do that. Many of us think it is wrong for action to be inaction. If there is opposition to a nominee, that opposition ought to come forward, there ought to be a debate and there ought to be a vote. Nominees ought to get votes. It ought not to be the case that nominations are killed simply by inaction.

Under the current system, as I said, the Senate has to make this decision. If they let a nomination die by inaction, that nominee is eligible for a recess appointment. If they do what the Constitution calls for and vote the nomination down, the nominee is not eligible for a recess appointment. Let us not collapse that difference. Let us not remove one incentive which now exists for the Senate to take action. Let us not create a situation legislatively where, if a nominee is voted down in an open vote with debate and a chance for people to speak on it, it has the same effect as if that nominee is held up by some inaction.

□ 1500

I do not think we ought to contribute to this situation. As Members know, that directly affects us. Sometimes disagreements occur. They have happened in the Senate. Bills have been held up. Appropriations bills were recently held up because of a dispute over whether or not nominations would be voted on.

There is a bicameral interest in there being action as opposed to inaction in the other body, because inaction in one body can lead to the kind of disputes that prevent both bodies from acting.

So this is not partisan, this is executive versus legislative. This was a request that was made by previous administrations who wanted to be unfettered. What this says is in this administration, as in any other, let the Senate vote. If they vote and vote someone down, he or she should not subsequently be given a recess appointment, which is constitutionally permitted but, in effect, a defiance of the vote.

If, on the other hand, they fail to vote at all, then it ought to be the case that that person is subject to a recess appointment, because they should be able to benefit from their own inaction.

Mr. ISTOOK. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

I understand the policy issues that he talks about regarding funding of persons who have been appointed but have not been confirmed by the U.S. Senate. However, the reason for not including language in this bill to try to protect the prerogatives of the Senate is because I believe, and many of us believe, that any language to protect the prerogatives of the Senate ought to be composed and sought by the Senate. Any language to protect the prerogatives of the House should be composed and offered by the House.

For this reason, I believe that we should leave this matter alone and not adopt the amendment offered by the gentleman from Massachusetts. I expect that the Senate in their version of this bill will want to include some language that they craft which may be the same or not the same as the gentleman prefers, but I would rather address that in conference with the Senate, knowing what they want.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. ISTOOK. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, I would say this. If we were talking solely about something that affected only the Senate, that I suppose would be reasonable.

Mr. ISTOOK. Mr. Chairman, reclaiming my time, I yielded for a factual questioning, not for a running argument. I realize we may have different interpretations of what is important here, but I do believe that this ought to be the prerogative of the Senate. The Senate can pursue it. They have the opportunity to do so.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have had some discussion about demeaning the House. The lack of intellectual integrity demeans the House. The bipartisan treatment of what the gentleman from Massachusetts refers to very clearly as institutional matters in a partisan way demeans the House.

Mr. Chairman, this is a constitutional issue not just for the United States Senate but for the Congress of the United States and for the House of Representatives, which, under the Constitution of the United States, has primary responsibility for appropriating dollars. It is not the Senate. The Senate cannot initiate appropriation bills or tax bills, as the chairman-to-be of the Committee on Ways and Means knows.

Mr. Chairman, the fact of the matter is, and I would hope that all of my colleagues on both sides of the aisle would take note of this debate, this provision has been in this bill for half a century. When I was chairman of the Committee, the Clinton administration sought to delete this language in 1993 and 1994.

I rejected that request and carried it in this bill. Why? Because what this amendment says is that an administration cannot appoint somebody who has already been rejected under the Constitution of the United States, which, yes, gives to the Senate the power to advise and consent, and if they have failed to consent to an appointment, the Congress of the United States has consistently held that we can then, whatever administration we are, Democrat or Republican, turn around and in effect thumb our nose at not just the Senate but at the Congress, and spend money that we have appropriated on an appointment that has been rejected by one arm of the Congress. For 50 years the Congress, both sides of the aisle, both houses, have stood for that.

Now, I said intellectual integrity, which I think also implies consistency. We demean the House when we, from an institutional standpoint, treat an administration differently because they are of the other party. I told the Members how I treated the Clinton administration on this very issue, which I thought was not a partisan issue between the Clinton administration and the Republicans in this House that we Democrats had to protect, but was an institutional issue, where we had to protect the jurisdiction and integrity and equal stature of the Congress of the United States.

I would hope my Republican colleagues would sustain this amendment and would continue in place language which says that money that we have appropriated cannot be spent on an appointee that has been rejected by the Senate. That is of interest to us both.

Why? Because it is of interest that a co-equal branch of government remains co-equal, and that no administration, once the process has been pursued of presenting a nominee, having hearings on that nominee, having votes in committee and on the floor, and it is the judgment under the Constitution that that nominee should not take office, that any administration could not then turn around in an interim, after the Congress has gone home, and say, ''I do not care what you said. I am putting this person in this position and we are going to pay him.''

If there were not a 50-year practice, one could possibly say, oh, well, they are just going after the Bush administration.

Lastly, let me say this. Is there any doubt by anybody on the Republican side of the aisle, any doubt, that they would have rejected this proposal out of hand if it had been made by the Clinton administration? They would not have given it 5 seconds worth of thought, and they would have stood on this floor and railed against the arrogance of the administration to think that they could place in office somebody rejected under the Constitution pursuant to law for the position that they sought and were then placed in, notwithstanding the actions of the United States Senate.

I would hope on this issue that we would come together from an institutional equal-branch perspective and accept this amendment, and reinstate this language that we have carried for 50 years.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I tend to agree with the gentleman from Massachusetts and the gentleman from Maryland. I get upset when I think that someone is taking potshots, I am the first one to stand up and defend. I think the other two issues were, in my own opinion.

But I asked myself why, and I would yield time, why would President Clinton want to remove this in his tenure

and why would it appear now. Would it be that if someone is not acted on, there is not a vote, that it would be a way to force the Senate to bring that to a vote and to discuss it? I think that part would be good.

But if the person has already been voted on under the Constitution, then I can understand why the gentleman would object to it.

Mr. FRANK. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Massachusetts.

Mr. FRANK. Mr. Chairman, I thank the gentleman from California for his courtesy in yielding.

That is exactly what motivated me to offer this, in part. Right now under existing law there is a difference in outcome. If the Senate refuses to vote at all, then the President can make the recess appointment. But if the Senate does its constitutional duty, votes, and votes someone down, that person cannot be appointed. I think that is very good, because that means a nominee and a President have that right to a vote. It is more likely to require a vote.

If we were not to adopt this amendment, then the consequence of not voting and of voting someone down would be the same, and there would I think be fewer votes, more nominees killed silently, and I do not think that is appropriate.

I have to say, when we talk about prerogatives, if we talk about something that entirely affects the internal operations of one body or the other, I think we should defer. But when we are talking about public officers of the United States, then I think it is reasonable for us to do it.

I appreciate the gentleman allowing me to speak further.

Mr. CUNNINGHAM. My real concern is, and in the other body we have many confirmations in defense, NTSB, those sorts of things, that have been held up. I think there ought to be a way to force those to be seen, because the administration is operating at a disadvantage. If they are not voted on, then I think they ought to be able to to be appointed.

Mr. FRANK. Mr. Chairman, if the gentleman will continue to yield, that is one of the effects of putting back the amendment.

In other words, today, and with the amendment as adopted, if the Senate refuses to vote, then the administration can appoint that individual. But if the Senate does what the gentleman and I agree it should do, it takes it and votes it up or down in the public way and the nominee fails, then the nominee cannot get a recess appointment.

In other words, we should be constructing the situation so there is an incentive to vote on the nomination and not kill it silently. Under this amendment, there would be that situation. A nominee voted down could not get a recess appointment. A nominee killed silently could get a recess appointment. I think we should preserve that status quo.

Mr. CUNNINGHAM. The gentleman thinks that both President Clinton and President Bush would have wanted to put people in office that they wanted, even though they were not voted upon?

Mr. FRANK of Massachusetts. If the gentleman will continue to yield, yes, I think Presidents want to operate with as little constraint as possible. It is not a personal matter, it is institutional.

I do think that, although, frankly, I think the administration is making a mistake in asking this, because I think it is in their interest to get a vote, and this is the one mechanism we have for encouraging nominees to get a vote, rather than to be killed silently.

In other words, there should be a difference in consequence whether a nominee is silently killed by a refusal to vote or actually voted down. The amendment would say to the Senate: ''Look, you have an incentive, if you do not like someone, to take up that nomination and vote the person down because that will keep the person from a recess appointment, rather than killing it silently.''

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. 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. WELDON of Florida:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce any of the proposed amendments to part 1 or 31 of title 26 of the Code of Federal Regulations, as published in the Federal Register on January 17, 2001 (66 Fed. Reg. 3925, relating to Guidance on Reporting of Deposit Interest Paid to Nonresident Aliens).

Mr. WELDON of Florida. Mr. Chairman, it is my intent to withdraw this amendment, but I rise on the floor to speak on this issue and engage the chairman of the Committee on Ways and Means on a colloquy on this extremely important issue.

On January 17, 2001, the Department of Treasury proposed a regulation requiring all banks located in the United States to report to the Internal Revenue Service the amount of interest paid to nonresident aliens who are individual depositors in these banks.

I have a very, very deep concern about this proposed initiative. The interest payments in question are not subject to U.S. tax. This additional reporting requirement for banks will not further any U.S. financial interests in collecting revenues from foreign depositors, nor, in my view, is this requirement an appropriate means to accomplish any other public policy purpose intended to be served by the proposal.

This regulation will impose significant costs on the Nation as a whole. The proposal is in conflict with a longstanding objective of the Department and the Congress to encourage nonresident aliens to deposit their money in U.S. banks so that those funds can in turn be used to foster growth and development in this country and in the communities served by these banks.

For 80 years we have been encouraging foreign deposits in U.S. banks. I am concerned that adoption of this IRS proposal would place U.S. banks at a competitive disadvantage relative to banks of our trading partners, and will result in the significant withdrawal of foreign deposits in U.S. banks.

Indeed, as we are reducing taxes in an effort to put more money into our economy and stave off a recession, the IRS is proposing a regulation that could cause a much larger amount of capital to flee our economy.

Furthermore, I would like to point out to my colleagues that I am in possession of a letter from Americans for Tax Reform supporting this amendment.

Mr. THOMAS. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the gentleman from California.

Mr. THOMAS. Mr. Chairman, I thank the gentleman for yielding time to me. I understand his concern about this proposed regulation.

However, I do want to underscore that all of the gentleman's comments are in anticipation of this regulation being approved. It is in fact in the process of being reviewed. It was presented in the last few hours of the Clinton administration, and the Bush administration is examining it.

I do believe it may have the unfortunate consequence that the gentleman from Florida has indicated, and that is that a wholly unnecessary flight of capital, not just out of Florida but out of the United States, at a time when obviously people are looking to this country; notwithstanding our current economic concerns, they are still placing enormous amounts of capital in this country because of a reasonable return and primarily because of the security or low risk.

□ 1515

We ought not to rock that boat unnecessarily.

I rise in concern on this amendment to the Postal Treasury bill because it is an amendment prohibiting monies being spent on a proposed regulation; and I do believe that is fraught, if in fact this practice were to become popular, with really completely disrupting the rulemaking process in the administrative branch. Because the language says no money can be used, how do we then collect the data to make an informed decision on whether the rule

should go forward or not. The gentleman from Florida does not want the rule to go forward, but that is in this particular instance.

Therefore, I rise, one, to respond to his concerns about the potential problematic aspect of this proposed regulation, but, more importantly, to offer, because the Ways and Means has jurisdiction over this material, my office and potential hearing, but especially to get Treasury together with those particular interests and make sure that there is a complete understanding of the consequences of this regulation, if it goes forward.

Notwithstanding that effort, if it goes forward, I can assure the gentleman that there will be hearings on what would then be the completed regulation; and if in fact we did not get significant changes, we would then very well be moving legislation. That I believe would be the appropriate way to deal with this potentially vexing rule that is in the examination process in Treasury.

This amendment, although I know well-intentioned, really has, in the chairman's opinion, ramifications far beyond this one particular issue.

Mr. WELDON of Florida. Reclaiming my time, Mr. Chairman, I thank the gentleman for his insights. It is my intent now to withdraw the amendment, and I am certainly looking forward to working with the gentleman in the months ahead on this very, very important issue.

I know for Florida bankers this is an area of major concern. If the rule, as intended, were fully implemented, it could really hurt in particular minority communities that rely on these community banks for loans.

Mr. THOMAS. If the gentleman will continue to yield, I want to thank the gentleman very much for his interest in this issue, but most importantly his courtesy in not moving forward.

Mr. WELDON of Florida. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

Amendment Offered by Mr. Sanders

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS:

At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. ____. None of the funds made available in this Act for the United States Customs Service may be used to allow the release into the United States of any good, ware, article, or merchandise on which the United States Customs Service has in effect a detention order, pursuant to section 307 of the Tariff Act of 1930, on the basis that the good, ware, article, or merchandise may have been mined, produced, or manufactured by forced or indentured child labor.

Mr. SANDERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. SANDERS. Mr. Chairman, this is a noncontroversial amendment that I believe is going to be accepted by the majority and the minority.

Because, Mr. Chairman, we live in a world in which hundreds of millions of children work at child labor, in some cases in horrendous conditions and in some cases as indentured servants, without any freedom at all, several years ago we passed legislation here that prohibits the importation of products into this country made by children who are indentured servants.

This amendment strengthens that legislation by saying that if the Customs Service detains that product because they believe it is made by children who are indentured servants, it should not be released into the general public. Occasionally that happens now, and this amendment would put an end to that.

Mr. Chairman, this amendment deals with one of the most disgraceful and embarrassing aspects of our global economy: child labor.

Mr. Chairman, it is an outrage that American workers must compete for jobs with as many as 250 million defenseless children working around the world today without any hope of ever seeing the inside of a classroom. Children's rights groups estimate that the United States imports more than $100 million in goods each year which are produced by bonded and indentured children.

Especially outrageous is the plight of millions of child laborers, some as young as 4 years old, who are sold into virtual slavery and chained to looms for 14 hour days knotting the oriental rugs that grace the foyers and living rooms of countless homes and offices all across the country.

Exploited children toil in factories, mines, fields, at looms, and even brothels, sacrificing their youth, health, and innocence for little or no wages.

They are hand stitching the soccer balls that our kids play with every day. They are stitching blouses and slacks made in China and sold in Wal-Mart. They are even sharpening the surgical instruments used in our hospital operating rooms.

Mr. Chairman, this amendment will help end this disgrace. Specifically, it would prohibit the importation of goods on which the U.S. Customs Service has issued a detention order because of the use of forced or indentured child labor. I believe that this amendment would provide real teeth to the Indentured Child Labor Import Ban that was first signed into law as part of the Fiscal Year 1998 Treasury-Postal Appropriations bill.

Currently, if the Customs Service finds information that reasonably indicates that imported merchandise has been produced with forced or indentured child labor, Customs may issue a detention order on these goods. However, these goods may still be exported into the United States unless the Customs Service issues a finding banning the importation of these goods into the United States.

Mr. Chairman, according to the Customs' website, the U.S. Customs Service has 24 outstanding detention orders on forced and indentured child labor dated as far back as October 3, 1991, but has only issued 6 findings banning the importation of these goods into the United States. At the very least, Congress should ban the importation of goods on which Customs has reasonable evidence that were made by forced or child labor.

According to 60 Minutes II, the U.S. Customs Service used the present law to curb the flow of hand-rolled, unfiltered cigarettes (known as ''bidis'') produced by indentured child labor in India. In India alone, there are approximately 50 million children working in factories or fields for little or no pay. Bidis are an especially insidious product. They are made by children in India, and are purchased by children in the United States. According to the Centers for Disease Control, 40 percent of American adolescents between seventh and 12th grade have tried them. These cigarettes are popular among American youth because they are sweetened with flavors such as chocolate, strawberry, licorice, mango, and even bubble gum, giving the impression that bidis are less dangerous than other cigarettes. To the contrary, bidis contain five times more tar and contain higher levels of nicotine than regular cigarettes. Unfortunately, even though Customs issued a detention order on one bidi manufacturer in India, bidis are still getting into the U.S., and the bidi industry is now a $1.5 billion industry. This amendment would help get rid of bidis in the United States.

The issue of the exploitation of child labor is not only a moral issue but it is an economic issue that is having profound impact on American workers. As consumers, we should not be purchasing products made by children who are held in virtual slavery—children who can not go to school, children who work horrendous hours each week, children who are beaten when they perform poorly on the job and children who are often permanently maimed when they attempt to escape from their slavery. But, equally important, we should not continue a trade policy which forces American workers to compete against desperate and impoverished people in countries such as China and Mexico who earn as little as fifteen or twenty cents an hour—whether those workers are children or adults.

We know how bonded child workers are bought and sold like cattle. We know about the horrendous working conditions they are forced to endure. We know about the violence that meets them when they cannot work hard enough to satisfy their masters or when they try to escape their slavery. As we begin the 21st century, we must make a firm commitment to eradicate child labor throughout the world. Please vote ''yes'' on this amendment.

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I would like to advise the gentleman from Vermont that I appreciate his amendment, and I advise the Chair that we have no objection to the amendment and certainly are willing to accept it.

Mr. SANDERS. I thank the gentleman.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I, too, thank the gentleman for this amendment. As the gentleman may know, there have been similar amendments that the gentleman from Virginia (Mr. WOLF) and I offered to this bill all throughout the 1980s.

This is a good amendment. Clearly, the United States needs to be on the side of ensuring that this kind of abuse does not occur to children, women, and workers generally. This is a very good amendment, and I thank the gentleman for offering it.

Mr. SANDERS. I thank the gentleman for his support as well.

Mr. ENGEL. Mr. Chairman, I want to thank my colleague for offering this Amendment—it is very much in line with one that I offered to the FY02 Agriculture bill concerning cocoa products. My amendment passed this House with 291 votes—a strong statement by this body against the repugnant practice of child slavery.

We are constantly hearing about how we are at the dawn of a new millennium—we are in the 21st Century—and that things are just great and getting better.

But, Mr. Chairman, we still have labor practices that date back centuries. Labor practices so abhorrent that we thought that they were long gone—but they still remain. Child slavery continues to plague our world—and as the world's greatest economy we are in position to use our purchasing power to end this terrible practice.

My amendment focused on child slavery in cocoa fields in the Ivory Coast. The U.S. imports 3 billion tons of cocoa each year spending $13 billion on the chocolate industry. That means Americans do have a great deal of influence with their dollars.

Every year at Halloween our kids wander our neighborhoods in costumes to Trick or Treat. They collect dozens of chocolate treats. But, now I must wonder—will they be as sweet knowing that somewhere in the world a child is forced to work 12–14 hours in a cocoa field, is locked up for the night without adequate bathroom facilities, and is never paid. If he tries to escape he is severely beaten.

Let me quote one of the farmers about this: "If I let them go, I am losing money, because I spent money for them." He told one child "You know I spent money on you. If you try to escape, I'll catch you and beat you." This is an absolute horror.

Now the chocolate industry has responded—they are moving forward to determine the extent of the problem and to develop programs for monitoring labor practices. But I believe the federal government must act as well. The American people do not want to buy products made with child slave labor. It is wrong and we must act swiftly.

My colleague from Vermont's amendment wouldn't affect the coca industry, because cocoa products don't have a detention order on them. Yet. However, during this fiscal year, FY2001, the U.S. Customs Service has undertaken an investigation into these reports about the Ivory Coast.

Title 19 United States Code, § 1307, prohibits importation of products made, in whole or in part, with the use of convict, forced, or indentured labor under penal sanctions. A general provision in the FY1998 Treasury Appropriations Act specified that merchandise manufactured with "forced or indentured child labor" falls within this statute.

What does this mean for American growers of these products? Let me be clear—by not enforcing existing law, it means that the federal government is putting our farmers automatically at a competitive and economic advantage.

So I urge my colleagues to support this amendment for two reasons—first and foremost because there is just no reason for child slavery in our world. Second, because American farmers shouldn't be put out of business because of other country's non-existent labor standards.

I have said it before, but it bears repeating, we must be ever vigilant in our fight against child slave labor. Support the Sanders Amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. GUTKNECHT, Chairman pro tempore 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. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

LIMITATION ON CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that during consideration of the amendments numbered 5, 7, and 8 in the Committee of the Whole, pursuant to House Resolution 206:

One, the amendment numbered 7 shall immediately follow disposition of, or postponement of further proceedings on, the amendment numbered 5;

Two, the amendment numbered 5 shall be subject only to the amendment by the gentleman from Arizona (Mr. FLAKE) that I have placed at the desk;

Three, the amendment numbered 7 shall be subject only to one substantive amendment;

Four, the amendments numbered 5 and 7, and each specified amendment thereto, each shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any of those pending amendments; and

Five, debate on the amendment numbered 8, and all amendments thereto, shall be limited to 1 hour, equally divided and controlled by the proponent and an opponent.

The SPEAKER pro tempore. The Clerk will report the amendment to be offered by the gentleman from Arizona (Mr. FLAKE).

The Clerk read as follows:

Amendment offered by Mr. FLAKE as a substitute for the amendment offered by Mr. SMITH of New Jersey:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 644. (a) None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction.

(b) The limitation established in subsection (a) shall not apply to transactions in relation to any business travel covered by section 515.560(g) of such part 515.

Mr. ISTOOK (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. HOYER. Mr. Speaker, reserving the right to object, and I will not object, I will say that we have discussed this unanimous consent request and the minority agrees.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 206 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2590.

□ 1524

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 further consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, with Mr. GUTKNECHT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose earlier today, the amendment offered by the gentleman from Vermont (Mr.

SANDERS) had been disposed of and the bill was open for amendment from page 68 line 3 through page 95 line 16.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 9 offered by the gentleman from Washington (Mr. INSLEE) and the amendment offered by the gentleman from New York (Mr. HINCHEY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 9 OFFERED BY MR. INSLEE

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 9 offered by the gentleman from Washington (Mr. INSLEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 285, not voting 7, as follows:

[Roll No. 268]

AYES—141

Ackerman
Allen
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Berkley
Berry
Bishop
Bonior
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson (OK)
Clay
Clement
Coyne
Crowley
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dingell
Doggett
Edwards
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Green (TX)
Gutierrez
Harman
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kind (WI)
Kleczka
LaFalce
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Matheson
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Moran (VA)
Napolitano
Neal
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rangel
Rivers
Roemer
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Sherman
Shows
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (MS)
Thurman
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Woolsey
Wu

NOES—285

Abercrombie
Aderholt
Akin
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (IN)
Castle
Chabot
Chambliss
Clayton
Clyburn
Coble
Collins
Combest
Condit
Cooksey
Costello
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
Delahunt
DeLay
DeMint
Diaz-Balart
Dicks
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Evans
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kerns
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matsui
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller (FL)
Miller, Gary
Mink
Mollohan
Moore
Moran (KS)
Morella
Murtha
Myrick
Nadler
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schaffer
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Traficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Conyers
Gonzalez
Johnson, E. B.
Lipinski
Scarborough
Snyder
Spence

□ 1547

Messrs. YOUNG of Alaska, WYNN, RAHALL, HILLIARD, CLYBURN, MOORE, HALL of Ohio and Mrs. CLAYTON changed their vote from ''aye'' to ''no.''

Messrs. BERRY, FORD and BAIRD 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 pro tempore (Mr. GUTKNECHT). 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 the remaining amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. HINCHEY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 151, noes 274, not voting 8, as follows:

[Roll No. 269]

AYES—151

Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett
Becerra
Bentsen
Berkley
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Carson (OK)
Clay
Clayton
Clement
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Doggett
Edwards
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gordon
Green (TX)
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hoyer
Inslee
Jackson (IL)
John
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McIntyre
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Moore
Moran (VA)
Nadler
Napolitano
Neal
Oberstar

Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tauscher
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Velazquez
Visclosky
Watson (CA)
Waxman
Weiner
Wexler
Woolsey
Wu

NOES—274

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

NOT VOTING—8

Conyers
Gonzalez
Johnson, E. B.
Lipinski
Scarborough
Snyder
Spence
Waters

□ 1555

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, on rollcall Nos. 268 and 269—Inslee amendment and Hinchy amendment—I was detained in a Senate meeting on Election Reform. Had I been present, I would have voted "yea" on both.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). Pursuant to the order of the House of today, during consideration of the amendments numbered 5, 7 and 8, the following order shall apply:

(1) The amendment numbered 7 shall immediately follow disposition of, or postponement of further proceedings on, the amendment numbered 5.

(2) The amendment numbered 5 shall be subject only to the amendment by the gentleman from Arizona (Mr. FLAKE) that has been placed at the desk.

(3) The amendment numbered 7 shall be subject only to one substantive amendment.

(4) The amendments numbered 5 and 7, and each specified amendment thereto, each shall be debatable for 20 minutes, equally divided and controlled by the proponent and an opponent except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any of those pending amendments.

(5) Debate on the amendment numbered 8, and all amendments thereto, shall be limited to 1 hour, equally divided and controlled by the proponent and an opponent.

AMENDMENT OFFERED BY MR. WYNN

Mr. WYNN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WYNN:

At the end of the bill (preceding the short title) insert the following new section:

SEC. ____. None of the funds made available in this Act may be used to initiate the process of contracting out, outsourcing, privatizing, or converting any Federal Government services in contravention of Public Law 105–270.

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 10 minutes, equally divided and controlled by the proponent and an opponent.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

□ 1600

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

Mr. Chairman, I rise in support of this amendment to focus on a problem facing our government, and that is unregulated and uncontrolled out sourcing, or, as it is sometimes called, privatization. The amendment specifically says that in contracting out, privatizing or otherwise giving Federal work to the private sector, that we adhere to existing law, Public Law 105–270.

This law, known as the FAIR Act, the Federal Activities Inventory Reform Act of 1998, basically says that whenever there should be an outsourcing, there shall also be a competition to determine that the taxpayer gets best value, best value in terms of quality and in terms of cost. Unfortunately, we find Federal agencies are not adhering to the FAIR Act; they are outsourcing without this control mechanism, and what we further find is that this outsourcing has not been beneficial to the taxpayer.

Let me give you an example. In the fiscal year 2000 Defense Appropriations bill, my Republican colleagues wrote, "There is no clear evidence that the current DOD outsourcing and privatization effort is reducing the cost of support functions within DOD with high cost contractors simply replacing government employees. In addition, the current privatization effort appears to have created serious oversight problems for DOD, especially in those cases where DOD has contracted for financial management and other routine administrative functions."

My point is, there is no evidence that outsourcing is, per se, better than Federal employees. The United States Government has a great resource in its Federal employees. We also have a great resource in private sector companies. We ought to have a competition in which Federal employees can compete against private companies for those jobs that are considered for being contracted out.

That is what this bill would do. It is quite simple. It would give the taxpayer best value, both in terms of quality and in terms of cost. It merely requires the agencies to abide by our current law, which requires competition.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise to oppose the amendment and claim the time in opposition.

The CHAIRMAN pro tempore (Mr. THORNBERRY). The gentleman from Virginia is recognized for 5 minutes.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I certainly agree with some of the things my colleague said in terms of outsourcing and trying to make it so it is not uncontrolled and unpredictable. The difficulty with this

amendment is that it does not just implement the FAIR Act, the Federal Activities Inventory Reform Act. That act applied only to commercial activities.

This act, if you read the language, says none of the funds made available may be used to initiate the process of contracting out, outsourcing, privatizing, converting any Federal Government services.

This applies to IT functions, it applies to SEAT management, it applies to ship construction, it applies to Javits-Wagner-O'Day functions, engineering functions. What it does in these functions under the current regulations as they are written is we will have to use the A–76 process in terms of going out sourcing any of these.

The A–76 process is used in only 2 percent of DOD contracts, and in almost no civilian contracts, because it is a 2-year process. This would basically freeze outsourcing in non-commercial areas, something the FAIR Act was not intended to apply to originally.

This amendment, in my judgment, is going to hinder and possibly shut down segments of the Federal Government's operations because we do not have in many of these areas of high expertise information technology, engineering, the in-house capability to perform them.

Last year Congress mandated that GAO create the Commercial Activities Panel to study the policies and procedures governing the transfer of the Federal Government's commercial activities from its employees to contractors.

This panel is going to report back to Congress in May, next year, with recommendations for improvements. I believe that Congress should await the results of this review before we start to legislate on that issue.

So it is for those reasons that I would urge my colleagues to oppose this amendment.

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

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

Mr. Chairman, I would like to comment on a couple points made by my good friend and colleague from Northern Virginia. First of all, it should be clearly understood, this amendment would not affect any existing contracts. Any existing contracts, commercial or non-commercial, are not affected by this bill.

Second, this bill is current law. Now, the gentleman may be correct in some respects that current law does not work as well as we would like, but that is not unique to this body, unfortunately; and efforts are under way to streamline current law. But it is current law; and it does say before you out source, you should have competition.

We regularly come to the floor and talk about the benefits to the taxpayer of greater competition. There should be more competition. Does the process take too long? Not necessarily, when you consider the length of some of the contracts involved, 3-year, 5-year contracts. The process is a reasonable process that gives Federal employees a fair opportunity.

If Federal employees are not performing some of these IT functions now, there would be no competition between Federal employees; it would be competition purely between private sector versus private sector. On the other hand, however, if Federal employees are performing these functions now and if they are doing a good job by virtue of both the cost that they charge to the Government as well as the quality that they provide based on their experience, then they should have the opportunity to compete to perform that contract as against a private sector company that is applying for that contract for the first time and may not be able to provide the same value.

I believe this is a reasonable approach.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Chairman, I thank the gentleman for yielding me time and also rise in opposition to this Wynn amendment.

Mr. Chairman, the fact of the matter is that the gentleman from Maryland (Mr. WYNN) has been honest about his objections. The gentleman from Maryland (Mr. WYNN) does not like outsourcing. The gentleman from Maryland (Mr. WYNN) wants to try and stop outsourcing as it is occurring across the Federal Government today, and several weeks ago we were in a hearing where we attempted to talk about not only the impact, but also how things are occurring in the marketplace today as a result of the FAIR Act.

I oppose this amendment because I believe that we are waiting to find out what the results really are. The hearing that we held offered an opportunity for both sides to provide input.

I believe what this will do today is to shortcut a process that had begun several years ago, where we are waiting to find out the real-life examples about how well outsourcing can take place, to where not only the effect of saving money, but also utilizing the most cost-effective services, to where we can allow agencies to go and do those things that are their core competency and to engage themselves in the effectiveness for government, is what we are after.

I support the gentleman from Virginia (Mr. TOM DAVIS). I think what the gentleman from Virginia (Chairman DAVIS) is talking about is defeating the Wynn amendment because it is shortcutting, short-circuiting, our ability to hear back a report that is due to us, where we can make a decision based on the facts of the case and what we are presently doing.

The CHAIRMAN pro tempore (Mr. SHIMKUS). Each side has 1½ minutes remaining. Because the gentleman from Virginia (Mr. TOM DAVIS) is not a member of the committee, the gentleman from Maryland (Mr. WYNN) has the right to close the debate.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I am very much troubled by an article that was written by Steve Kelman, who was President Clinton's Director of Federal Procurement Policy in the White House. Many may know Steve. Mr. Kelman says,

> This is not a pretty picture. If this was passed, it could literally grind government to a halt. What TRAC does is enormously expand the scope of the Office of Management and Budget's Circular A–76, and it will include services that have always been contracted out in the past. It particularly affects telecommunications services and information technology. It is a troubling procedure that almost exclusively focuses on costs, rather than best value, and demands huge investments of time and resources.

I think that is a troubling assessment from somebody who understands the issue.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I want my friend from Maryland to know I stand in opposition, but reluctant opposition, because I too see a lot of imperfections with the A–76 study approach. I see a lot of families getting booted in midlife, mid-career, and often the subcontractors come back and rebill their costs. So I see a lot of imperfections with it.

But I do think one of the problems with TRAC and the reason I have not cosponsored it is because, as the gentleman from Virginia (Mr. TOM DAVIS) says, you have engineering, a lot of subcontracting, and routine maintenance and security issues which the Federal Government under this legislation would not be able to farm out, and those are things the Federal Government needs to do.

I want to wait for the study, but I wanted my friend from Maryland to know I want to work with him in the future, but it is important to wait for the study.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I also want to pay tribute to my friend from Maryland, who I honor and look forward to working with; but on this issue we have to agree, this amendment is opposed by the ITAA, the American Electronics Association, the Professional Services Council, and, of course, the administration.

What this does is expand what is currently reserved for commercial activities, to Javits-Wagner-O'Day Act, to recompetes in many sources cases. This could grind outsourcing to a halt. That

is our concern on this, that it is overly broad.

I intend to work with the gentleman over the next year to try to get something workable on this. We have held hearings in our committee on this, but I think this amendment goes too far and it is not in the interests of the American taxpayer. So I have to urge my colleagues to disapprove it.

Mr. WYNN. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would first like to acknowledge the gentleman is absolutely correct, he has been very generous in attempting to work with us and allowing us to have hearings on this issue.

I want to make a few brief points that I have to emphasize. One, no existing contracts will be affected by this amendment; two, if this work is not currently being done by Federal employees and is in fact being outsourced and competed among private sector companies, that will continue. So those concerns probably do not apply.

Now, what we are saying in this amendment is simply this: follow existing law. Existing law, the FAIR Act, says there shall be competition, private-public competition or private-private competition. In the case of Federal employees who are doing a good job, they ought to have the right to compete to keep their jobs, to do the work and give the taxpayer best value. If the private sector company can do it better in terms of value and costs, then the private sector would get the contract.

Finally, the suggestion has been made that since we are having a GAO study, we do not need this amendment. I reiterate, this is the law. We ought to follow it. If the GAO study comes back and says we need to change the A–76 process, make it less burdensome, I would be the first one to say that is a good idea and we ought to do that and accommodate the need to streamline the process.

But competition is good for America, whether it is competition between two private sector companies or whether it is competition between hard-working Federal employees with high levels of competence and private sector employees, companies who want to take their jobs. Let the competition begin. I believe this amendment is consistent with that philosophy.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Maryland (Mr. WYNN).

The amendment was rejected.

Mrs. MORELLA. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I move to strike the last word and to lend my support to the Treasury-Postal appropriations bill before us that we are now debating and discussing. Although I unfortunately was not able to be on the floor during general debate, I really want to state my support for this bill and focus on an important provision that was included by the committee.

First, I am very pleased that the pay parity language for Federal employees and the contraceptive coverage for Federal employees were included during committee markup of this bill. These are necessary changes. I applaud the committee.

Secondly, I want to thank the chairman for including a 1-year extension allowing agencies to help low-income employees pay for child care. Many Federal employees are caught in a serious child care crunch. A recent study showed that one-quarter of all Federal workers had children under the age of 6 needing care at some time during the workday.

□ 1615

In some Federal child care facilities, employees are charged up to $10,000 or more per child per year. Many Federal employees simply cannot afford quality child care. So giving agencies the flexibility to help their workers meet their child care needs encourages family-friendly work places and higher productivity.

It is my hope that we can eventually pass a bill that will allow agencies to be authorized to permanently use money from their salary and expense accounts to help low-income employees pay for child care. I have such a bill, H.R. 555, that would do just that. I hope that the chairman would support me in such an initiative in the future.

Mr. Chairman, I encourage support for the bill.

AMENDMENT NO. 5 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. SMITH of New Jersey:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction, after the President has certified to Congress that the Cuban Government has released all political prisoners and has returned to the jurisdiction of the United States Government all persons residing in Cuba who are sought by the United States Government for the crimes of air piracy, narcotics trafficking, or murder.

The CHAIRMAN pro tempore (Mr. SHIMKUS). Pursuant to the order of the House of today, the gentleman from New Jersey (Mr. SMITH) and a Member opposed each will control 10 minutes.

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

Mr. SMITH of New Jersey. Mr. Chairman, might I inquire whether or not the gentleman from Arizona (Mr. FLAKE) will offer his amendment now, and then the time will be equally divided?

The CHAIRMAN pro tempore. Does the gentleman from Arizona (Mr. FLAKE) wish to offer his amendment at this time?

Mr. FLAKE. No, Mr. Chairman.

The CHAIRMAN pro tempore. Does the gentleman from New Jersey (Mr. ROTHMAN) seek the time in opposition to the amendment of the gentleman from New Jersey (Mr. SMITH)?

Mr. ROTHMAN. No, Mr. Chairman. I am sharing time with the gentleman from New Jersey (Mr. SMITH).

The CHAIRMAN pro tempore. Is there a Member seeking time in opposition?

Mr. FLAKE. Mr. Chairman, I seek the time in opposition.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. SMITH) for 10 minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey (Mr. ROTHMAN), my good friend and colleague and coauthor of this amendment, be allowed to control half of my time.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 2 minutes and 15 seconds.

Among the largest new sources of revenue we could possibly provide the Castro regime at this point would be large scale United States tourism. So I and the gentleman from New Jersey (Mr. ROTHMAN) are offering this human rights amendment in the hope that any lifting of remaining travel restrictions to Cuba will be done carefully and thoughtfully with some regard to the consequences.

Mr. Chairman, it is important to be honest about what we are talking about when we talk about tourism to Cuba. The dictatorship gets rich—filthy rich—let us make no mistake about that, and will go on its merry way in arresting, beating, and torturing political dissidents.

Let me just point out, Mr. Chairman, that Human Rights Watch, in its report, and I urge Members to read it, makes the point that conditions in Cuba's prisons are inhuman. In recent years, Cuba has added new repressive laws.

Torture is commonplace in Cuba, and ugly beyond words. There is no freedom of speech or assembly in Cuba. The people of Cuba have no right to emigrate. And dissent continues to be suppressed with unspeakable cruelty. In light of this we should lift the travel ban. And to make matters worse, there is another outrageous lucrative form of travel to Cuba called sex tourism. Cuba is on the short list of destinations for middle-aged men looking for inexpensive commercial sex, including sexual exploitation by children, which is actively condoned by the government. We should have no part whatsoever in facilitating this kind of exploitation.

I want to make very clear, Mr. Chairman, that under current U.S. policy vis-a-vis Cuba much travel is permitted. As a result of Clinton's soft

and feckless policy towards Cuba, Americans can and do travel to Cuba for certain purposes: journalism, educational purposes, humanitarian missions, government business, sick family members, and the list goes on. The amendment I propose today focuses on the tourist industry and whether or not reasonable, modest conditions should be imposed before we lift that particular travel ban.

Our amendment has two conditions: the Cuban government should return the violent criminals who have escaped American justice and who are currently hiding out in Cuba. The case of Joanne Chesimard is particularly egregious. Chesimard was sentenced to life for the murder of a New Jersey State Trooper, Werner Foerster, but is now living it up in Cuba. She—and scores of other murderers and air pirates and drug smugglers—must be returned to the U.S. to serve their time behind bars.

The second condition, Mr. Chairman, has to do with the release of hundreds of political prisoners. The State Department's Country Reports estimates that there are between 300–400 political prisoners, and they are being mistreated, tortured and abused. Before we give the green light to tourism en masse, before we head to Havana with bathing suits in our bags and fun and diversion on our minds, let's not forget the persecuted and the oppressed.

Let us not abandon, undermine or betray some of the most courageous dissidents on the face of the earth.

We should lift the travel ban, if and only if all political prisoners are released. We should lift the travel ban, only when all cop killers and felons convicted in the U.S. are back in U.S. prisons.

Vote ''no'' on Flake and ''yes'' on Smith-Rothman.

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

AMENDMENT OFFERED BY MR. FLAKE AS A SUBSTITUTE FOR AMENDMENT NO. 5 OFFERED BY MR. SMITH OF NEW JERSEY

Mr. FLAKE. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE as a substitute for amendment No. 5 offered by Mr. SMITH of New Jersey:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 644. (a) None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction.

(b) The limitation established in subsection (a) shall not apply to transactions in relation to any business travel covered by section 515.560(g) of such part 515.

Mr. FLAKE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and the gentleman from New Jersey (Mr. SMITH) each will control 10 additional minutes.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to divide my time with the gentleman from New Jersey (Mr. ROTHMAN).

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

There was no objection.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from Arizona (Mr. FLAKE).

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

I rise in support of this substitute in the form of an amendment. As we grew up in school, we were told that the difference between us and other nations is that we would allow our citizens to travel anywhere they want to. We could travel the world, see other cultures, visit other countries, without fear that we would find something better. Here, we are being told that that is not right.

I as a government official can travel to Cuba, but if someone in my family or some of my friends at home or others want to travel to Cuba, they have to seek a license. Now, that is wrong.

This amendment simply states that we ought to allow everybody the same privilege that we have as government officials. They ought to be able to travel to Cuba. We allow individuals to travel to North Korea. There are terrible human rights abuses going on there. We allow individuals to go to Sudan. There is human slavery going on in Sudan, probably discovered by people going there on visits. We allow people to go to Iran. Iran considers us the ''Great Satan'' and has been implicated in State-sponsored terrorism. But somehow, we still do not allow our citizens to go to Cuba. That is simply wrong.

Now, Fidel Castro, let us stipulate from the very beginning, is a tyrant, and we ought to stipulate that from the beginning and decide how best can we bring change to that island. The best way, I believe, is through engagement, not isolation.

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

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

First let me thank the gentleman from New Jersey (Mr. SMITH), my distinguished friend, who is really a national leader around the world for human rights, and it is a privilege to be a coauthor of this amendment with him.

In 1973, Mr. Chairman, New Jersey State Trooper Werner Foerster was shot in the back of the head on a New Jersey highway. A New Jersey jury, after its deliberations, convicted Joanne Chesimard of first degree murder and sentenced her to life in prison for the death of New Jersey State Trooper Foerster. She escaped prison and she went to Cuba where she now resides and lives freely. She is one of over 77 convicted felons living in freedom in Cuba. We cannot get her back. Why not? Castro will not send back those Americans convicted of crimes in America, including murder and air piracy; he will not permit them to come back.

Now, some of my colleagues, good and decent people all, wish and believe forthrightly that travel restrictions should be lifted on Cuba. They say it hurts Americans.

Well, we have sanctions on all kinds of countries. We had it on Libya, we just voted on that yesterday; Libya and Iran, and other countries who do terrible things to our people. Cuba is doing the same. Think of the widow and the orphaned son of Trooper Foerster and those families of the other victims of the 77 felons still in Cuba. How would we answer them when my colleagues say, well, let us release and do away with all restrictions on travel to Cuba. They have no good answer. Castro must release those individuals and then we can have free trade with Cuba. We already have some trade and travel with Cuba; we need the stick and carrot approach. Castro needs to return those convicts to serve their time in America.

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

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I rise in strong support of the substitute amendment offered by the gentleman from Arizona (Mr. FLAKE) to ensure that no funds in this bill may be used to enforce travel sanctions on Cuba.

Mr. Chairman, in January of 1998, I was in Cuba to witness the historic visit by Pope John Paul II. During his time in Cuba, the Pope declared ''May Cuba, with all its magnificent potential, open itself to the world and may the world open itself up to Cuba.''

Mr. Chairman, whenever I travel to Cuba, I try to meet with Ekizardo Sanchez, one of the most respected dissidents inside Cuba and someone who actually spent 8½ years in a Cuban prison. Mr. Sanchez has repeatedly stated, ''The more Americans on the streets of Cuban cities, the better for the cause of a more open society in Cuba.''

I firmly believe that unrestricted travel by Americans to Cuba would be one of the best actions the United States could take to open political space for all Cubans. Most importantly, however, I support this amendment because I firmly believe it is the right of all Americans to be able to travel wherever they wish.

The current sanctions on travel to Cuba are undemocratic and go against the traditions and the values that make the United States of America so

great and so respected in the eyes of the world community. The American people are not fools. They should be able to see firsthand both the good and the bad about today's Cuba. They do not need the United States Government to censor what they can see.

I trust the American people. I believe in their right to travel freely. I should also add that I have met with countless Cuban Americans who believe they should have the right to visit their relatives in Cuba any time they want and not just when some bureaucrat at the Treasury Department says they can.

Last year, this amendment passed with strong bipartisan support. I urge my colleagues to support the Flake substitute. This is the right thing to do. I hope it will be passed with a very strong vote.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN), the chairwoman of the Subcommittee on International Human Rights.

Ms. ROS-LEHTINEN. Mr. Chairman, I rise in strong opposition to the Flake amendment because it would prolong the suffering and the oppression of the Cuban people under the totalitarian Castro regime, and I support the Smith amendment, because it would deny the Cuban dictatorship additional funds to host killers of U.S. police officers, cop killers such as Joanne Chesimard, who gunned down, in cold blood, New Jersey State Trooper Werner Foerster, or those who murdered New Mexico State trooper, James Harper.

The Flake amendment, however, would help keep those and other fugitives of U.S. justice in the lap of luxury, fugitives wanted for murder, for kidnapping, for armed robbery, among other terrible crimes.

The Fraternal Order of Police has said this about attempts such as the Flake amendment: ''The American people and the Fraternal Order of Police do not feel that we must compromise our system of justice and the fabric of our society to foreign dictators like Fidel Castro.''

I oppose the Flake amendment because it would provide that Communist regime with much-needed hard currency to extend its reign of terror.

□ 1630

This amendment would help propagate a system of slave labor, where 95 percent of workers' wages are retained by the dictatorship, where the workers have no individual or collective rights as they must remain subservient to the Communist party and the upper cadres of the tyrannical regime.

The Flake amendment would help promote a tourist industry built on prostitution, particularly teenaged prostitution, and the exploitation of women. In fact, Cuba's tyrant Fidel Castro has boasted to his national assembly that highly educated jineteras, who are prostitutes, have low rates of AIDS, and, therefore, there is no tourism healthier than Cuba's. This appeared in the July, 2000, edition of the New Republic.

I rise in support of the Smith amendment because he does not ignore political prisoners, such as Dr. Oscar Elias Biscet, Vladimiro Roca, and Jorge Luis Garcia Perez, who languish in squalid jail cells in isolation, devoid of any light.

I ask my colleagues to search their conscience, to listen to the echoes of America's Founding Fathers who understood that when one people suffer, all of humanity suffers.

Mr. FLAKE. Mr. Chairman, I yield 1 minute to the gentleman from Idaho (Mr. OTTER).

Mr. OTTER. Mr. Chairman, I rise in strong support of the Flake amendment. Many years ago, Hans J. Morganthau once said that when food does not cross borders, troops will. What he meant by that is the basic of all relationships is really trade and commerce.

I sincerely believe that not only what Hans J. Morganthau said, but also what one of my predecessors, Congressman Steve Symms, said when the Carter administration first shut down free and available travel between the United States and Cuba.

He said, if we truly want to change Cuba, if we truly want there to be a revolution, what we should do is load up a B–52 bomber and fly over the Cuban island and open those bomb doors and allow millions of Sears Roebuck catalogs to fall on Cuba. And when those Cubans opened those catalogues and see what they do not have, Mr. Chairman, they will cause their own revolution.

Mr. Chairman, let us open the doors and let the light shine in. Instead of taking our word for it, the American people can go find out for themselves.

Mr. ROTHMAN. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I ask my colleagues who wish to support the Flake amendment, how did my colleagues just vote on the Iran-Libya Sanctions Act? Did they say, we do not need sanctions? Did they say, we do not need sanctions? No, they said, in some circumstances, sanctions are appropriate.

In this case, we need sanctions to make sure that Castro returns the killer convicted by an American jury, sentenced to life for the bullet in the back of the head to a New Jersey State trooper, and the 76 other convicted felons he is harboring in Cuba living free.

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BERMAN).

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

Mr. BERMAN. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I would say to my friend, the gentleman from New Jersey, he keeps confusing sanctions with travel bans.

The gentleman has supported, this body has supported, a law which has been in effect now for 7 years which says, when we impose sanctions, we can no longer restrict the right of Americans to travel. Iran sanctions, yes. Banning Americans from going to Iran, no. That is existing Federal law.

I hear and I understand the evils of the Castro regime and the stories. Are they worse than any of the stories of the gulag in the Soviet Union, or Communist China during the cultural revolution, or North Korea, or any other place where Americans have an unimpeded right, and always did, to travel? Why? Because it is in America's foreign policy interest to establish contact with the people of those countries. People-to-people diplomacy is the most effective diplomacy.

Why is Castro still in and the Soviet Union collapsed? What a great policy we have. He is the longest-standing leader in the world. Boy, has American policy worked.

By the way, to my friends on the other side of the aisle, people who make compelling arguments frequently about the absurdity of some government regulation, the notion that a Federal agency, the Office of Foreign Assets Control, decides who can go and who cannot go, whether we like the purpose of the trip or whether we do not.

Micromanaging the details of the individual American's right to go to a place and establish those contacts I suggest to Members is totally inconsistent and an anathema to the entire philosophy of the GOP party. This is the most absurd kind of regulation, that seeks to determine which relatives have positive purposes, which people have negative purposes.

It does not work. Government cannot handle that. This is a relic of another time. Make this Cuba situation the same as Iran, Russia, all the other authoritarian regimes where Americans are permitted to exercise their constitutional right to travel. Vote for the substitute and against the underlying amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Staten Island, New York (Mr. FOSSELLA).

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

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman from New Jersey for yielding time to me.

I just want to talk about three people. Their names are Rocco Laurie, Werner Foerster, and Joanne Chesimard.

Rocco Laurie was born in Staten Island. He joined the police department in the late 1960s and then enlisted in the Marine Corps and went to Vietnam. He came back to rejoin the police department.

He was married in May of 1970; and, in 1972, he and his partner were on a foot patrol in the lower East Side of Manhattan. His partner was shot eight times in the back and was killed instantly. Rocco Laurie was shot seven times. He died 5 hours later.

Werner Foerster was a State trooper who was shot twice in the chest and then, execution style, twice in the head by Joanne Chesimard. Joanne Chesimard was convicted and then fled the United States and lives, I guess, as a hero in Cuba.

Recently, a couple of months ago, her companion so many years ago was arrested. He has now brought forward charges and reports that Joanne Chesimard was involved in planning the assassination and killing of police officers Rocco Laurie and Foerster, who were gunned down more than 30 years ago.

Is it too much to ask that we declare and demand of Fidel Castro that he send someone like Joanne Chesimard back to the United States before we pay him these courtesies? Do we not owe it to the honor of their families, their legacies, their wives, their police department, the communities from which they came? Is that too much to ask?

I think that is the purpose here. Send those cop killers back, people who robbed innocent people of their lives, so that then we can go about our travel. That is fair and reasonable.

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Chairman, I thank the gentleman for yielding time to me.

I am somewhat surprised by my presence today on the House floor. It was a year ago this month in which we addressed the issue of Cuba and the opportunity to sell agricultural commodities, food, and medicine to that country. By an overwhelming vote of both parties in this House, this amendment was passed. Ultimately, through a long process, that amendment is being implemented, and rules and regulations have been announced by the Department of Treasury for us to comment on, and the opportunity for that trade, at least in theory, is now taking place.

In that same time frame, an amendment was offered to do what the gentleman from Arizona attempts to accomplish today, and by a vote of 232 to 186 we all agreed that travel to Cuba should be allowed. Yet that part of the day's activities a year ago remains to be implemented.

So I rise today to support the gentleman from Arizona in his effort to open the opportunity.

My interest in this topic began really in a selfish way, in trying to find a way to create additional markets for the farmers of my State, a place to export their agriculture commodities. But as I addressed and concerned myself with this issue, it became clear to me that this is something more than just about the self-interest of trade and exports of agriculture commodities to Cuba. It is about Cuban people. It is about freedom. It is about democracy. This is about the opportunity of changing a way of life.

In Kansas, we will try something once. If it fails, we very well may try it again, but if it fails a second time, we are going to be a little more skeptical. Maybe by the third time after failure we will decide to try something new.

For 42 years we have tried to change the government of Cuba, and we have failed. It is time for us to try something different that actually may work. It is time for a change. So Kansans with their common sense would say, okay, we tried, it does not work. Is there not something else we can do?

All of us want to change. Everyone that I have heard speak today wants to change the behavior of the government in Cuba. The question is, how we do it? What we have done does not work. I rise in support of the substitute offered by the gentleman from Arizona.

Secretary of State Colin Powell said that we will participate in activities with Cuba that benefit the people. I have now met with the dissidents of Cuba who say that this is the right policy and that we can change the behavior of the country for the benefit of the Cuban people. I ask that we try something new today.

Mr. ROTHMAN. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the Smith-Rothman amendment and in opposition to the Flake amendment. People of good will can have different opinions regarding the efficacy of easing restrictions, travel restrictions on Cuba. But certain facts are undeniable and are undebatable:

First, Cuban citizens enjoy no rights of free speech;

Second, there have been and there is no prospect of there being any democratic free elections in Cuba;

Third, as has been already pointed out, Cuba holds hundreds of political prisoners who are only guilty of being people of conscience;

And, fourth, Castro continues to disrespect in its entirety any basic level of human rights for his own people.

Then, on the other hand, the gentleman from Arizona (Mr. FLAKE) argues that, although that may be true, the way to change that is for more Americans to go to Cuba and allow more cash into Cuba.

I only wish that were true. If it were true, it already would have occurred, because Europeans and South Americans and people all over the world have been travelling to Cuba for years.

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Mr. Chairman, I thank the gentleman for yielding time to me. I rise in support of his amendment.

Mr. Chairman, it is not difficult to support the positions that are taken by both sides here, those who have convicted murderers in Cuba and would want to see that they meet justice here in the United States.

For those, it would seem to me that the best way to do it is the way we do it with other countries, and that is to have extradition treaties. We cannot have that unless we are trying to have some relationship, unless we are trying to talk to people.

What you are doing here really is not beating up on Fidel Castro. He could care less what we are talking about here today.* * * You are saying that we do not trust Americans.

Mr. SMITH of New Jersey. My amendment is not disgracing anybody. I deeply resent it. * * *

Mr. RANGEL. I think the gentleman is out of order.

Mr. SMITH of New Jersey. The gentleman's disrespect is out of order.

Mr. RANGEL. I am telling you this, that Americans——

Mr. SMITH of New Jersey. I ask that words be taken down, Mr. Chairman.

The CHAIRMAN. The gentlemen will suspend.

Would the gentleman from New Jersey again state his request of the Chair?

Mr. SMITH of New Jersey. I would ask that the words that we were disgracing the American people with this amendment be taken down.

First, I would ask that those words be read back.

The CHAIRMAN. Members will be seated.

The gentleman from New York (Mr. RANGEL) will be seated.

The Clerk will report the words.

□ 1645

Mr. RANGEL. Mr. Chairman, I ask unanimous consent that my words be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman's words are withdrawn.

We will now proceed in order, and the gentleman from New York (Mr. RANGEL) has 45 second remaining of the time that was yielded to him by the gentleman from Arizona (Mr. FLAKE).

Mr. RANGEL. Mr. Chairman, I would like to make it abundantly clear to the gentleman from New Jersey (Mr. SMITH) that the concept that I think is disgraceful has nothing to do with individuals but has something to do with the American people having the right, in my opinion, to visit any country that they would want to visit.

I really believe that it is very bad policy for Americans, who are able to go to China, able to go to North Korea, able to go into Moscow, to be able to say that we are this fearful that we will be overwhelmed by the people, the good people in Cuba, or by Fidel Castro or by the military. So it seems to me that it is really offensive to the American people for someone to say that they have such little confidence in their willpower to succumb to communism in Cuba when we are strong enough, we are the strongest Nation in the entire world, to be able to say that flag that flies so hard is our flag.

Mr. ROTHMAN. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in opposition to the amendment that my friend, the gentleman from Arizona (Mr. FLAKE), has presented, and certainly in support of the amendment offered by the gentleman from New Jersey (Mr. ROTHMAN) and the gentleman from New Jersey (Mr. SMITH) before the body today.

Cuba is different. Cuba is 90 miles away. It is in this hemisphere. The Secretary of State of the United States says Cuba is different in treatment on these issues. The President of the United States says Cuba is different in treatment on these issues. Within the last 2 weeks, the President has said that the United States stands opposed to such tyranny, talking about Cuba, and will oppose any attempt to weaken sanctions against the Castro regime until it respects the basic human rights of its citizens, frees political prisoners, holds democratic free elections, and allows free speech.

That is a higher standard than even the gentleman from New Jersey (Mr. ROTHMAN) and the gentleman from New Jersey (Mr. SMITH) have put forth in this amendment. This is a sanction. Clearly, it is a travel sanction; but it is a sanction on a country that is the only dictatorship in our hemisphere.

Mr. Chairman, 77 convicted U.S. felons are in Cuba, people who have killed police officers are in Cuba, people on the FBI's 10 most wanted list are in Cuba. We need to have respect for our rule of law before we move forward with this kind of change in policy.

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in strong support of his amendment.

Mr. Chairman, Cuba is a country roughly the size of Pennsylvania with a population approximately double the size of Indiana, about 12 million people. Yet with our failed policy of the last 40 years, we have elevated Castro and Cuba to China or Russia proportion. With our foreign policy, we trade with Russia. We let our people travel to Russia. We trade with China. We let our people travel to China. And we should be doing the same with respect to our foreign policy and Cuba.

There are three good reasons to vote for the Flake amendment: first of all, for our constitution. Our citizens' constitutional rights should not be trampled upon, forbidding them from travel to Cuba; but we should allow them to travel with the Constitution and take it to Cuba and show our freedoms and our liberties and other respect for human rights.

Secondly, having just been down to Cuba 2 months ago, having met with representatives of the Catholic Church, dissidents, human rights' leaders, people that have been in prison, what do they think about lifting the travel embargo? They are for it. Now, we can talk all around this issue in this great Chamber, but what about the people that are most affected by this policy? They want us to lift the travel embargo, the people that are dissidents and human rights' leaders and leaders of the church in Cuba.

Thirdly, Castro. Castro uses this trade and travel embargo to blame us for his problems. Let us open up the system to American ideas of human rights, free markets, capitalism, respect for one another and for the right to vote. Let us try and change after 40 years of failure. Let us vote for the Flake amendment.

□ 1700

Mr. ROTHMAN. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Chairman, this is an issue that, from my district at least, is a local issue. I represent a district that is 90 miles from the shores of Cuba and people visit under the existing process right now.

But one of the things that has been talked about, as recently as my last colleague who spoke, many of my colleagues have visited Cuba and they have met with dissidents and they have stayed in hotels. One of the things they are probably not aware of is that no Cuban is legally allowed to eat and enter a hotel in Cuba. They might have eaten with one of the so-called dissidents, but it was illegal under Cuba law, and the only reason why they could is because they are a Member of Congress.

Cuba is treated differently. But there is no other name on the list that people have offered that is 90 miles from our shore, but also has a unique system that Cuba has.

People have talked about Castro being in power for a long time. In many ways this dictatorship has been the most controlling in the world. If we look at the process of tourism and what keeps the Castro dictatorship around is, in fact, hard dollars. Passing the Flake amendment would, in fact, enable Castro to continue.

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Mr. Chairman, 10 years in prison, a criminal fine of $250,000, a $50,000 civil penalty. Are these punishments for bank robbers, ax murderers, Al Capone, John Dillinger? No. No. This is what can happen to a United States citizen exercising his or her constitutional right to travel to Cuba without a license.

What is this license? In this case it is permission. Permission from our own government to exercise a fundamental constitutional right. We are treating our own citizens like school children who need permission to leave their classroom. We would expect this from the Cuban government, not from the government of the United States.

In fact, what we have done is erect our own Berlin Wall preventing free travel of American citizens. To paraphrase a former president, President Reagan, it is time to tear the wall down.

The travel ban has allowed our preoccupation with Fidel Castro to undermine a fundamental constitutional right. So let us invade Cuba, again, but let us do it this time with academics, missionaries, investors, human rights activists, and tourists. Let the college kids on spring break be the vanguard of this invasion. I know and I am confident that the result will be victory for the Americans and for the Cubans.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Chairman, I was having a conversation with a colleague last night about this issue. He said a dissident came from Cuba and lobbied against the embargo. I tried to point out that if the totalitarian regime in Cuba allows one to come to the United States to lobby against sanctions against the dictatorship, it is with precise permission. If, however, one is truly seeking democracy, they are thrown in a dungeon or thrown out of the country or executed.

So what the Smith-Rothman amendment is saying is before the $5 billion a year, at least, in American tourism is sent to the dictatorship, let the representatives of the Cuban people, the leaders of the political parties, let them out of prison, and the cop killers and other fugitives from American justice including Joanne Chesimard and the other ones that the gentleman from New York (Mr. FOSSELLA) so eloquently was talking about, send them back and do not have them living in protected luxury by the totalitarian regime 90 miles away. That is all the Smith-Rothman amendment is saying.

It is not a question of insulting anyone's intelligence. It is a question of saying the people who represent the Cuban people, who are in prison today have a right to be free, and those who kill American cops and sell drugs and are terrorists have a need to be in prison in the United States.

Vote for Smith-Rothman. Vote against the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I rise in strong support of the Flake substitute amendment and I do so because our current policy towards Cuba is a relic and it needs to be updated.

It should be a priority of this Congress to change any program or any policy if it is deemed to be unsuccessful. Yet, we have allowed 40 years of unsuccessful public policy, and we have done next to nothing to improve it.

One way to foster change is through this amendment of our colleague from

Arizona. The amendment would prohibit Treasury funds from being used to regulate the travel of American citizens to Cuba. It would effectively open up Cuba's borders for the free world and for free world ideas.

Mr. Chairman, when I came to Congress, it is fair to say that I was inclined to believe that we needed to reassess our relationship with Cuba. After visiting Cuba myself this year and meeting with the fantastic people of that country, I returned convinced that our policy is wrong. Americans want to travel to Cuba by an overwhelming 66 percent. Doing so will be good not only for the Cuban people and for Cuba, but it will be good for our country. Maintaining the status quo will do nothing to foster democracy in Cuba. We need to speak strongly today on the floor to reverse 40 years, 40 years of unsuccessful public policy. We need to tear down this travel ban, and we need to allow Americans to travel freely to other countries.

Mr. ROTHMAN. Mr. Chairman, I yield 3¼ minutes to the gentleman from New Jersey (Mr. MENENDEZ), the distinguished ranking member of the Subcommittee on the Western Hemisphere.

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

Mr. MENENDEZ. Mr. Chairman, I have heard the voices of those who think Fidel Castro is a great guy; and I have heard the voices of those who want to do business in Cuba at any price, regardless what that price is. Americans love to travel, but they love democracy and human rights, and they love that more than anything else because they enjoy it more than any other country in the world.

The belief that Americans can change Castro through tourism flies in the face of millions of visitors from Canada, Mexico, Spain, Europe, Latin America and other parts of the world who over the last decade have visited Cuba and have not had one iota of change towards democracy and human rights.

We are a great people, but to believe that we uniquely possess the one key that can unlock, the changing of the mind of Fidel Castro, is to be incredulous.

What this amendment would do if adopted, it would take a law and let it lawlessly be violated because we would have no enforcement funds to prosecute that law. If you do not believe that the law is legit, change the law. But do not act lawlessly by saying we will not enforce a law that exists on the books.

Mr. Chairman, it will open the floodgate of dollars to Fidel Castro's Cuba. If the American people knew that 60 percent of Cuba's GDP goes to a tourism industry that is a state-run operation, a tourism industry by which Fidel Castro owns 50 percent of all of the foreign hotels and all of the Dollar Stores, which are inflated, to gouge tourists who go, they would say no, I will not visit there.

If, in fact, they knew that tourism does not go on behalf of the Cuban people but goes on behalf of the state, they would not go there. If they knew when they visit those hotels and tourist spots that the workers there cannot be hired directly by that foreign company, but is hired by the state employment agency sent there for which the state employment agency is paid in dollars, and Cubans are paid in worthless pesos, which is the equivalent of slave labor, to those of my colleagues who believe in the trade labor movement and labor rights, they must vote for the Smith amendment and against the Flake amendment.

For those who believe that, in fact, opening up the flood gates, as is suggested, and I do have great faith in Americans, but what happens when they go to Cuba, suggestions that tourism will facilitate visitation and engagement with human rights activists, political dissidents and independent journalists should be dispelled by the fact that Cuban law makes it a crime against the state to engage human rights activists and political dissidents. And believe me, that law is enforced.

Ask the two Czech citizens, one a parliamentarian and the other a journalist, who traveled to Cuba as tourists and were engaged with human rights activists, and were imprisoned.

Mr. Chairman, sunning one's self on the sand and surf on Varadero Beach, taking in a show at the Tropicana, smoking a Cohiba and sipping a Cuba Libre may indulge the fantasies of some, but it will not bring democracy to the Cuban people, it will not bring freedom to the Cuban people, and it will not bring respect for the human rights for those people in Cuba.

Mr. FLAKE. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I thank the gentleman from Arizona for his amendment. It is the right thing to do.

Mr. Chairman, I have not heard anybody on this floor suggest, as my friend from New Jersey stated, that we think Fidel Castro is a great guy. I do not know where that came from. Nobody has suggested that. I do not think anybody comes close to believing that. We know he is a dictator. There is no question about that.

But we want the idea of American freedom to find its fruition in Cuba as well as America. This travel restriction is un-American. Americans should be able to travel any place they want. And as they travel, they communicate with the citizens of other countries. When the Cuban people see the way we live because of what we believe in, that is going to topple the dictatorship.

Forty years. How long does it take to realize that a policy is not working? Our current Cuba policy has not worked. Let us build upon the freedoms that every American citizen represents when they travel someplace else.

Let me suggest to my colleagues that the historical context should be considered here as well. If it had not been for the way that the former regime had treated the Cuban people, the Communist Revolution could not have succeeded. The Batista government treated many of the Cuban people miserably, particularly its darkest-skinned citizens. That history has a lot to do with why Fidel Castro is still in power today.

Now it is time to try a different approach. Now it is time to let, yes, our students; imagine what would happen if they went to Cuba on a spring break. Fidel Castro would have nightmares over that threat.

But when Cubans see the way we live here, that is what is going to bring freedom to Cuba, and that is what is going to enable us to trade with Cuba, and that is what is going to enable us to have a real neighbor that we can work with.

Mr. Chairman, 40 years is too long. It is time to realize that the policy we are using today is not working. Let us try a new one. Let us pass this amendment.

Mr. ROTHMAN. Mr. Chairman, I yield 1¼ minutes to myself.

Mr. Chairman, there are several points I would like to make. Number one, there has been some statement that restriction on travel to Cuba would be unconstitutional. That is incorrect.

The United States Supreme Court has twice ruled that travel restrictions on Cuba, on Americans traveling to Cuba, is constitutional: Zemel v. Rusk in 1965, Regan v. Wald in 1984.

Forget the Constitution, we just exaggerated saying it is unconstitutional, is it the right policy choice? That is a fair question.

Mr. Chairman, I believe it is the right policy choice, and we choose to impose different treatment to different countries based on our own belief of what is fair and what will work.

□ 1715

Make no mistake about it. There is some travel now to Cuba. If we eliminate all those restrictions, Castro will benefit by $5 billion in American hard currency.

Do we want to let him say 40 years of totalitarian rule will be rewarded with this? Treatment of your political prisoners will be rewarded with billions of dollars of American cash? Your failure to return cop killers, people who were convicted by juries in America, juries of their peers, of first degree murder, sentenced to life and Castro holds them in luxury and freedom down there and will not release them? What is the message we send to American law enforcement, State and local, about what we will do if they get killed by someone who then seeks refuge in Cuba?

Mr. FLAKE. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this has been a great debate. I said at the beginning that we ought to stipulate that Fidel Castro is a tyrant, that he is a liar, but I am surprised that those who agree with me on that are so eager to accept the notion that he wants tourism, that he wants more trade. I would submit that he does not.

When I was a child and my room was messy, the last thing I wanted was for my mother to come in. You do not want people to come in. So why should we take Fidel Castro's word for it? We ought to send our people there.

Let me just close by saying, it has been said that people can have differing opinions on this subject. They certainly can. Those who believe in isolation have had the last 40 years. It is time for those who feel differently to enact a new policy and move forward. If freedom is what we want for the Cuban people, let us exercise a little more of it ourselves.

Mr. SMITH of New Jersey. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. DELAY), the distinguished majority whip.

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

I was sitting here watching the debate. It was almost identical to debates of old, when we were fighting for freedom in the Soviet Union, when we were fighting for freedom in El Salvador, when we were fighting for freedom in Nicaragua. History proved us right and proved you wrong.

Allowing travel to Cuba is a terrible mistake. The benefits of free trade cannot flow to people who are ruthlessly oppressed by a rigidly controlling totalitarian regime. Supporters claim that American tourists will help average Cubans. But letting Americans travel to Cuba will strengthen Castro and do nothing to improve the lot of average Cubans. Freedom cannot penetrate Castro's Communist cadre because it operates more like an organized crime syndicate than a legitimate government.

But surely, we are told, joint ventures with foreign investors will change all that. All joint ventures in Cuba remain under Castro's thumb. Those businesses cannot even hire a Cuban worker without Castro's blessing. All the property in Cuba belongs to Castro. All the income that comes from these Americans will go to Castro.

We are also told that if we support trade in China, we ought to support it in Cuba as well. But China and Cuba, I think, is a poor comparison. In China, the government is allowing the rudiments of a market economy to form. Trade with China does benefit average people. Cuba is a monolithic island under the heel of Castro's regime. Under this dictatorship, the only entrepreneur is Castro. Castro's thugs cannot meet the basic needs of their people. This tyrant is teetering on the brink of an abyss. Why in the world would we reach out now to draw his evil, abusive regime back to safety?

Let it fall. Let it fall and liberate the Cuban people.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE) as a substitute for the amendment offered by the gentleman from New Jersey (Mr. SMITH).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. 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 Arizona (Mr. FLAKE) as a substitute for the amendment offered by the gentleman from New Jersey (Mr. SMITH) will be postponed.

Therefore, further proceedings on the first-degree amendment offered by the gentleman from New Jersey (Mr. SMITH) will also be postponed.

AMENDMENT NO. 7 OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. RANGEL:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), except those provisions that relate to the denial of foreign tax credits or to the implementation of the Harmonized Tariff Schedule of the United States.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. RANGEL) and the gentleman from Florida (Mr. DIAZ-BALART) each will control 10 minutes.

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

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

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

Mr. RANGEL. Mr. Chairman, in the shadows of this great Republic of the United States is a small island 90 miles off our shore called Cuba. The most powerful Nation in the world somehow just fritters when we consider talking to the Cuban people, trading with the Cuban people or visiting in Cuba. The sanctions that we have had against this small nation that have been locked into place for over 40 years just have not worked. They never do. Unilateral sanctions never do work. It is so arrogant that not only do we have these sanctions against the Cuban people and their government but we are arrogant enough to put sanctions against our friends and our allies that want to do business with the people in Cuba.

It falls beneath the dignity of a great country to try to bring down a government in any country by using food and medicine and economic exchange as a weapon in order to do that. There is no way that we are going to convince the American people that Fidel Castro is more of a tyrant, more of a dictator, more oppressive than people in other parts of the world which we are doing business with.

In this very body, I could hear the opposition saying, ''The only way to bring down communism in China is to engage these people in economic activity. The only way that we can bring about democracy is by using the tools of trade and cultural exchange.''

We are saying the same thing about Vietnam, and a bill will be up before we go on recess, a country that is responsible for the taking of so many American lives. Again in North Korea, they are responsible for the loss of so many American lives. Again in China, responsible for the loss of so many American lives. We have never even had anyone mugged in Cuba. Yet we are saying that we have a higher standard in terms of ignoring the country and providing sanctions against us.

But there is something else, too. Trade is a two-way street. We now have farmers in the United States that have had markets closed to us. It just seems to me that if China has to go all over the world to get its dairy products, its meat, its rice and its chickens, then why should the United States of America markets be closed? Why should Cuban Americans not be able to do business with Cubans? Why do we put these handcuffs on ourselves when we truly believe that trade and opening up new economic opportunities is really the key to democracy?

So it just seems to me that, once again, we have an opportunity by taking away the funds that really operate this bureaucracy and to say that we respect the American people, we respect their economic judgment, and we respect the right of Americans to travel anywhere that Americans want to travel, that we are a strong people, we have a rich history and we do not allow Communists to frighten us here in the United States, in Havana, in Moscow or Hanoi.

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

Mr. DIAZ-BALART. Mr. Chairman, I yield 2½ minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the distinguished chairman of the Subcommittee on Human Rights.

Ms. ROS-LEHTINEN. Mr. Chairman, I rise today in strong opposition to the Rangel amendment because Cuba's terrible record of human rights violations was not exported there. The degrading treatment that the Castro regime inflicts on its own citizens is not the end result of the U.S. embargo on Cuba. The embargo is not responsible for the gulags for prisoners of conscience. The

embargo does not forbid independent labor unions from existing. The U.S. embargo is not responsible for the systematic persecution and mistreatment of religious organizations, nonviolent opposition movements and human rights dissidents.

The U.S. embargo is not what drives a police officer to beat unconscious a political prisoner while she is on a hunger strike. The U.S. embargo does not mandate the summary execution of independent journalists and conscientious objectors. It is the totalitarian regime and its tyrannical leader who are the sole creators of a state that has perpetrated the most deplorable violations of fundamental human rights and freedoms against its own people throughout the last 42 years.

How does this Congress tell Vladimiro Roca, who is going on his 1,471st day in prison, the last 1,343 of those days have been spent in solitary confinement, that the very embargo he praised in a pamphlet entitled, The Homeland Belongs to Us All, an action which led to his imprisonment, will be weakened by those who choose to justify the inhumane behavior that Castro renders on his people?

They demand the innate human rights that every individual should never be denied. Castro has repeatedly stated that he will not change. He has underscored his position over and over again of socialism or death.

The regime continues to exert absolute control over all investments and business endeavors, requiring that all payments be channeled through the dictatorship's agencies. Its disregard for property rights of any kind has resulted in the regime falling into disgrace with even its most loyal trading partners, such as Canadian, Mexican and European investors whose machinery and payments have been stolen by the regime.

I urge my colleagues to strongly vote ''no'' on this amendment that goes against our American principles of freedom and human rights.

Mr. RANGEL. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. WYNN).

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

Mr. Chairman, I rise in support of the gentleman's amendment that we normalize our relationship with that tiny island 90 miles off our coast. I do not think any of us are here today to condone Castro's actions. That is not the point. The point is that we need a rational foreign policy toward Cuba that is not based on emotion.

Yes, we want cop killers back in the United States. No, we do not condone gulags. But there are gulags in Cuba. There are gulags in China. There are gulags in Korea. That is not the point. We need a rational policy.

Second, the policy we have is not rational, and it has failed. It has failed for 40 years. It failed even when the Soviets abandoned Cuba. If this embargo did not work when the Soviets abandoned Cuba, it is never going to work. All it does is impose hardships on the Cuban people, and that plays right into Castro's hands.

Members of the State Department have said privately that this embargo is just what Castro wants, because it bans Cuban nationalism and allows him to continue his regime. Let us normalize our relationship as we have done with China and other countries.

Mr. DIAZ-BALART. Mr. Chairman, I yield 2½ minutes to the gentleman from Georgia (Mr. KINGSTON).

□ 1730

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

Mr. Chairman, I wanted to, number one, stress to all of those who may be listening that the United States embargo allows the donation of food, clothing and medicine to the Cuban people. The embargo also allows the controlled sale of medicine, medical supplies and agriculture products to Cuba. It is extremely important for us to remember that, because people keep saying and acting like that is not the case. We have taken allowance to put in humanitarian considerations in there, which is far more than we get out of Castro.

Now, a lot of people keep talking about China, and I just returned from China 2 weeks ago, and want to talk a little bit about the difference between Communist China and Communist Cuba. Number one, they have a precedent. They do have two systems under one nation. Hong Kong, they have left the capitalism in Hong Kong. China has not infiltrated that and messed it up.

Secondly, they can also look across the waters and see Taiwan, which they consider still part of China and a province, but they understand how capitalism works because of Taiwan and because of Hong Kong.

Number two, China is eager to get into the WTO, not just as a business proposition, but they are interested in joining the world community today, one of human rights and business transparency and labor unions and audits and all the things that we have in the West.

Number three, there are already American companies doing business in China: International Paper, Rayon Air, Motorola, Coca-Cola. Motorola, 12 percent of their receipts are from China right now. The Chinese people are interested in capitalism, and the reason is, their brand of socialism is China, Inc., what works. They do not have this mantra to the throne of Karl Marx the way Mr. Castro does.

It is very important to remember that Jiang Zemin is far more democratic than Fidel Castro. That is why he is not afraid to have the Olympics come to Beijing and open up the nation to the scrutiny of the world by having the Olympics right in his capital.

I also want to say Russia has been alluded to here. Here again, you do not have one person. I went with the Speaker when the Speaker of the Dumas invited the gentleman from Illinois (Mr. HASTERT) on a trip, and they wanted to talk to us about reform.

One of the big reforms that the Russian people were interested in was judicial reform. They are interested in democrat processes. They do not believe in the old tenets of communism of 50 years. China, reform; Russia, reform; Cuba, no, sir. They are still stuck in time, and as long as Fidel Castro is there, they will not change.

Mr. RANGEL. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

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

Mr. Chairman, I rise in strong support of the Rangel amendment. Although relations with most communist governments, such as China and Vietnam, are normalized, the United States continues to prohibit virtually any and all political, economic, or even cultural exchanges between the people of the United States and the people of Cuba. Since the early days of the Cold War, our government has been entrenched in an absolute embargo that has created much suffering on this Afro-Hispanic island only 90 miles away. This embargo is archaic, it is inhumane, and it must be changed.

Like many Members, I, too, have visited Cuba many times and met with the anti-Castro organizations. But, barring none, they communicated that the best way to address all issues, including human rights concerns, is to at least end the embargo, so dialogue can take place.

We all must be concerned about human rights violations, wherever they may occur in the world, including in our own United States of America, as minorities in our own country clearly understand. But the United States embargo against Cuba is a failed policy that has only served as an impediment to a rational foreign policy.

Now, for those who support fair trade, which I do, it is wrong to prevent the United States companies, our U.S.-based companies, our farmers, especially, from accessing the Cuban market. This could also mean thousands of jobs for United States workers. So we are really doing a disservice to our own people in our own country.

Not only must we strike down the restrictions on United States citizens' travel to Cuba, but we should end the embargo, and we should end it right away. It is the right thing to do.

Mr. DIAZ-BALART. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. MENENDEZ).

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

Mr. MENENDEZ. Mr. Chairman, I listened to my colleagues, and it is interesting, when we talk about Cuba, the word ''emotions'' always slips in; but I

hear my colleagues come to this floor on other parts of the world, on questions of famine and human rights and AIDS, and they speak very passionately. We do not say it is an emotional issue.

We also question China, and yet many people vote against China MFN because they believe China should be sanctioned in that regard, but they believe we should lift everything as it relates to Cuba. But forced abortion, arrest of dissidents, Tiananmen Square, a whole long list, it seems to me if that after 25 years of engagement is our human rights success in China, we should review that policy.

Lastly, why, if lifting the embargo means the end of Castro, why is it his number one foreign policy objective? If it means his end, as everybody would suggest, why is it his number one foreign policy objective?

The fact of the matter is that I would ask my colleagues who vigorously support human rights and democracy, who seek sanctions in other parts of the world, like the Sudan and other places, that they need to understand that if we vigorously enforce a sanctions regime wherever we seek to impose sanctions, then we have an opportunity to have a public policy success using peaceful diplomacy versus anything else.

Lastly, we are the largest remitters of humanitarian assistance to the people of Cuba, more than all the other countries of the world combined over the last several years. It is Castro who keeps his people hungry by his failed policies.

Mr. RANGEL. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, there was a demonstration out front the other day and up and down Connecticut Avenue. It was the Falun Gong trying to tell us about religious persecution in China. Yet we chase after China, we give them Most Favorite Nation status for trading purposes, and we forget about their human rights violations.

Yet 90 miles off the shore of Miami, we have a small country that is trying to survive, and we keep our foot on the back of their necks simply because there are few people who cannot get over the fact that he overthrew Batista. Batista had literally given Cuba to the multinationals, who practically owned it, to the gangsters, and everybody else who wanted to go down to Cuba and do whatever they wanted to do.

Well, we may not like the revolution, but we need to get over it. He has been trying to survive all of these years. It is time to do away with this policy. It does not make good sense.

Let me just tell you, Canada is reaping $260 million in trade; China, $156 million; France, $216 million. It goes on and on and on. The Farm Bureau wants to open up trade opportunities.

Mr. DIAZ-BALART. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Chairman, the suffering of the Cuban people is caused by Fidel Castro, and not by the embargo. The money that is paid to the employees down there by businesses that go into Cuba does not go to the employees; it goes to Castro. If they are paid $400 a month, that $400 goes to Castro, and he pays them in the local currency, which is worth about $5 to $10 a month.

He is the one who keeps his heel on the neck of the people of Cuba. He is the one that causes the suffering down there. He is the one that causes the human rights abuses, and he is the one that has killed that economy.

Why does he want the embargo lifted? Because he knows if we have tourism going down there, he knows if there is trade with him, the money will go into his pocket; the money will be able to prop up his regime, and he will be able to continue his communist philosophy and dictatorship down there.

Finally, just let me say one more thing. People say he is no longer exporting revolution. I will tell you right now, Fidel Castro is supporting the FARC guerrillas in Colombia that are flooding our streets with drugs, that are killing our kids and ruining people's lives. The FARC guerrillas wear the berets that Che Guevara wore when he was down there exporting revolution for Fidel Castro.

This man is a tyrant, he is a man we should not deal with, he is a man who has killed his own people, and he is the one that suffers; not the people of Cuba, because he is the one that is keeping them under his heel and under his boot. Five to $10 a month is what they earn because of Fidel Castro.

Mr. RANGEL. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, listening to the debate, I could not help but remember the words of Harry Truman. When he was interviewed for the biography ''Plain Speaking'' just before his death in Independence, Missouri, he was asked the question, ''What would you do about Cuba if you were still President?''

He said, ''I would pick up the phone and call Fidel and say, I see you have some problems down there, Fidel. Why don't you come on up here, and we will talk about them and see if we can't settle this thing.''

Boy, if he had only been President, and if other Presidents had only followed that kind of advice since then, we would not have the necessity of this debate today.

Why a strong, powerful country like the United States has to make an enemy of a weak, defenseless little country like Cuba is a question that we could speculate upon for some length of time. But one thing is absolutely clear, the policy of the last 40 years has failed. It is time to open the doors and let the fresh air come in.

The CHAIRMAN. The gentleman from Florida (Mr. DIAZ-BALART) has 2 minutes remaining, and the gentleman from New York (Mr. RANGEL) has 1 minute remaining. The gentleman from New York (Mr. RANGEL) as the author will close debate on the amendment.

Mr. DIAZ-BALART. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let us cut to the chase here. Let us cut to the chase. Let us cut to the chase, Mr. Chairman. Castro is 75 years old. He collapsed a few weeks ago and those surrounding him in the power clique were terrorized. His days are numbered.

What we are talking about today is the future of Cuba. It is the leadership that is in prison today, Antiunez, this young man, for example, who is facing an 18-year sentence because in high school he decided to say that the regime was evil and he opposed it and he sought democracy. Or Maritza Lugo, the chairman, the president of the 30th of November Democratic Party. She and her husband are political prisoners, though they have little daughters, like the gentlewoman from Florida (Ms. ROS-LEHTINEN) who is on the floor. Well, Maritza Lugo has two daughters, and they are both in prison, she and her husband, are both in jail, because they are leading a political party in Cuba.

And Vladimiro Roca, whose father, by the way, was the founder of the communist party in the 1920s, and now he is in a dungeon, because he is the president of the Social Democratic Party, and asked for free elections. Are they going to be released, and are their political parties going to be legalized and is the regime going to sit down with them and have free elections like happened in South Africa and like happened in Chile and like happened in Spain and Portugal and everywhere else, everywhere else the world stood for freedom?

Oh, no. But in Cuba we should discriminate, despite the fact that they are 90 miles from our shores. That is the issue that we are debating here today.

So our current law says three conditions, and the embargo is automatically lifted. The gentleman from New Jersey (Mr. MENENDEZ) authorized billions of dollars in the legislation that we passed a few years ago. It is already law for assistance to Cuba. Three conditions is what we seek for our neighbors 90 miles away: Liberate the political prisoners, legalize their political parties, and sit down with them and have an election. Is that too much to ask for our closest neighbors? It is not.

But the debate today is whether the regime continues after the demise of the tyrant, the death or the incapacity of the tyrant; or whether these people, the leaders of free Cuba, continue to receive our support, as this Congress has, despite the attitude of the executive office, not now, because President Bush supports the sanctions now, but other times in history they have not. Congress has always been with the Cuban people.

Stand with the Cuban people and their future leaders, not the tyrants. Oppose Rangel.

Mr. RANGEL. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, that proves what a great country we have, that friends can disagree and, at the same time, attempt to move forward.

I think in addition to a great country, we have to really emphasize the importance of free trade and opening up new markets. Certainly for whatever tragedies people are suffering in Cuba, you cannot possibly believe that it is not worse in China. And if those on the other side of the aisle truly believe that trade is going to be the key of establishing better relationship and normalizing our relationship, then certainly I think we should have enough confidence in the American business people and enough confidence in the American people not to succumb to the dangers that communism offers.

□ 1745

This is a strong Nation. We can survive the threats of communism. We can enter into extradition treaties in order to bring back the convicts that are there. Let us face it. If the present dictator dies, who is going to replace him?

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RANGEL. 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 New York (Mr. RANGEL) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVI, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: the substitute offered by the gentleman from Arizona (Mr. FLAKE); amendment No. 5 offered by the gentleman from New Jersey (Mr. SMITH); and amendment No. 7 offered by the gentleman from New York (Mr. RANGEL).

AMENDMENT OFFERED BY MR. FLAKE AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) as a substitute for the amendment offered by the gentleman from New Jersey (Mr. SMITH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the substitute amendment.

The Clerk designated the substitute 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 240, noes 186, not voting 7, as follows:

[Roll No. 270]

AYES—240

Abercrombie
Aderholt
Allen
Baird
Baldacci
Baldwin
Barcia
Barrett
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Biggert
Bishop
Boehlert
Bonior
Bono
Borski
Boswell
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Camp
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Castle
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Ehlers
Emerson
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Fletcher
Ford
Frank
Gallegly
Ganske
Gilchrest
Gonzalez
Gordon
Graves
Greenwood
Gutierrez
Harman
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Inslee
Isakson
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Millender-McDonald
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Nussle
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pickering
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rehberg
Rivers
Rodriguez
Roemer
Ross
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Schiff
Scott
Serrano
Shays
Sherwood
Shimkus
Shows
Simmons
Simpson
Slaughter
Smith (MI)
Smith (WA)
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sununu
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Wamp
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Weldon (PA)
Whitfield
Woolsey
Wynn

NOES—186

Ackerman
Akin
Andrews
Armey
Baca
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Berkley
Bilirakis
Blagojevich
Blunt
Boehner
Bonilla
Boyd
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Cannon
Cantor
Capito
Chabot
Chambliss
Coble
Cox
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Engel
Everett
Ferguson
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Goss
Graham
Granger
Green (TX)
Green (WI)
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hobson
Hulshof
Hunter
Hutchinson
Hyde
Israel
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
McCarthy (NY)
McCrery
McHugh
McInnis
McKeon
Meek (FL)
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Myrick
Northup
Norwood
Ortiz
Ose
Oxley
Pallone
Pascrell
Pence
Petri
Pitts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun (KS)
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Shuster
Skeen
Skelton
Smith (NJ)
Smith (TX)
Souder
Stearns
Stump
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Traficant
Visclosky
Vitter
Walden
Walsh
Watkins (OK)
Watts (OK)
Weldon (FL)
Weller
Wexler
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—7

Blumenauer
Cooksey
Lipinski
Meeks (NY)
Scarborough
Snyder
Spence

□ 1808

Mr. HALL of Ohio and Mr. KERNS changed their vote from ''aye'' to ''no''.

Mrs. MALONEY of New York and Messrs. HOUGHTON, BASS, WHITFIELD, and SHOWS changed their vote from ''no'' to ''aye''.

So the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. SMITH OF NEW JERSEY, AS AMENDED

The CHAIRMAN. The question is on Amendment No. 5 offered by the gentleman from New Jersey (Mr. SMITH), as amended.

The amendment, as amended, was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. RANGEL

The CHAIRMAN. The pending business is the demand for a recorded vote on Amendment No. 7 offered by the gentleman from New York (Mr. RANGEL) 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 CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 201, noes 227, not voting 5, as follows:

[Roll No. 271]

AYES—201

Abercrombie
Allen
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Bereuter
Berry
Biggert
Bishop
Bonior
Bono
Boswell
Boucher
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Capps
Capuano
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Dooley
Doyle
Edwards
Emerson
English
Eshoo
Evans
Farr
Fattah
Filner
Flake
Ford
Frank
Ganske
Gilchrest
Gonzalez
Graves
Greenwood
Hall (OH)
Harman
Herger
Hill
Hilliard
Hinchey
Hinojosa
Hoeffel
Holt
Honda
Hooley
Houghton
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Largent
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (NY)
Manzullo
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Millender-McDonald
Miller, George
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Nadler
Napolitano
Neal
Nethercutt
Nussle
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pomeroy
Price (NC)
Radanovich
Rahall
Ramstad
Rangel
Rehberg
Rivers
Rodriguez
Roemer
Ross
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Shays
Shimkus
Simpson
Slaughter
Smith (WA)
Solis
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thune
Thurman
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Waters
Watson (CA)
Watt (NC)
Waxman
Weiner
Woolsey
Wynn

NOES—227

Ackerman
Aderholt
Akin
Andrews
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Berkley
Berman
Bilirakis
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Borski
Boyd
Brady (PA)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Castle
Chabot
Chambliss
Coble
Collins
Cooksey
Cox
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (FL)
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Engel
Etheridge
Everett
Ferguson
Fletcher
Foley
Forbes
Fossella
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Israel
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Mascara
McCrery
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Menendez
Mica
Miller (FL)
Miller, Gary
Mollohan
Murtha
Myrick
Ney
Northup
Norwood
Ortiz
Ose
Oxley
Pallone
Pascrell
Pence
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Regula
Reyes
Reynolds
Riley
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun (KS)
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shows
Shuster
Simmons
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spratt
Stearns
Stump
Sununu
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Traficant
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—5

Blumenauer
Lipinski
Scarborough
Snyder
Spence

□ 1818

Mr. DINGELL and Mr. HOUGHTON changed their vote from ''no'' to ''aye.''

Mr. TERRY changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Internal Revenue Service to pay any bonus or incentive payment to the Commissioner, the Deputy Commissioner, the Chief Counsel, the Chief Inspector, the Chief of Management and Administration, the Chief Financial Officer, the Chief of Operations, the Chief of Appeals, the Chief Information Officer, or the Chief of Communications of the Service.

Mr. TRAFICANT. Mr. Chairman, I have never heard so many Members coming over and saying they agree with me, but they have to oppose my amendment. They say they like what I am doing, it needs to be done; but they are going to have to vote ''no.'' They say, I want to commend you, Mr. TRAFICANT, because what you are doing is an absolute necessity, but I am going to have to vote ''no.''

Now, let me explain what the amendment is. Two years ago, 81 percent of all information given by the IRS to our constituents was false and wrong. This year, they corrected it and they improved, only having 73 percent of the information given to our constituents to be deemed faulty. Now, I want my colleagues to listen to this. I want my colleagues to listen to what a GAO report said. The report said that 50 percent of all of our constituents' calls made to the Internal Revenue Service are not even returned; they go unanswered.

Now, here is what the Traficant amendment says. It lets all these IRS people go, but there are 10 people at the top that are prohibited from getting bonuses under this bill.

Every newspaper in America says Congress must be nuts allowing these IRS fat cats to reward themselves with bonuses while their constituents are getting screwed.

Now, I do not know if there is anybody willing to speak on this issue, Mr. Chairman, but I will say this. I understand the position of Ways and Means members, I understand leadership, but I want to say this. This has gone on long enough, year after year; and every year there is a reason. Now, one of the reasons I have heard was three of these positions mentioned are new people. Well, tell me, what new employees get bonuses the first year in the first place?

In the legislative history let it show that if my colleagues do not want to remove some of these people because they personally know them and they are St. Ignatius, I do not mind it. But the buck stops somewhere, and it is not stopping in the penthouse of the IRS. That means Congress has an inherent responsibility to make sure that our constituents' calls are returned; that our constituents get correct answers; and that our constituents are treated with respect.

If one out of every two Americans do not even have their call returned or answered, what is wrong with us? And when 73 percent of the advice they do give to the 50 percent that are lucky to get a return call, 73 percent of it is wrong. But they say it is an improvement over the 81 percent.

That is right, beam me up. I have great respect for my good friend, the gentleman from Ohio (Mr. PORTMAN). He has done a great job on taxes. Look, I do not want any complimentary regards here tonight, I do not want any pats on the back, I want an ''aye'' vote on my amendment. And if it is thrown out in conference, then throw it out in conference, but I want to say something to Congress. If we want to get the

attention of the IRS, we could give them all the rhetoric we want, but this is stone cold business. This is exactly what Congress should be doing.

The Congress of the United States Government is a participatory democracy in this Republic, and it is time we do so. I am asking for an ''aye'' vote.

Mr. PORTMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my colleague, the gentleman from Ohio (Mr. TRAFICANT), has done a lot to help with IRS reform. I walked over a moment ago and told him I did want to compliment him as well as oppose his amendment. I was not talking about complimenting the amendment, however. I want to compliment him because in 1998 this Congress spoke almost with one voice at the end of the day for restructuring the IRS entirely, for putting in place dozens of new taxpayer rights.

The IRS, while it still has lots of problems, including phone calls that are not getting answered, including information that is not being accurately conveyed, is doing a little better. And even the gentleman said that in his statement. But in 1998 the gentleman from Ohio (Mr. TRAFICANT) pushed this House to put something in place that shifted the burden of proof from the taxpayers to the IRS in tax court. That was an important reform. It was not in the original reform and restructuring act. It was added, in part, again because the gentleman from Ohio (Mr. TRAFICANT) helped do that.

That is what I was going to talk about in terms of complimenting the gentleman in terms of helping us to get to a better system. Because what happens now all through the system is that the IRS has to really look at these cases to be sure they really have merit, rather than taking them all the way to court and having the burden, which is appropriately now on them as it is in every criminal court in America, rather than the burden being on the taxpayers, as it was before.

But this amendment, to my way of thinking, is counterproductive. Let me give a couple of examples. When we restructured the IRS, we provided for more incentive pay, which is part of the amendment; not just bonuses, but incentive pay. We actually provided they could pay these top people more than they were paying them at that time. Why? Because they could not attract good people, particularly in the information services area.

Management and information services is one of the great problems at the IRS. The left hand does not know what the right hand is doing. But it is partly because the left hand is using 1970s software and 1980s computers, and the right hand is using another stovepipe system that does not communicate with the first one. We have had to totally revamp that system, and they are doing it. They finally now have a general contractor and have put out a modernization effort that we are supporting in our committees and subcommittees in Congress, appropriations and authorization.

They are finally getting their act together. But to do that they needed better people and good people. And they are competing with the private sector. And I have to tell my colleague, the salaries they are paying these people is still significantly less than people doing comparable work in the private sector.

□ 1830

It is very tough to get people.

Second, I would just like to make the point that some of these people who would not get an incentive payment or a bonus do not exist any more because we restructured the IRS and got rid of some of these positions. For example, there is no chief inspector. There is no chief of management administration. There is no chief of operations. There is a chief information officer but he is brand new, and I do not think we should penalize him yet until we see what kind of work he does.

There is no chief of communications. Some of these lists of titles no longer exist because of the restructuring. So in a sense we have turned the IRS upside down. They have restructured the entire operation.

We have forced them to do new performance measurements. We have forced them to live under some great new taxpayer rights. They are struggling with that a little bit. They still are not living up to what we hoped they would be by this point, but they are making improvements.

This is not the time for us, in my view, to send the wrong signal to the people who I hope are the good guys, the people who have come in, new people at the top who are from the private sector who we have attracted to the IRS by saying, we are not going to pay you as much as the private sector, but we will give you a decent salary so we can be somewhat competitive, and we will give you a chance.

Again, some of these people are brand new. Others have been there a year or two. We have to give them that chance. They are the ones that ought to be straightening out this bureaucracy and all of its problems. I would hope that while we send a strong message that Congress is watching, that the oversight board and the subcommittees and committees of this Congress ought to do their work. That we not accept this amendment.

I will mention one other thing, Mr. Chairman, if I might. The new oversight board which is a public/private board which is unique in government which was very controversial in this body, but we got it through, is supposed to be there to provide accountability to the IRS. One of their jobs specifically established by this Congress is to review the commissioner's selection, evaluation, and compensation of IRS senior executives.

Let them do their job. Let the oversight board work. Let the IRS continue to reform itself. Let us not penalize the very people we are relying on to try to straighten things out at the IRS.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

I yield to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Chairman, the two amendments that were placed in the IRS reform bill by former Chairman of the Committee on Ways and Means, Bill Archer, the Traficant amendments could not get a hearing for 12 years.

Yes, the first one shifted the burden of proof from the taxpayer of the IRS who was guilty in a civil court. The second one said they could not seize their homes without judicial consent. We let that go for 50 years.

Here are the statistics. Seizures of homes dropped from 10,037 a year to 150. Wage attachments dropped from 3.1 million to half a million. Liens dropped from 680,000 to 160,000.

You are right. Some of these positions do not exist and some of the reforms we did have worked. But the bottom line is someone is responsible here and new employees do not get bonuses. Those people at the top that are coming in, the Congress is saying no bonuses until you return our constituents' calls and until your information makes sense. That is not an unreasonable demand.

Let me say this, I commend Chairman Archer for having the courage to make those changes because they were not in the bill. The IRS vehemently opposed them as did the Clinton administration.

It is time to make this change and it is time to send this message. We are not from Western Union, but this strikes at the core.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. TRAFICANT. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) will be postponed.

The point of no quorum is considered withdrawn.

Are there further amendments?

Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHAW) having assumed the chair, Mr. DREIER, 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. 2590) making appropriations the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain

Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

LIMITATION ON AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2950 in the Committee of the Whole pursuant to House Resolution 206 no further amendment to the bill may be offered except:

Pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate.

The amendment numbered 8, which shall be debatable for 30 minutes.

The amendment by Representative FILNER of California that I have placed at the desk which shall be debatable for 40 minutes.

Each such amendment may be offered only by the Member designated in this request, the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment.

The SPEAKER pro tempore. Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of implementing the final report of the President's Commission To Strengthen Social Security.

Mr. ISTOOK (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

Mr. HOYER. Mr. Speaker, reserving the right to object, I think there was a unanimous agreement that the gentleman from Florida (Mr. HASTINGS) would go next. We have the chairman here who wants to participate and others, if that is okay. I think it is okay with the gentleman from California (Mr. FILNER). We increased his time.

Mr. ISTOOK. Any such unanimous consent is fine with me. I believe it is necessary before we return to Committee that we do this.

Mr. HOYER. Mr. Speaker, I make a unanimous consent request that the order of the amendments be the gentleman from Florida (Mr. HASTINGS), then the gentleman from California (Mr. FILNER).

The SPEAKER pro tempore. We are still on the unanimous consent request of the gentleman from Oklahoma (Mr. ISTOOK).

The Clerk will continue to report the amendment.

The Clerk continued to report the amendment.

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

There was no objection.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore (Mr. SHAW). Pursuant to House Resolution 206 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2590.

□ 1837

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 further consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment by the gentleman from Ohio (Mr. TRAFICANT), had been postponed and the bill was open for amendment from page 68, line 3, through page 95, line 16.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except: pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; the amendment numbered 8, which shall be debatable for 30 minutes; the amendment by the gentleman from California (Mr. FILNER) that has been placed at the desk, which shall be debatable for 40 minutes.

Each such amendment may be offered only by the Member designated in the request, the Member who caused it to be printed, or a designee, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any pending amendment.

Amendment No. 8 Offered by Mr. Hastings of Florida

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. HASTINGS of Florida:

Add at the end before the short title the following:

SEC. 6____. The amounts otherwise provided by this Act are revised by increasing the amount provided for ''FEDERAL ELECTION COMMISSION—SALARIES AND EXPENSES'' by $600,000,000 and by decreasing each other amount appropriated or otherwise made available by this Act which is not required to be appropriated or otherwise made available by a provision of law by such equivalent percentage as is necessary to reduce the aggregate amount appropriated for all such amounts by the amount of the increase provided under this section.

Mr. ISTOOK. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 15 minutes.

Mr. YOUNG of Florida. Mr. Chairman, I claim the 15 minutes in opposition to the amendment.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 3½ minutes to myself.

Mr. Chairman, my amendment provides an additional $600 million to the Federal Elections Commission for the purpose of assisting State and local officials in updating their voting systems.

240 days have passed since last year's embarrassment of an election. Congress should have acted by now. Aside from 1 minute speeches and special orders, press conferences, and hearings, this is the first time election reform has even been discussed in a meaningful way on the floor of the House, or in either of our legislative bodies.

The simple fact is the absence of a real debate on election reform is as much of an embarrassment as was the last election. Following last year's election, Florida's failing election system became the punch line of nearly ever political joke around.

However, Florida took the criticism, bounced back and passed what I consider up to this point to be the most comprehensive election reform package in the country, albeit still deficient. It is not perfect by any means.

Florida's new election law seeks to remedy some of the core problems that occurred last year, particularly in the area of updating voting technology. However, as counties throughout Florida begin to update their voting systems, they are finding themselves unable to fund their needs, and this is true across America.

In my home county, Broward, it will cost more than $20 million to purchase the state-of-the-art voting system. The State is providing Broward County with a mere $2.3 million, leaving the county with the remaining tab.

Broward County, ground zero during the election debate, may not purchase the best voting machines on the market because it cannot afford them.

My concern is if we do not appropriate now and legislate later, as Senator MCCONNELL has said, then we are missing our opportunity to provide the necessary funds in time for election day 2002.

Mr. Chairman, Republican leadership has yet to provide us with a formal commitment that a submittal or emergency appropriations bill will accompany any election reform legislation. I am hopeful that, as this debate progresses, such commitment will be made.

The amendment sends a message to the American people that help is on the way. My amendment says to State and local governments throughout America that the Federal Government wants to assist them in updating their voting technology. The amendment makes the commitment that Congress has yet to make.

Contrary to what many argue, the need for election reform is much more than a civil rights issue. Rather, the need for election reform is a challenge to our democracy. It is a challenge that burns at the heart of every American who believes in our country's democratic heritage. It is a challenge that we cannot back down from, and it is a challenge that we will not back down from. There is no price tag for democracy, and it is time for Congress to tell America that it is willing to spend whatever it takes.

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

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

Mr. Chairman, the gentleman from Florida (Mr. HASTINGS) has made a very valid point. We all remember the exercise in Florida last year as we tried to declare the winner of a Presidential election. But after the focus on Florida faded away, we also learned that many other States had similar problems, and in some cases they were more serious than the problems in Florida.

Shortly after we came back to convene the new Congress, the gentleman from Maryland (Mr. HOYER), the ranking minority member on the subcommittee, and I began conversations, along with the gentleman from Florida (Mr. HASTINGS), the gentleman from Ohio (Mr. NEY) on our side of the aisle, and a number of other Members; and we understand that the Federal Government does have a responsibility here.

Conducting elections has always been the province and the responsibility of the States and the local governments, but I think we have reached a point where there is going to be a tremendous need for financial assistance. As chairman of the Committee on Appropriations, I believe that we should be prepared to meet the Federal responsibility in providing the relief necessary so that our elections in the future are not clouded by missed votes or votes that are not counted, or whatever the problem might be.

□ 1845

I am not sure what the exact dollar amount should be today. My colleague from Florida and I have discussed this. I am not sure we are prepared to set a dollar amount today. But I just want to make the commitment again to the gentleman from Florida (Mr. HASTINGS) and the gentleman from Maryland (Mr. HOYER) as we have discussed many, many times before in private, that I am here to be supportive of this, and I believe most of our colleagues will as well, once we determine what the real number is as far as the Federal responsibility in partnership with our States and in partnership with our communities.

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

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Chairman, I thank my esteemed colleague the gentleman from Florida (Mr. HASTINGS) for yielding me this time. I support the Hastings amendment.

Our election system is sick. Mr. HASTINGS has a remedy. That remedy would go throughout this country and make us whole again.

Do not fool yourselves. The people of this country are upset. They are angry. They are disappointed. It is time that we step up to the plate and say, yes, let's fund this system and work out something that will make all Americans happy to be able to vote.

We cannot muzzle justice. No matter who says to move on, we cannot move on until justice is rendered. It is hard to imagine in a free world that I must stand here and beg to be sure that we get a system, that we have the Federal Government participate in the reformation of our system.

I want to thank the gentleman from Florida (Mr. HASTINGS) and the gentleman from Maryland (Mr. HOYER) for this initiative.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Jacksonville, Florida (Ms. BROWN), who happens to have a number of constituents standing by.

Ms. BROWN of Florida. Mr. Chairman, I want to thank the gentleman from Florida (Mr. HASTINGS) for bringing this amendment to the floor.

Twenty-seven thousand of my constituents were disenfranchised in the last election. The whole nature of the last presidential election, from the roadblocks set up in black areas, to innocent people labeled as felons and kicked off the voting rolls, to thousands and thousands of votes being thrown out, is not acceptable. Our current President was selected by the Supreme Court and not by the American people. This last election has destroyed people's faith in our very system of government.

Yesterday I heard a Member on this floor speaking on the Foreign Ops bill about the flaws in another country's election. It is shameful for us to discuss another country's election when we have our own American coup d'etat here in the United States.

I strongly urge my colleagues to vote ''yes'' on this amendment, so that we can begin the process of finally getting over this shameful election.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Paterson, New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, the great poet Langston Hughes asked, ''What happens to a dream deferred?''

Well, in the case of the dream of fair and equal treatment at the polls, the dream deferred is a dream denied.

Last year's presidential election was a civics lesson for all of us. Unfortunately, not only did we learn that every vote counts, we learned that not every vote is counted.

For example, in Atlanta's Fulton County which uses punch card voting machines similar to those that gained notoriety in Florida, one of every 16 ballots for President was invalidated. In Harris County, Texas, which includes the city of Houston, 14,000 votes were not counted because the voter's selections simply did not register. In many Chicago precincts that have high African American populations, one in every six ballots was thrown out.

By not addressing this blatant inequality, we are letting down the thousands of Americans that take the time to vote each year and those votes are not counted because the voting machines in these districts are old, broken and inaccurate. Our goal should be simply to fix the system, to help in every way we can.

Yes, justice is difficult, Mr. Chairman, but as Sir James Mansfield said, ''Let justice be done though the heavens fall.'' And Ferdinand I, the Emperor of the Holy Roman Empire, said, ''Let justice be done though the world may perish.'' That should be our primary motivation, to bring justice to the system.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I have no doubt that some citizens were disenfranchised, many of those in Florida.

But I also know that I thought it was a travesty for the Gore and the Vice President candidate to try and disenfranchise our military vote in Florida as well through technicalities.

A Federal law says that you do not require a postmark because an FPO or APO many times, our military, are not able to get there. But yet the Gore and Vice President candidate tried to send lawyers to disenfranchise on technicalities those votes.

Also, the State law says that you have to have a date on it. The absentee ballot that was sent out by Florida did not have a date on it. I do not know about you, but if it does not have a date on there, I am not going to add it.

Yes, across this country, we need a fair vote system. I do not reject that. But what I do reject is people trying to make political points, coming down, saying that the election was stolen.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from North Carolina (Mr. PRICE).

(Mr. PRICE of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. PRICE of North Carolina. I thank the gentleman for yielding me this time.

Mr. Chairman, when we find neighborhoods built on top of toxic waste dumps, we respond to that emergency by buying out the homes and protecting the people who live there. When floods wipe out communities, we respond by buying out property to protect residents and help them find safe places to live.

Mr. Chairman, error-prone voting equipment is an emergency situation that threatens our democracy, and we need an immediate response. I commend the gentleman from Florida (Mr. HASTINGS) for offering an amendment that offers such a response. It is going to take some money to upgrade voting technology from error-prone punch card and other systems to reliable machines. We simply cannot afford to do nothing.

Just look at what error-prone voting equipment like punch cards does to our democracy. A study done by Cal Tech and MIT revealed that the spoilage rate for punch cards was as many as 986,000 ballots in 2000. In Florida last year the spoilage rate for punch cards was almost 4 percent. And in Cook County, Illinois, it was 5 percent during the last election.

Earlier this year, the gentleman from Maryland (Mr. HOYER), the gentleman from California (Mr. HORN) and I and other colleagues introduced the Voting Improvement Act, which would make buy-out grants available to any jurisdiction that used punch card voting systems in the last election. We want to see new equipment in place, and we want it there soon, in time for the 2002 elections. We want to buy out that inferior equipment and put accurate equipment in place that will give citizens the assurance that their vote is being counted. We need to push for adequate appropriations to make that happen.

Unfortunately, the President and our Republican friends failed to include any funding for election reform in the budget this year. But Congress can and must meet the challenge of restoring faith in our democracy. The Hastings amendment rises to that challenge, and I commend the gentleman for offering it.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maryland (Mr. HOYER), the ranking member of the subcommittee.

Mr. HOYER. Mr. Chairman, I thank the gentleman from Florida for yielding me this time, and I also thank him for his statement and his continuing willingness to work with all of us for a mission that he thinks is very important and we share and we know is going to require money. He is going to be a critical player in that effort. We very much appreciate his role.

I rise, however, to pass along a paragraph that would have been in the statement of the gentleman from Ohio (Mr. NEY) had he been able to stay. Unfortunately, he had an engagement he could not get out of. If the gentleman from Ohio (Mr. NEY) were here, the chairman of the Committee on House Administration, he would have said this:

''These programs will cost money.'' ''These programs'' being the election reforms which are being discussed on the floor today. ''I want to assure the gentleman from Florida (Mr. HASTINGS) that I am fully committed to ensuring that the necessary funds are authorized and appropriated.''

I know that the gentleman from Ohio (Mr. NEY) has talked to the gentleman from Florida (Mr. YOUNG). I know that they are working together, that we are working together. This is a critical issue. I will have a few words to say on it later. But I am pleased that the gentleman from Ohio (Mr. NEY), although he could not be here, wanted me to make these remarks so that his commitment and his view of the importance of this issue was clearly on the record during the consideration of the Hastings amendment.

I might say at this point in time that the Hastings amendment's sum of $600 million is very close to the sums that are in most of the Senate bills and that the gentleman from Ohio (Mr. NEY) and I have been discussing will be necessary to effect the ends that I think all of us seek.

I thank the gentleman for yielding this time, and I thank him for his leadership on this issue.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California (Ms. WATSON), one of our newer Members.

Ms. WATSON of California. Mr. Chairman, I would like to begin by thanking the gentleman from Florida (Mr. HASTINGS) for offering the amendment. As he has said, we are running out of time to fix our broken election process in time for the next elections.

The confusion surrounding last year's presidential election in Florida brought national attention to the failures of our voting process in many communities. I was in the Federated States of Micronesia at the time, and I could not believe what I saw. We resembled a banana republic.

In the 9 months since then, studies by the press, by universities, and even this House have all detailed the same problem, that too many Americans are forced to use outdated or faulty voting equipment. The vast majority of these faulty machines are concentrated in the communities of poor and minority voters.

No single act is more central to the American democratic process than casting a vote for the candidate of one's choice. The idea that some Americans might have their votes discarded because they live in the wrong neighborhood or they live as the wrong people should spur every Member of this body into action.

This amendment would finally give the Federal Election Commission the resources it needs.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Baltimore, Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I stand here to commend my good friend, the gentleman from Florida (Mr. HASTINGS), on his efforts to keep election reform alive and in the forefront of this body's legislative agenda.

I support this amendment in recognition that recently the principle of one person, one vote was abandoned, resulting in the disenfranchisement of thousands of citizens. It is time to take action to address this serious issue, and this amendment does just that.

Shamefully, the last national election resulted in numerous allegations of irregularities and minority vote dilution. The history of our country reveals the disturbing story of how many people fought and died in this country for the right to vote and exercise the full measure of their citizenship. It is outrageous that this country, the leader of the free world, continues to be plagued with this problem in this new millennium. Through numerous hearings, reports and individual citizen statements, it has come to light that outdated election systems caused thousands of votes to be undercounted, overcounted or not processed accurately.

□ 1900

Appropriately, this amendment would provide funding to the FEC to provide assistance to State and local governments in updating their election systems. This is not just a first step, but a giant leap towards addressing an issue that the American people believe in.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oregon (Mr. DEFAZIO).

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

Mr. Chairman, there are a host of questions that need to be answered by the system of elections in this country, but there is one thing upon which Congress and I believe most Americans should agree: no single American

should be disqualified by virtue of using a defective voting machine.

Mr. Chairman, it was not isolated to Florida or any other part of the country. My Secretary of State did a study and, strangely enough, twice as many votes were disqualified in counties that used punchcard systems in Oregon as counties that used optical scanners. Now, a lot of people will say we cannot afford to help the States and counties; we cannot afford a system of good technology for the people of America to record their votes flawlessly.

Come on. This is the basis, the foundation, of our franchise, what makes this country work. If we cannot afford to pay for that technology, if we cannot afford to have a better election system, then we are indeed headed toward very dark times.

This is a modest amount of money to resolve this problem, and this should be approved by this Congress.

Mr. HASTINGS of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, it is not relevant who anyone believes really, in quotes, ''won'' the election in Florida last year to this amendment. This amendment is necessary because we know that people are being deprived of their votes by faulty and inadequate voting equipment, probably in every State and certainly in most States of the Union. Certainly in my State of New York, as well as in Florida.

A report by the National Association of Election Commissioners in 1988 said that punchcard voting machines have more than twice the error rate and disqualification of other technologies then in use, and that they ought to be phased out and discarded, in 1988. An MIT study just said about $600 million a year is what is necessary to bring to bear modern technology which will tell the voter who has tried to vote for two candidates he would be disqualified or if he skipped a vote, you have done it, before you leave the voting booth so he can correct it if he wants to.

We ought to do that. We ought to make sure our future elections are accurate and fair, regardless of which side of the aisle you are on. I commend the gentleman from Florida (Mr. HASTINGS) for his amendment.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to my friend, the gentleman from Florida (Mr. DAVIS).

Mr. DAVIS of Florida. Mr. Chairman, as a Floridian, I wanted to share the painful story about what happened in Florida one more time tonight. Part of the tragedy of the Florida election, which was our country's election, was that the margin of error ultimately exceeded the margin of victory.

After the election, one of the painful lessons we learned was that it was widely exposed that we had an inexcusably casual, and, quite arguably, unconstitutional deficiency in our voting election system. Shame on us. Shame on anyone in the position of an elected authority should anything like that ever happen again.

Now, as the gentleman from Florida (Mr. HASTINGS), and I commend him for offering the amendment, has pointed out, the State of Florida has taken the lead on making illegal the infamous punchcard voting machine and providing partial funding to counties, including the county of the gentleman from Florida (Mr. YOUNG) and me, to fund some form of substitute technology.

A consensus is developing among Democrats and Republicans here, and I believe around the country, that the solution is a form of technology that is precinct-based and that gives the voter the opportunity to verify his or her vote. In a State and country where we have increasing numbers of voters who are aging, who are experiencing disabilities, be it sight or something else, it is very important, it is fundamental, that that voter has the opportunity to verify his or her vote before they leave the voting booth.

I want to close by pointing out why the Hastings amendment is so important. Time is of the essence. If we do not adopt this amendment today, or do something shortly thereafter to take the chairman, the gentleman from Florida (Mr. YOUNG), up on his willingness to fund this, we are going to lose the opportunity to repeat the terrible things that happened in the last election in time for the 2002 elections.

So shame on us if we let the next set of elections result in the same problems. Let us get it fixed now. Time is of the essence. We know how to do it.

Mr. HOYER. Mr. Chairman, reclaiming my time, I thank the gentleman for his comments.

Mr. Chairman, this is a good amendment. This is an amendment which sets the dollars at an appropriate level. There is an ad on TV that says the watch cost $150, the trip to Jamaica cost $1,500, the confidence of a child is priceless.

The confidence that a citizen has in its country is priceless; the confidence that a citizen has when they do the ultimate act of democracy, which is to participate as a Nation, as a people, as a society, in making decisions, in choosing leaders, in choosing options and priorities for their country.

The tragedy of the last election was that there are many Americans who know that they have the right to vote, but are not ensured that they will be able to vote, and, that if they do so, their vote will count. Part of that problem is a technological problem, and we need to solve it; and it will take money to solve that technological problem.

The other problem is for this great democracy to ensure that every citizen not only has the right, but is guaranteed by our society to have access to whatever their disability may be, whatever their status in life may be, access to the polling place and, yes, the ability to vote, whatever their disability may be, whatever their condition may be, and have the integrity of that vote being ensured and counted correctly.

I am thankful that the gentleman from Florida (Mr. HASTINGS) has offered this amendment. I am thankful for the leadership of the gentleman from Michigan (Mr. CONYERS), who has introduced a bill; for the gentlewoman from California (Ms. WATERS), who has traveled throughout this country with the gentleman from Florida (Mr. HASTINGS) and myself and others; for all those, not just from Florida, because this is not a Florida problem. The gentleman from Florida made that point. He is absolutely correct. This is a national problem, a national challenge, to ensure that our elections are as good as the rest of the world thought they were, and their confidence in that was put at risk this last election.

We need to solve it; we will solve it. I thank the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this morning in the Committee on Rules, which you Chair, the gentleman from Maryland (Mr. HOYER) said the following: ''225 have passed where the Federal Government has committed zero dollars for the infrastructure in States and localities. This must change, and it must change now.''

Mr. Chairman, I wanted to thank my good friend, the gentleman from Florida (Chairman YOUNG), for his interest in this issue. His presence here on the floor as our debate has proceeded sends a clear message to anyone who does not wish to see election reform succeed.

I also would like to thank my good friend, the gentleman from Maryland (Mr. HOYER), for his continuing efforts in producing an election reform package that is acceptable to all sides. Also I would like to thank the gentleman from Oklahoma (Mr. ISTOOK) for his efforts and willingness to participate with us and the gentleman from Wisconsin (Mr. OBEY) for his leadership in this body and the entire caucus.

In addiction, I would like to thank the gentleman from Ohio (Mr. NEY) for his leadership on this issue as well. The chairman has pointed out that the gentleman from Ohio (Mr. NEY), the gentleman from Maryland (Mr. HOYER), a lot of us, have been discussing this matter, not in the light of the public as we have here today, but in an effort to really try to get something done. I am confident that under the leadership of these individuals, we will succeed in once again bringing dignity to the American election system.

One of my colleagues from California pointed out inequities with reference to military ballots. I did not bother to

try to take a shot at him, because the election is over. It is time for us to move forward and reform our election system in this Nation. I challenge this body to roll up its sleeves and pass meaningful election reform.

Mr. Chairman, with that, with the chairman's final remarks, I am prepared to withdraw the amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2½ minutes to the gentleman from Oklahoma (Mr. ISTOOK), distinguished subcommittee chairman.

Mr. ISTOOK. Mr. Chairman, I appreciate the gentleman yielding me time.

Mr. Chairman, I thought in this discussion that people were having of the great importance of making sure that Americans have the opportunity to vote, to vote correctly, to make sure their vote is counted, to put the responsibilities where they lie, between the voter and those who administer the voting. I thought it is very important when we talk about the problems, that somebody get up and talk about somebody who has done it right, a State that has done it right, and that is my home State of Oklahoma.

Several years ago, our State spent millions of dollars that could have been spent on roads, could have been spent on schools, could have been spent on public health, but felt that there was a very pressing need to spend it on solid uniform voting equipment. Every county, every precinct in Oklahoma uses the optical scanner voting machines, and has for several years, which is one of the methods that is receiving the highest level of support from people talking about the way it ought to be done.

If a voter has an improper ballot that has been marked twice, for example, the machine will spit it right back out at you so you still have a chance to correct it. I know that is an important thing to a great number of people.

I wanted to give some credit to the people who did that in Oklahoma. Our State Election Board secretary, a Democrat, Lance Ward, deserves a lot of credit for the foresight, and those that came before him, to say that there is a pressing need.

So when we talk about having the Congress of the United States spend a great amount of money to help States out in this situation, let us remember that there are some States, or certainly there is Oklahoma, that had the foresight to put it in place to prevent these problems. I want to make sure that we consider that in whatever we craft.

We are trying to say when other States ask for financial assistance for election reform, remember, we already bore the cost; and we hope that will be duly considered with whatever is done with appropriations from this body.

There was a map in USA Today right after the elections talking about the great disparity and the types of machines or paper ballots used in different places; and you looked at patchwork quilts, not only among the 50 States, but within the 50 States. Except if you look at that USA Today map, there was one State that was solid, with modern up-to-date uniform voting systems, and that was my home State of Oklahoma. I want to give credit to the State officials who had that foresight.

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I do so to thank everybody for the very important debate that we have just had here.

Mr. RUSH. Mr. Chairman, on July 9, 2001, the House Government Reform Committee released the results of a national study that examined the income and racial disparities in the undercount of the 2000 presidential election. At my request, the Committee investigated voting patterns in the First Congressional District of Illinois, which I represent. The investigation also examined the impact of different voting machines on the undercount. This was the first report to examine voter undercounts on both the national and local levels.

The report analyzed the voting results in 20 Congressional districts with high poverty rates and majority minority populations. The startling results of the investigation illustrated that voters in my district were almost seven times more likely to have their votes discarded than voters in affluent white districts.

This disturbing quantification gives my district the dubious distinction of being one of two Congressional districts with the highest rate of undercounted votes among those surveyed. The first District tied with the 17th District of Florida, with the undercount rate a disturbingly high 7.9 percent!

Overall, the report found that voters in low-income predominantly minority districts were significantly more likely to have their votes discarded than were voters in affluent, predominantly white districts.

The report also showed that better voting technology significantly reduced undercounts in low-income, minority areas and narrowed the disparity between the two types of districts and voting populations examined.

Ballot undrecounts in my Congressional district are nothing new. I have heard and responded to my constituent complaints for many years on this subject. However, now, we, in Congress, have quantifiable proof that better technology improves the undercount rate.

What can be done is illustrated simply before us—both by the Government Reform Committee report and by the gentleman from Florida's amendment. We must provide the financial resources so critically needed by state and local governments to update their voting equipment. I urge my colleagues to support the Hastings amendment.

Mr. CONYERS. Mr. Chairman. I support ALCEE HASTINGS' amendment to the Treasury-Postal Appropriations Act. The amendment will provide an additional $600 million to the FEC budget, funds that are necessary to assist state and local governments in updating voting systems. This is an excellent first step in tackling the election reform issue. It is disappointing that President Bush's budget made no allowance for election reform.

But additional funding is not enough. Just throwing money at the problem will not solve the problem. We will end up with states simply taking the money and using it in rich neighborhoods while a state could continue using most disenfranchising machinery and procedures for minority communities. Or, if we offer the money conditionally, states will simply elect to decline a federal check and opt out of any standards.

We must provide minimal guarantees to every eligible voter. This is precisely what the bill I have introduced with Senator DODD and Majority Leader DASCHLE, the ''Equal Protection of Voting Rights Act,'' would do. The bill has a 140 cosponsors, more than any other election reform bill.

It sets comprehensive minimal standards for voting machines used in federal elections but does not tell states and localities what machine to buy—in other words, it only establishes a baseline for what the machines have to be capable of doing.

The standards for machines are common sense standards that would solve problems uncovered in 2000: First, to prevent spoiled ballots, machines would have to warn voters of mistakes like overvotes and undervotes and give voters a chance to correct these mistakes; Second, machines would have to be accessible to voters with disabilities; Third, the machines would have to be accessible to language minorities; Fourth, to eliminate the use of antiquated machines, the error rate for machines would have to be as close to zero as practicable.

To correct haphazard voting purges and registration mistakes by officials, the bill establishes a right for every citizen to cast a provisional ballot in a federal election if he or she believes he has been improperly excluded from the rolls.

To help prevent voter error and establish minimal standards for voter education, the bill requires that every registered voter in a federal election receive a sample ballot and instructions for filling out the ballot prior to an election.

To ensure that voting rights violations are reported, the bill requires that every registered voter receive a document advising them of their voting rights and who to contact if those rights have been violated.

The bill is constitutional. It is limited to federal elections. Under Art I, Sec. 4, Clause 1 of the Constitution, the Congress has the authority to set standards for federal elections.

It avoids creating an unfunded federal mandate by fully funding the minimal standards.

It recognizes that states may incur costs for meeting these obligations in state and local elections so it reimburses states for the costs of making state and local elections conform to the standards if they choose to do so.

Mr. YOUNG of Florida. Mr. Chairman, since my colleague from Florida has indicated that he intends to withdraw this amendment, I yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Chairman, I ask unanimous consent that the amendment I offered be withdrawn.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Florida (Mr. HASTINGS) is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FILNER:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of implementing the final report of the President's Commission To Strengthen Social Security.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. FILNER) and a Member opposed each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, this amendment, which is only one sentence long, may be the most significant sentence that we vote on in this Congress, because it would prevent any funding being used for the purpose of implementing a Social Security privatization plan.

Now, why must we take what seemingly looks like a drastic step? Because we have seen the report that was just issued by President Bush's Social Security Commission, a commission handpicked by the White House because they already supported a privatization plan.

□ 1915

This report is obviously the first step towards setting the stage of robbing a vital benefit for seniors.

Mr. Chairman, the deck has been stacked, the process has been rigged, and we must stop it in its tracks. Social Security has come to be the cornerstone of our Nation's income protection system and provides disability, retirement, and life insurance protection to virtually all American citizens. Obviously, the system requires continued evaluation, but it is not in crisis today. But the interim report of the Presidential Commission tries to create a crisis, a crisis that does not exist. Even if we did nothing about Social Security, and nobody is suggesting that, but even if we did nothing, the system would pay full benefits through the year 2038. This is a manageable problem, not a catastrophe that requires risky and radical solutions.

The proposed privatization program which plans to take approximately 2 percent of the payroll tax for Social Security to allow individuals to invest in private accounts would result in a loss of over $1 trillion from the Social Security system between this year and 2011, and would decrease benefits by 50 percent.

My constituents do not want to see that decrease, and my constituents are unwilling to have their secure retirement gambled away in the stock market. The stock market is not the way, Mr. Chairman, to determine who will be financially able and stable in their retirement years.

We know that privatization would also decrease benefits for disabled beneficiaries and survivors. Social Security is more than a retirement program. Almost one-third of its beneficiaries receive benefits because they or a family member are disabled or because a family member has died. In the case of survivors and those disabled, recipients have a shorter time period to accumulate balances in their individual accounts, so their benefits would be drastically reduced under a privatization plan. Women in this Nation would be disproportionately affected and hurt, and we will hear statements to that effect from my colleagues.

Privatizing Social Security, Mr. Chairman, is tantamount to gambling with the security of millions of Americans. It would expose workers and retirees to unacceptable risks, as well as substantial administrative fees that would eat into the returns. It would undermine the concept that through Social Security, we take care of each other, from neighbor to neighbor, and from generation to generation.

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

Mr. ISTOOK. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma (Mr. ISTOOK) for 20 minutes in opposition of the Filner amendment.

Mr. ISTOOK. Mr. Chairman, I yield 6 minutes to the gentleman from Florida (Mr. SHAW).

Mr. SHAW. Mr. Chairman, sometimes in this body it pays to read the amendment. The amendment says that at the end of the bill, insert after the last section preceding the short title the following new section: none of the funds appropriated in this act for the Office of Management and Budget may be used for the purpose of implementing the final report of the President's Commission to strengthen Social Security.

I do not read the word privatization in this amendment. I have read the report, the interim report of the commission. I do not read the word privatization in that report.

I am absolutely dumbfounded why we would talk about the President implementing the recommendations anyway. The recommendations and any implementation is going to have to come back here to the Congress. It is us that are going to have to change the method Social Security is going forward with if it is going to be changed at all.

But let us talk for just a moment about the trust fund itself. The trust fund, it is agreed by Democrats and Republicans, will not run out of Treasury bills until 2038. That is an estimate, but it is a pretty good one, and it is one we can count on. But we can also agree on the fact that there will not be enough cash coming into Social Security to pay the benefits beginning in 2016. What, then, is going to happen?

The Congress is going to have to do one of several things: either raise taxes and find the money, deficit spend in order to pay off the Treasury bills, cut benefits. Is there anyone in here that is prepared to do that? I think not.

So let us talk a moment about what is actually happening. I would like to call the attention of my colleagues to the communication from the Fiscal Assistant Secretary of the Department of Treasury in which they warn, in which they warn that there is going to be a cash shortfall beginning, in this report, it says 2015. 2015. And the report clearly says that money is going to have to come from other sources beginning in 2015. My colleagues may say this report is not true. Let me tell my colleagues who signed it. The Secretary of the Treasury, Lawrence Summers; Secretary of Health and Human Services, Donna Shalala; the trustee, Stephen Kellison; Alexis Herman, who is Secretary of Labor; Ken Apfel, the Commissioner of Social Security under President Clinton, and there are others.

I think that what is necessary and what we must do is face up to the fact that we are facing a cash shortfall beginning in 2016, and it may slip, and it may come back to 2015, if the trust fund is further depleted. Sure, they are Treasury bills, and Treasury bills are a safe investment and it is a sign of the commitment of the Congress to the future retirees. But are we going to send our retirees beginning in 2015 or 2016 saying sorry, here is a check for some cash, but there is a shortfall, so here is a Treasury bill. Of course not. We are going to continue to send them cash. And we are going to maintain the strength of the Social Security system.

What did the Commission say? The Commission says that they have to accumulate some wealth. They have to accumulate something in order to pay future benefits. Did it say anything about privatization? No.

Now, we hear so much, and so many Members will get up and talk about the risky stock market. I was watching the unions protesting the meeting that was going on. But we are going to have an opportunity just next week, because the Railroad Retirement Fund is coming before this House, and we are going to have an opportunity to say that the railroad retirement fund now does not have to be limited to just investing in Treasury bills; the railroad retirement fund now can invest in stocks. Mr. Chairman, I will guarantee my colleagues that people on both sides of the aisle and the very people that are getting up and talking about the risky stock market are going to vote yes, and they are going to vote yes, because both management and labor wants it that way, because they understand that that is the way to accumulate real wealth.

I see my friend from New York (Mr. NADLER), who I am sure is going to get up and speak. He has a plan to save Social Security, but it involves the Social Security Administration investing in stocks and bonds of the private sector.

I think it is time that we stop these scare tactics. Let the Commission come forward with their report. And in order to implement any change in the

Social Security system of any consequence is going to require legislation to come out of this body. So I am saying, let us not only have faith that they may come up with something that we can use and something that will be good, but let us have faith in ourselves, and let us live up to this problem that we have, and that is, we have a cash shortfall beginning in the year 2016. We will no longer have the payroll taxes coming in to take care of the benefits, and we are going to have to find the money to start paying off the Treasury bills.

This is going to be a huge problem, and the problem is caused by a very simple situation: we have less workers supporting less retirees than we have ever had before, and that is going to continue to go down, so not too long from now, we are going to be down to two workers per retiree. We can plan ahead; we can save Social Security for the next generation, so let us get together and let us get the job done and forget the scare tactics.

Mr. FILNER. Mr. Chairman, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I support one thing the gentleman preceding me in the well said: let us stop the scare tactics. The scare tactics are contained in this report of the so-called Commission to Save Social Security. It is the Commission to privatize Social Security, not with aggregate investments, but with individual accounts, so Wall Street can better profit by charging 250 million people a little bit of money every month, reducing their benefits, ultimately, by 40 percent.

This report, for the first time in the 225-year history of the United States of America, is questioning whether or not the Federal Government will make good on its debts. Guess where the money in these accounts came from? He is saying, we are going to have a cash flow problem. Yes, Americans have been saving. We have been paying more taxes every year than are necessary to support Social Security with the idea that that money was put on deposit for future generations. This fund in 2016 will have more than $5 trillion, and $5 trillion of what? Of securities against the Federal Government.

In fact, one of these securities says, this bond is incontestable in the hands of the Federal Old Age and Survivors Insurance Trust Fund; this bond is supported by the full faith and credit of the United States and the United States has pledged the payment of the bond with respect to both principle and interest, yet the gentleman who preceded me and this so-called commission are questioning whether or not we can or will honor those bonds.

There is no question. We must honor those bonds, and we should honor those bonds and that obligation to the American people, through the process that we use to honor all other debts in the United States of America. We either run a surplus and we pay out of that, or we roll over debt. We have $6 trillion of debt. Now, it is okay apparently to honor the debts for people in Japan or industrial investors or anybody else, but we are now questioning whether we are going to honor the debt to the working people of America.

Mr. Chairman, this is extraordinary. It is bold in its scope. It is unprecedented that a Secretary of the Treasury, a President of the United States's hand-picked commission, would question whether or not we will honor this debt.

This year, Americans will pay $93 billion more in Social Security taxes than are necessary to support the system. If the gentleman who preceded me in the well is right, then let us lower that tax today, because we are defrauding the people of that $93 billion, because we are saying, hey, it is going to be really painful to pay that money back. We are taking it from them now, we are depositing it for them in the U.S. Treasury; we are telling them that it will pay their benefits, but maybe we will not be able to afford to honor that. That is absolutely extraordinary.

Social Security is totally and fully sound until the year 2038. It can pay 100 percent of every promised benefit to every American, every recipient, every beneficiary, disabled or dependent. After that, it can afford to pay 73 percent.

Now, that means we have a 27 percent problem beginning in 38 years, but what they are going to propose is to destroy the existing system, to steal the $6 trillion on account for the American workers, and convert to something else, and ignore the trillions of dollars in transition costs and benefits.

They can only get there a couple of ways. They are going to have to reduce existing benefits, or they are going to have to raise taxes to pay for the existing promises; one or the other. Or, they can honor the debts and fix the program in the future. The simplest way to do it is to lift the cap on earnings. If people earn over $80,000 a year, they do not pay the same tax as everybody else; they pay less. They only pay on the first $80,000. If we just lifted the cap and people paid Social Security on every penny they earn, guess what the actuaries say? The system is solvent forever, and, in fact, we could afford to lower the tax burden on working Americans.

□ 1930

Now, would that not be a great solution? But I do not think that is going to come out of a commission hand-picked by President George Bush and supported by the Republican majority in this House, because that would mean the millionaires and billionaires would pay a little bit more to secure the retirement future of working Americans.

Mr. ISTOOK. Mr. Chairman, I yield 4 minutes to the gentleman from Arizona (Mr. KOLBE), chairman of our Subcommittee on Foreign Operations, Export Financing and Related Programs from the Committee on Appropriations.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I think this amendment is really the height of irresponsibility. It is the height of the ostrich saying, ''Let us put our heads in the sand.'' It is the height of the Alfred E. Newman, ''What, me worry,'' syndrome. It pretends we do not have a problem when everybody knows there is a problem, every American.

If we talk to Americans out there, they know there is a problem with Social Security. Yet what we are hearing over here is, ''What? There is no problem. There is nothing we need to do here.''

I am glad, actually, that the gentleman from California has brought this amendment to us tonight, because at least it gives us a chance to call attention to the fact that we have a problem. I urge the Members of this body and I urge the American people to read this report, this interim report of the Commission, because it does talk about some of the problems.

The simple fact is, we have a system right now that really is not sustainable in the long run. The gentleman from Florida said it very well: We have a cash flow problem that begins in 2016, a cash flow problem. That is a very real problem that we have to deal with 15 years from now, in 2016.

Fifteen years ago I was finishing my first term in office. That was the middle of Ronald Reagan's second term. That was not that long ago. Fifteen years from now we begin to see a serious problem: How are we going to pay the benefits? Where are we going to borrow the money to make the cash, to cash in those bonds that the gentleman from Oregon was talking about, and to pay those benefits?

If we do not do anything by the year 2020 that requires cuts to Federal spending to address Social Security's financial shortfalls, it would equal the combination of Head Start, WIC, the Departments of Education, Interior, Commerce, and the EPA. Either we cut that or borrow the money someplace else, or we raise the taxes, as the gentleman said. But let us not deny the fact that we have a problem.

If tomorrow's shortfalls are faced today, if we had those problems right now, a two-earner couple with $50,000 in income would have to pay an additional $2,100 in taxes per year in the year 2030. I do not know about other Members, but I think these kinds of changes are really unacceptable.

The gentleman said that we have a system, do not tinker with it. We have made 50 changes-plus in the history of Social Security with the system. Do not tell me it is not going to be changed. It is a political system. We are going to make changes to it. We are going to have to do something. Let us figure out what we can do that protects everybody.

Let me just refer to the draft commission's report itself. I just want to read two simple paragraphs.

One, the third conclusion they reached, ''The system is broken. Unless we move boldly and quickly, the promise of Social Security for future retirees cannot be met without eventual resort to benefit cuts, tax increases, or massive borrowing. The time to act is now.''

And then they go on to say this: ''If the problems spelled out in this interim report become a topic of national debate and receive the public's focus and scrutiny, that in itself will be a positive step forward. The greatest threat is in taking the course of least resistance, ignoring the challenge and doing nothing.''

Mr. Chairman, those who oppose the Commission's report have a responsibility to stand here now, tonight, and tell us what we should do, what their conclusion is. The answer is not to put our heads in the sand and pretend there is not a problem. We do have a problem with Social Security, but it can be fixed. It can be fixed in a way that guarantees that those who get Social Security benefits now are protected today, and those who get them in the future are protected, but the young people have an opportunity to know that they, too, will have some benefits and some Social Security and some retirement system in their future, as well.

Mr. FILNER. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, some of my colleagues have talked about one putting one's head in the sand. I would agree that we must be careful not to keep our head in the sand while the President has appointed a commission which is fully in favor of privatizing Social Security.

I agree, it is time to stop the scare tactics. We do not need to scare the American people, or try to stampede them into believing that Social Security must be privatized, because the fact of the matter is the money is there. Social Security is solvent through the year 2038 without any changes whatsoever. It has $5 trillion in assets by the year 2015. There is no reason to scare the people and stampede them into agreeing with the privatization of Social Security.

It has been said that there is a cash flow problem. Mr. Chairman, next year the Department of Defense has a cash flow problem. In the year 2003, the Department of Defense, absent our action, will be lacking $330 billion they need for operation. But somehow this Congress in its wisdom finds a reason and a means to finance the operations of the Department of Defense.

I think it is important that we look at this Commission, because the amendment of the gentleman from California (Mr. FILNER) focuses on causing this Commission to lose its funding. Then Congress can regroup and fund a commission that would increase some kind of a debate here, because it is a one-sided story. The deck is stacked.

It is no secret, the Wall Street Journal said 2 months ago, that President Bush stacked his bipartisan Social Security Commission with members who agree with his goal of creating private accounts. That was the Wall Street Journal, May 10, 2001.

There are two Commission members, Ms. Weaver and Mr. Vargas, and they have ''supported the most ambitious privatization plan, to carve 5 percentage points of the payroll tax for individual accounts. Recognizing the huge transition costs, [they] proposed a 1.52 percentage point boost in the payroll tax, $1.9 trillion in government borrowing and a higher retirement age.''

Now, think about that: Privatization equals increased taxes, increased government borrowing, higher retirement age. If this Commission is a cure for Social Security, then the plague is a cure for the common cold.

Estelle James is a Democratic member of the Commission who ''as a former World Bank economist was that body's main voice for privatizing government retirement programs worldwide.'' That is hardly the person American consumers and seniors, the baby boomers, can count on to give a fair picture of the state of Social Security.

Sam Beard, ''Founder and president of the business-financed Economic Security 2000, which favors a fully privatized system,'' is hardly the person to give us an unbiased view.

Tom Saving, another Commission member, has written, ''Strange as it sounds, we must destroy the social security system, as we know it, to save it.''

Robert Pozen, an investment company executive with Fidelity, said, ''Even partial privatization is not a panacea.''

The Wall Street Journal went on to say, ''He served on a panel that recommended partial privatization but also a higher retirement age and reduced benefits, including spousal benefits.''

End the stacked deck.

Mr. ISTOOK. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. SMITH).

Mr. SMITH of Michigan. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, it is such a disservice to the American people to make this issue a political issue. It is easy to demagogue because seniors are frightened about the possibility of losing their Social Security benefits.

The facts are very clear: Thirty years ago it took 33 people to come up with the funding for every one retiree through their Social Security taxes. Today it takes three people to come up with the taxes to accommodate that Social Security benefit for every one Social Security retiree. And the estimate is in another 15 to 20 years it is only going to be two people working in the United States to have to pay enough taxes to accommodate every single one retiree.

To suggest that we should do nothing now because we might ruin the system is ridiculous. There are a lot of ways that maybe we could help cure the program. What the President has suggested, what the gentleman from Arizona (Mr. KOLBE) and others and I have suggested in the several bills we have introduced, in the last 7 years I have introduced three bills that have been scored, each of which has been scored by the Social Security Administration, to keep Social Security solvent for the next 75 years.

Every time I introduce a bill, from the first one in 1994 until the one last year, the solutions have to be more drastic because we are running out of time. We are wasting these kinds of funds that are coming in. The problem is real. The demographics are real. There are more seniors in relation to the number of people that are paying for those benefits.

If we do not do something, if we use this issue to scare people politically, we are doing a disservice to this Chamber, to the American people, and to those people on Social Security.

There are only two solutions to fix the problem, or maybe three solutions to fix the Social Security problem: Either bring in more revenues, so one can afford the payments, or reduce the amount that is going out in payments.

The real key date is not some date off in 2033, when it says the Social Security Trust Fund is becoming insolvent. The real date that we have to pay attention to, the latest estimate is 2016, when there is less money coming in from the Social Security taxes than is required to pay benefits. With the downturn in the economy, the next estimate is going to be less than that year of 2016.

Let us move ahead. Let us make sure if there are any private investments that they be limited to safe investments. Let us make it clear to the American people that we are not using any of the disability insurance funds, the disability insurance or the survivor benefit trust funds. That is off the table. That is not being considered.

How do we get a better return than the 1.7 percent that future retirees are going to get from the Social Security taxes the employees and employers have paid in?

Mr. FILNER. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, in 1935, about 178 Republicans voted against establishing Social Security. One voted for it. In 1964, 30 years later, the Republican party, behind Barry Goldwater, said, ''Let us get rid of Social Security. Let us make it private.'' Thirty years later

they are right on schedule again, and they want to destroy Social Security in order to save it.

To do this, the Bush administration sets up a biased commission. They have a habit of setting up biased commissions: first, Mr. CHENEY's energy task force of oil company executives; and now this task force, composed 100 percent of people who are on record as favoring the partial or full privatization of Social Security.

We can have an honest amendment that says, do not implement the report of the Commission because we know it is going to be privatization, because they said so. They told us that. We do not have to wonder about what it is going to be. ''Let us establish a commission to investigate the problem and come up with the solution that they designed before they investigated the problem.''

We are told in 2016 Congress, in order to pay off the Social Security bonds, will either have to raise taxes, cut benefits, or borrow to pay back these bonds. Why? Why did we increase FICA taxes, Social Security taxes in 1983 and cut the benefits in order to build up a trust fund so that it would keep Social Security solvent? Now they tell us those $5 trillion in assets do not matter, they are not real assets. Well, they are real assets to the Social Security system.

True, the government is to pay it. It will cost, to pay it, $200 billion a year, starting in 2016. How are we going to pay it? For one thing, the tax cut that we approved a few weeks ago will cost about $400 billion a year starting in 2011, once it is fully phased in. Half of that tax cut would pay for all the bonds on an annual basis.

They are only part of the bonds. That is part of the national debt of the United States. They are no different than the bonds that are held by Mitsubishi or the series E bonds held by the gentleman from Michigan (Mr. SMITH). We always pay back those bonds.

We are not going to have to raise taxes or cut benefits. If we do, it is a government budget problem, not a Social Security problem.

Now we are told the solution is privatize; take a system which guarantees a person a certain benefit, a certain retirement benefit, and tell them they will only get a certain fraction of that benefit, and the rest of it will depend on their luck on the stock market.

Maybe they will do well, and maybe they will not. A lot of people will do well, but a lot of people will not do well, and we will recreate the situation we had before Social Security in which some people have good retirements and others are in abject poverty because their investments were foolish or simply unlucky.

□ 1945

We are told that the railroad retirement system is going to invest in the stock market, pension funds will invest in the stock market. Sure, the whole system does, not individuals, and that makes all the difference in the world. If the Government decided to buy private stocks and bonds with the Social Security Trust Fund to get greater returns, the Government has a budget problem if those stocks do not pan out. The individuals still are guaranteed by law their Social Security. So the fact that pension funds invest in stocks does not mean we ought to put individuals at risk of the private stock market.

We are also told by an operation, by this task force, by others, Chicken Littles, that the sky is falling, we are going to run out of money. Well, the system will have enough money to pay all benefits for the next 37 years, if we believe the trustees; and then it will have a 28 percent shortfall, if we assume that the rate of economic growth of the United States is going to plummet to a rate not seen since the Depression and going to stay there.

Mr. FILNER. Mr. Chairman, I yield 4½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I thank the gentleman for yielding me this time and for introducing this amendment.

I rise in strong support of the Filner amendment, which would prohibit the Office of Management and Budget from spending any funds to implement the final report of the President's Commission to Strengthen Social Security. People with disabilities, minorities, and women are especially hurt by Social Security privatization.

Today, there are approximately 45 million Americans receiving Social Security benefits, over 4 million of whom reside in my home State of California. Many people depend on this retirement benefit as a source of major income. Social Security is the principal source of retirement income for two-thirds of elderly Americans, representing 90 percent of the annual income for 29 percent of all seniors over the age of 65. In fact, Social Security benefits lifted approximately 13 million senior citizens out of poverty last year.

Social Security is not just a retirement program for our seniors. For millions of Americans, Social Security is the only protection against the shackles of low lifetime earnings, the financial hardships related to death or disability, the danger of poverty in old age, and the uncertainty of inflation. Privatization undermines these protections and adds one more risk that workers would have to worry about, and that is Wall Street.

Let me just bring a little diversity to this debate this evening. Elderly African Americans and Latinos rely on Social Security benefits more than white elders do. From 1994 to 1998, African American and Latino seniors and their spouses relied on Social Security for about 44 percent of their total income, while white elders and their spouses relied on the program for only 37 percent of their total income. This is because minorities, unfortunately, have a lower rate of pension coverage. Only 29 percent of elderly African Americans and 22 percent of elderly Hispanic Americans get a pension income. By comparison, 45 percent of white seniors do. Unfortunately, people of color are disproportionately represented among low-wage workers; therefore, it is much harder for them to set aside savings for retirement. Privatization of Social Security will jeopardize their retirement income.

Now, people with disabilities are also hurt significantly by privatizing their benefits. As of January 2001, over 13 million Americans, or about 30 percent of all Social Security beneficiaries, rely on Social Security disability. For the average wage earner with a family, Social Security offers the equivalent of a $200,000 disability insurance policy. The vast majority of workers would not be able to get similar coverage from the private sector. The GAO concluded in a January 2001 examination of Social Security privatization plans that the income from workers' individual accounts was not sufficient to compensate for the decline in the insurance benefits that disabled beneficiaries would receive.

The uncertainty of privatization also hits women extra hard. Poverty among American women over 65 is already twice as severe as among men in the same age group. Women are more likely to earn less than men and are more likely to live longer. Women also lose an average of 14 years of earnings due to the time out of the workforce to raise children or care for ailing parents or spouses. And since women generally have a higher incidence of part-time employment, they have less of an opportunity to save for retirement. Most privatization proposals make no provision for these differences and would thus make poverty among women even worse.

Currently, Social Security provides guaranteed lifelong benefits. No matter what the stock market does the day one retires, or in the months leading up to retirement, an individual's benefits will be unaffected.

The American people deserve the truth. Now that the Bush administration has passed a $1.6 trillion tax cut that primarily benefits the wealthy, they are trying to find another method of paying for Social Security due to the lost revenue. But the proposal to privatize Social Security does absolutely nothing to extend the life of the program or save it. It diverts money from the Social Security Trust Fund.

We must put money in to protect the trust fund, not deplete the fund. We have an obligation to strengthen Social Security, not privatize it.

Mr. ISTOOK. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Oklahoma (Mr. ISTOOK) has 7½ minutes remaining and the time has expired for the gentleman from California (Mr. FILNER).

Mr. ISTOOK. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

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

Mr. STENHOLM. Mr. Chairman, I rise in strong opposition to this amendment tonight, and I am deeply troubled by some of the rhetoric that I have heard from some of my colleagues criticizing the commission report for highlighting the fiscal challenges facing the system and suggesting that reform is not necessary. If we listen carefully, we will find many of my colleagues have suggested reform, but they have a preconceived notion of what is going to be voted on ultimately on this House floor.

Now, I began to get very involved in Social Security reform about 6 years ago when the first of our two grandsons, Cindy's and mine, were born. Cole will be celebrating his sixth birthday this month; Chase will be celebrating his fourth birthday. And I resolved at that time that I did not want them, my two grandsons, to look back 67 years from their birth and say if only my granddad would have done what in his heart he knew he should have done when he was in the Congress, we would not be in the trouble we are in today.

Take a look at the commission report, the interim commission report. I want my colleagues to see if they really disagree with the numbers the gentleman from Florida did an excellent job of outlining. Everyone knows in this body that beginning in 2016 we are going to have a difficult time funding the benefits. It can be done, but it is going to take some reform.

Listen carefully to the discussion tonight. Most of the responsible rhetoric tonight has suggested that there needs to be a correction, there needs to be some corrective measures taken, but they just do not like what they believe is going to be forthcoming. Well, be careful about that, because there are some other ideas that will be circulating.

Please be careful when talking about a stacked deck. Do my colleagues really believe that Senator Pat Moynihan is going to be part of a stacked deck that is going to do something that is going to be harmful to the elderly of this country? Do my colleagues really believe that? If my colleagues really believe that, then they are perfectly willing to come to this floor and say so, but I am not. I am not.

Take a look at the numbers. Look at the numbers and, for Heaven's sake, do not be as critical of something that has not yet happened as some are being tonight and recognize that we do need to move forward in a responsible way and in a bipartisan way.

Mr. ISTOOK. Mr. Chairman, I yield 15 seconds to the gentleman from California (Mr. FILNER), and just advise the Chair that I will have no further debate on this. However, I do have, on an unrelated matter, some time to yield for the purpose of a brief colloquy.

Mr. FILNER. Mr. Chairman, I wanted to thank the gentleman from Oklahoma, the gentleman from Florida, the gentleman from Arizona, and the gentleman from Michigan.

I thought this was a good debate. I think it is a debate that is most important to the American people and we will continue it on.

I agree with the gentleman from Arizona (Mr. KOLBE) that those of us who have a problem have responsibility for solutions, and that will come in the later debates. So I thank all for the high level of this debate.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I did not bring this amendment before us tonight, but as long as it is here, I am going to vote for it, because I do believe that the Social Security commission staff report issued last week is a cynical effort to trash Social Security and undercut its public support in order to pave the way for cutting Social Security's guaranteed benefits and turn much of the program over to Wall Street. And I do most certainly believe that that commission is a stacked deck. Every single Democrat appointed to that commission was appointed by the President. And the last time I looked, their views do not represent very many Democrats when it comes to the issue of Social Security.

In my view, Social Security is the single best domestic program ever passed by this Congress, perhaps with the exception of the Civil Rights Act, and certainly Medicare is the next best after that. Obviously, we will need changes in the future, just as it has needed changes in the past in order to keep up with the times and remain solvent. But this report, in my view, is simply a scheme to frighten Americans into believing that we have to trash Social Security in order to save it. It is put forth by a commission that has already made up its mind to cut long-term benefits, and it ought to be recognized for what it is. And there is nothing wrong with being frank about that on the House floor. I have minimum high regard at best for that commission's makeup as well as its intended recommendations.

I would also say I do not know why we should be surprised that the Social Security System, beginning in a few years, will pay out more than it takes in for a number of years. It was designed to do that. Mr. Greenspan and the bipartisan group that made up the original commission in 1973 specifically designed it so that we would accumulate notes over a period of years and beginning in that year we would begin to pay down the assets that had been built up. That is the way it is supposed to work. And for the commission staff or its membership, be they Democrat or Republican, to suggest that that means the system is in mortal trouble is goomwah. And I think people know what goomwah is, if they come from a rural community.

So I would simply say, yes, we are going to have to take actions to strengthen Social Security, and that is why it is so tragic that the majority of this House and the White House cooperated in putting together a tax package that was so large that it took away virtually every dollar left in the surpluses that could have been used to strengthen Social Security long term, so that the tweaking that is going to be required in Social Security would have to be less than it now will have to be if we follow the misguided and misbegotten tax policies that this Congress recently imposed.

So I make no apology for voting for this amendment, and I make no apology for saying I have no confidence in the membership of that commission as presently constituted. It is a stacked deck, and it is a stacked deck full of jokers.

Mr. ISTOOK. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. TANCREDO).

Mr. TANCREDO. Mr. Chairman, I wish to engage in a very brief colloquy with the gentleman from Oklahoma (Mr. ISTOOK) related to the fifth proviso under the heading ''Office of Management and Budget.''

It is my understanding that this proviso would prohibit the use of funds for the purpose of OMB calculating, preparing or approving tabular or other material that proposes the suballocation of a budget authority or outlays by the Committee on Appropriations. Is this the correct understanding of this provision?

Mr. ISTOOK. Mr. Chairman, will the gentleman yield?

Mr. TANCREDO. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Chairman, I am pleased to enter into a dialogue with the gentleman regarding this and would advise him that his understanding of the provision is correct.

Mr. TANCREDO. Reclaiming my time, Mr. Chairman, would the gentleman be amenable to reviewing the need for revision during the conference deliberations on this bill?

Mr. ISTOOK. If the gentleman will continue to yield, I would certainly agree to review this provision during the conference deliberations, and I appreciate the interest of the gentleman from Colorado and his patience and understanding that some things, of course, cannot be resolved until we come to conference with the Senate.

Mr. Chairman, I yield myself such time as I may consume in closing, and I want to echo the comments of the gentleman from California (Mr. FILNER) regarding his appreciation for the constructive comments that were made during the course of this debate.

□ 2000

Social Security is an extremely important issue to all of us.

Mr. Chairman, in opposing the amendment that was offered, I think it is necessary that everyone understand that when we are trying to find a solution to a very challenging circumstance, we do not find that solution by saying before we look for a solution, we have got to put on the blindfolds, put on the handcuffs, and put in the ear plugs. If my colleagues do that, they are going to be restricted from the start in what they can do. If my colleagues do that, they are not likely to find something that will resolve the problem; and the problem is very real.

As the gentleman from Florida (Mr. SHAW) pointed out, it was officials during the former administration, the Secretary of Treasury and HHS and so forth, who made a very compelling case for the major significance of the problem and the need to address it.

We cannot address it in a satisfactory way if we say solutions are going to be taken off the table before we even consider them, including solutions put forth by one of the leading Democrats, Senator Moynihan, formerly the Senator from New York.

I think we have to understand many people want very different solutions. Sometimes that differs a great deal with age. When talking to somebody who has already retired or who is about to retire, they want to make sure that they have everything that has been promised to them and it is not in jeopardy. I do not think that any Member of this body would want to place the benefits of anyone in jeopardy. I think we all want to make sure that everybody receives what has been promised to them.

But at the same time, there are a significant number of Americans who say, I want to control more of my own destiny. For so many years, I put so much into Social Security and I am not satisfied, either with the rate of return or what they deem to be the level of security. And they want to control more of their destiny, just as those who participate as Federal employees in the Thrift Savings Plan and the 401(k) plan have different options from which to choose. It is perfectly possible that we may establish an opportunity for people to choose whether they want to continue in exactly the same thing they have now, or they want to have some choices, but without enabling either one to impose their choice on the other.

If we adopt this amendment, we are foreclosing opportunities to be flexible. We are foreclosing opportunities for Americans to have a greater level of choice in this crucially important decision in influencing their retirement. I believe this amendment should be defeated, but I believe the debate has been very healthy.

Mr. Chairman, this is the final matter of debate. We will be voting on the amendments held back, and then move on to final passage. I urge my colleagues to vote against this amendment; but certainly to vote in favor of the bill as we move towards its final passage.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. FILNER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FILNER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California (Mr. FILNER) will be postponed.

The point of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) and the amendment offered by the gentleman from California (Mr. FILNER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. TRAFICANT

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. TRAFICANT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated 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 24, noes 401, not voting 8, as follows:

[Roll No. 272]

AYES—24

Baker
Bilirakis
Chambliss
Coble
Collins
Duncan
Gibbons
Hall (TX)
Hansen
Hilleary
Hinchey
Jones (NC)
LaTourette
Ney
Norwood
Otter
Paul
Royce
Schaffer
Sessions
Tancredo
Traficant
Watson (CA)
Young (AK)

NOES—401

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Armey
Baca
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bishop
Blagojevich
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
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Cooksey
Costello
Cox
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
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (OH)
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
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 (OH)
Kanjorski
Kaptur
Keller
Kelly
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
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
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
Northup
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Owens
Oxley
Pallone
Pascrell
Pastor
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
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)

Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Visclosky
Vitter
Walden
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—8

Bachus
Blumenauer
Lipinski
McGovern
Scarborough
Snyder
Spence
Watkins (OK)

□ 2031

Messrs. BROWN of Ohio, ROEMER, LANGEVIN, HEFLEY, WAMP, BRADY of Texas, LEWIS of Kentucky, HAYWORTH, SHIMKUS, PALLONE, WEINER, FOSSELLA, SKEEN and GREEN of Texas, Ms. KILPATRICK, Ms. McCOLLUM and Ms. RIVERS changed their vote from ''aye'' to ''no.''

Mr. CHAMBLISS and Mr. HILLEARY 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 it will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the additional amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY FILNER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. FILNER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated 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 188, noes 238, not voting 7, as follows:

[Roll No. 273]

AYES—188

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldacci
Baldwin
Barcia
Barrett
Becerra
Bentsen
Berkley
Berman
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Brady (PA)
Brown (FL)
Brown (OH)
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Crowley
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kleczka
Kucinich
LaFalce
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
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
Murtha
Nadler
Napolitano
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Ross
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schakowsky
Scott
Serrano
Sherman
Shows
Slaughter
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
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—238

Aderholt
Akin
Allen
Armey
Baker
Ballenger
Barr
Bartlett
Barton
Bass
Bereuter
Berry
Biggert
Bilirakis
Blunt
Boehlert
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Brown (SC)
Bryant
Burr
Burton
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Castle
Chabot
Chambliss
Coble
Collins
Combest
Cooksey
Cox
Cramer
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal
DeLay
DeMint
Diaz-Balart
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ferguson
Flake
Fletcher
Foley
Forbes
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
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kerns
Kind (WI)
King (NY)
Kingston
Kirk
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Reynolds
Riley
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schaffer
Schiff
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Stearns
Stenholm
Stump
Sununu
Sweeney
Tancredo
Tanner
Tauzin
Taylor (MS)
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—7

Bachus
Blumenauer
Knollenberg
Lipinski
Scarborough
Snyder
Spence

□ 2039

Mr. HILLIARD changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the ''Treasury and General Government Appropriations Act, 2002''.

The CHAIRMAN. There being no other amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. DREIER, 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. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, pursuant to House Resolution 206, he reported the bill, as amended pursuant to that rule, back to the House with further 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.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 334, nays 94, not voting 5, as follows:

[Roll No. 274]

YEAS—334

Abercrombie
Ackerman
Aderholt
Akin
Allen
Armey
Baca
Bachus
Baird
Baldacci
Ballenger
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
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)
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Cooksey
Coyne
Cramer
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeGette
Delahunt
DeLauro
DeLay
DeMint
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
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
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Honda
Hooley
Horn
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kilpatrick
King (NY)
Kingston
Kirk
Kleczka
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (OK)
Maloney (CT)
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller, Gary
Miller, George
Mink
Mollohan
Moore
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
Payne
Pelosi
Pence
Peterson (PA)
Platts
Pombo
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Riley
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Schrock
Scott
Serrano
Shaw
Sherman
Sherwood
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (TX)
Solis
Souder
Spratt
Stark
Stenholm
Stump
Stupak
Sununu
Sweeney
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Traficant
Velazquez
Visclosky
Vitter
Walsh
Wamp
Waters
Watkins (OK)
Watson (CA)
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—94

Andrews
Baker
Baldwin
Barcia
Barr
Barrett
Bartlett
Berkley
Berry
Boswell
Brown (OH)
Carson (OK)
Chabot
Coble
Conyers
Costello
Cox
Crane
Crenshaw
Davis (CA)
DeFazio
Deutsch
Diaz-Balart
Duncan
Etheridge
Evans
Goode
Goodlatte
Green (WI)
Hall (TX)
Hayworth
Hefley
Herger
Hill
Hilleary
Hoekstra
Hostettler
Inslee
Israel
Johnson (IL)
Jones (NC)
Kerns
Kildee
Kind (WI)
Kucinich
Langevin
Larsen (WA)
Lucas (KY)
Luther
Maloney (NY)
Matheson
McInnis
Menendez
Moran (KS)
Paul
Peterson (MN)
Petri
Phelps
Pickering
Pitts
Pomeroy
Putnam
Ramstad
Rohrabacher
Ross
Royce
Ryun (KS)
Sandlin
Schaffer
Schiff
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shows
Smith (MI)
Smith (NJ)
Smith (WA)
Stearns
Strickland
Tancredo
Taylor (MS)
Thune
Thurman
Toomey
Turner
Udall (CO)
Udall (NM)
Upton
Walden
Weldon (FL)
Wexler
Wu

NOT VOTING—5

Blumenauer
Lipinski
Scarborough
Snyder
Spence

□ 2057

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

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION OF MEMBER TO COMMITTEE ON ARMED SERVICES

Mr. FROST. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 207) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 207

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Armed Services: Mr. Larsen of Washington.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would announce that further proceedings on the motion to suspend the rules and pass H.R. 1954, as amended, originally postponed on Tuesday, July 24, 2001, will resume tomorrow.

PERSONAL EXPLANATION

Ms. DELAURO. Mr. Speaker, I regret to report that on July 19 I inadvertently voted the wrong way during rollcall number 255 on House Joint Resolution 50, Disapproval of Normal Trade Relations for China.

I mistakenly recorded my vote as no. My vote should have been an aye for disapproval.

CHINA NORMAL TRADE RELATIONS

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

Ms. DELAURO. Mr. Speaker, I want to build a strong relationship between the United States and China, but the normal trade relations China enjoys with the United States have done little to build a strong and mutually beneficial relationship between our two nations. It promotes few of our values or of our economic interests. China has engaged in unfair trade practices, pirated intellectual property, spread weapons and dangerous technology to rogue nations, suppressed democracy, denied its citizens religious freedom, and engaged in human rights abuses.

In so doing, China has gladly profited. Our trade deficit with China has mushroomed from $17.8 billion in 1999 to over $100 billion in 2000.

The United States should use our trade laws with China to pressure for greater access for American companies and goods. I oppose NTR for China because we need to let China know that more of the same is not acceptable. It is vital that we insist on fair and equal standards in compliance with all aspects of our trade laws. Until this happens, I cannot support NTR.

MAKING IN ORDER ON JULY 25, 2001, OR ANY DAY THEREAFTER, CONSIDERATION OF H.J. RES. 55, DISAPPROVING EXTENSION OF WAIVER AUTHORITY CONTAINED IN SECTION 402(c) OF TRADE ACT OF 1974 WITH RESPECT TO VIETNAM

Mr. GOSS. Mr. Speaker, I ask unanimous consent that it be in order at any time on July 25, 2001, or any day thereafter to consider in the House the joint resolution, House Joint Resolution 55,

disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; that the joint resolution be considered as read for amendment; that all points of order against the joint resolution and against its consideration be waived; that the joint resolution be debatable for 1 hour equally divided and controlled by the chairman of the Committee of Ways and Means (in opposition to the joint resolution) and a Member in support of the joint resolution; that pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question be considered as ordered on the joint resolution to final passage without intervening motion; and that the provisions of sections 152 and 153 of the Trade Act of 1974 shall not otherwise apply to any joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam for the remainder the first session of the 107th Congress.

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

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

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

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

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

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

ON THE 27TH ANNIVERSARY OF THE 1974 ILLEGAL TURKISH INVASION OF CYPRUS

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

Mrs. MALONEY of New York. Mr. Speaker, it is my honor and privilege to commemorate the 27th anniversary of the 1974 illegal Turkish invasion of Cyprus. I have commemorated this day each year since I have become a Member of Congress; and, unfortunately, each year the occupation continues.

The continued presence of Turkish troops represents a gross violation of human rights and international law. Since their invasion of Cyprus in July of 1974, Turkish troops have continued to occupy 37 percent of the island. This is in direct defiance of numerous U.N. resolutions and has been a major source of instability in the eastern Mediterranean.

Recent events have created an atmosphere where there is now no valid excuse to avoid resolving this long-standing problem.

Peace in this region cannot happen without continued and sustained U.S. leadership, which is why I am heartened that President Bush, like his predecessor, President Clinton, is committed to working for reunification of Cyprus.

He recently stated, and I quote, ''I want you to know that the United States stands ready to help Greece and Turkey as they work to improve their relations. I'm also committed to a just and lasting settlement of the Cyprus dispute.''

I was also encouraged to read last week that the European Union considers the status quo in Cyprus unacceptable and has called on the Turkish Cypriot side to resume the U.N.-led peace process as soon as possible with a view toward finding a comprehensive settlement.

Now is the time for a solution. More than 20 years ago, in 1977, in 1979, the leaders of the Greek and Turkish Cypriot communities reached two high-level agreements which provided for the establishment of a bicommunal, bizonal federation.

Even though these agreements were endorsed by the U.N. Security Council, there has been no action on the Turkish side to fill in the details and reach a final agreement. Instead, for the last 27 years, there has been a Turkish Cypriot leader presiding over a regime recognized only by Turkey and condemned as ''legally invalid'' by the U.N. Security Council in Resolution 541 and 550.

Cyprus has been divided by the green line, a 113-mile barbed wire fence that runs across the island, and Greek Cypriots are prohibited from visiting the towns and communities where their families have lived for generations.

With 35,000 Turkish troops illegally stationed on the island, it is one of the most militarized areas in the world. This situation has also meant the financial decline of the once rich northern part of Cyprus to just one-quarter of its former earnings.

Perhaps the single most destructive element of Turkey's fiscal and foreign policy is its nearly 27-year occupation of Cyprus. We now have an atmosphere where there is no valid excuse for not resolving this long-standing problem.

Cyprus is set for movement into the European Union in 2004. I am hopeful that this reality will act as a catalyst for a lasting solution of the Cyprus challenge. EU membership for Cyprus will clearly provide important economic, political, and social benefits for all Cypriots, both Greek and Turkish alike. This is why both sides must return to the negotiating table without any conditions.

There is also a new climate of cooperation between Turkey's Ismail Cem and Greece's George Pappandreou, and this is a very positive sign. More has been achieved in a year than what has been achieved in the past 40 years, but this cooperation needs to extend to the resolution of the Cyprus occupation.

While the U.S., the EU, Greece, and Cyprus have all acted to accommodate Turkish concerns, it remains to be seen whether Turkey will put pressure on Rauf Denktash to bargain in good faith. Make no mistake about it, if Turkey wants the Cyprus problem resolved, it will not let Denktash stand in its way.

Now is the time for a solution. It will take diligent work by both sides, but with U.S. support and leadership I am hopeful that we will reach a peaceful and fair solution soon.

Twenty-seven years is too long to have a country divided. It is too long to be kept from your home. It is too long to be separated from your family.

We have seen many tremendous changes around the world. The Berlin Wall came down. There are steps towards peace in Ireland. It is now time to add Cyprus to the list of places where peace and freedom have triumphed.

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

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

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

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extension of Remarks.)

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

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

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

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

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

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

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

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

THE INTERNATIONAL SPACE STATION PROGRAM DESERVES OUR CONTINUED SUPPORT

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

Mr. LAMPSON. Mr. Speaker, I wanted to come here this evening and talk to my colleagues for a few minutes about the VA–HUD bill that is going to come up tomorrow and talk specifically about potential amendments that are going to be made.

It is important for us to lend our support to the overall NASA budget and, specifically, manned space exploration and those items that center around the International Space Station.

There has been an awful lot of talk in the last several weeks about potential cuts in the International Space Station because of the overruns that had been talked about for a long period of time. We are looking at building a facility that has never been built before and doing things that are absolutely new technology. The guesses in the expenditures of what it was going to take to create this facility have not always been right; and, unfortunately, we are facing more costs than what we originally anticipated.

Something has to be done about that. We hope we will find a way in our committees to ask the tough questions of the contractors and of NASA to make sure that we get a better handle on what is going to be spent in the future with regard to any space activity, whether it is manned or robotic.

But, right now, we are making some real serious decisions and potentially bad decisions with regard to the International Space Station. We are talking about taking parts of the International Space Station, such as the crew return vehicle, which allows a full crew of seven people to do the science necessary to get a return from our exploration in space.

If we stop the construction of the crew return vehicle, then we will only be able to accommodate three to six people on the International Space Station. If we did six, a total of two Soyuz return vehicles, one commander for each vehicle, that would dramatically reduce our ability to do the science that we have built the International Space Station for in the first place.

A lot has been done, and we have succeeded in getting significant amounts of monies put into the appropriations bill, which will be considered tomorrow in the VA–HUD and Independent Agencies appropriation bill.

Some of those amendments will be Space Station-killing amendments, so I am here to ask my colleagues to give very serious consideration to anything that would stop this huge investment that we have made and the opportunity for us to get a significant return on that investment over the next many years, an investment in knowledge of what is out beyond Earth's surface; what we might be able to gain in knowledge as we explore space that could change our health, our lives, knowledge-wise as far as why human beings are here; or perhaps something as simple as a solution to or a cure for a particular illness.

Those are the things we have gotten out of our space exploration for decades, and it is interesting to note some statistics: that in the 1960s, during the Apollo period, in the 1960s and 1970s, 4 percent of our Nation's budget went to NASA, 4 percent. Today, that amount is less than six-tenths of 1 percent.

It is also interesting that some of these amendments that may be considered tomorrow that will replace money from NASA, take money away from NASA and put it either into the VA or HUD parts of that bill, let us consider what has happened to Housing and Urban Development, as an example. They have had an increase from $16 billion to $31 billion in the last several years. The Veterans Administration has had increases from $40 billion to $50 billion, a 25 percent increase only in the last 4 or 5 years.

We want to support both of those. I will be supporting them. Both have had significant increases in this year's appropriation. The NASA budget has stayed flat, at $14 billion, for the last many years. It is time for our commitment to space to be reiterated, to be spoken of again in a way that we spoke of it in the 1960s.

I remember when President Kennedy challenged our country to send a man to the moon and return him safely within a decade, and we did it. It changed the way we educated our children, it changed the way we did business. It brought huge returns to us.

So, in wrapping this up, I ask my colleagues to pay very much attention to the VA–HUD appropriation tomorrow and to support NASA in every way they can.

□ 2115

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. BROWN) is recognized for 5 minutes.

(Ms. BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

COMPACT DIVISIVENESS COULD DAMAGE DAIRY INDUSTRY

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

Mr. SWEENEY. Mr. Speaker, recently, the Fort Atkinson, Wisconsin-based national dairy farm magazine, Hoard's Dairyman, on its editorial page, expressed its support for the continuation of the Northeast Dairy Compact and allowing other regions of the country to form their own compacts. As a representative of a Congressional District with a large dairy producing population, and as a strong advocate of States' rights, I implore my fellow Members to keep an open mind on the complex interstate dairy compact issues.

I would like to read this thought-provoking editorial from the prestigious dairy magazine from the heart of dairy country, Wisconsin.

''Editorial comment: Compact Divisiveness Could Damage Our Industry. Hoard's Dairyman. Fort Atkinson, Wisconsin. July 2001.

''Dairy compacts, in the eyes of their proponents, help stabilize and boost dairy farmer incomes by flooring Class I prices. Opponents see compacts as an unconstitutional restraint of commerce, a rip-off of consumers and processors, and distortion of supply and demand. We see the compact ''cup'' as being half full rather than half empty. That is why we support continuation and extension of the compact concept. We do so for the same reasons we work together to improve and stabilize their incomes.

''To us, compact pricing is of little difference to the overorder Class I premiums negotiated across the country by the dozen or more groups of dairy co-ops working together. Compacts are different in that they are not voluntary. Rebel processors and producers cannot circumvent the system by undercutting established prices. And unlike marketing federation boards, compact commissions represent consumers, processors, as well as producers.

''The Northeast Dairy Compact has improved incomes for dairy farm families, without hurting milk consumption or adding to price support costs. There is even a provision for leaving food programs, such as Women, Infants, and Children programs, unaffected by higher milk prices. Nor has the Northeast Compact contributed to lower Class III prices, as many in the upper Midwest contend. We see no reason to prevent dairy farmers in the South or other regions from working together the same way.

''Our biggest fear about compacts is that the issue will further divide the industry that needs cohesion more than ever. Unless cooler heads prevail, we will shoot ourselves in the foot over compacts just as we have on many other issues.''

Mr. Speaker, it is a myth that upper Midwest farmers oppose dairy compacts. I urge my colleagues to pay attention to the growing support from across the country for dairy compacts. I look forward to working with my colleagues on both sides of the aisle from all States to advance this important legislation.

27TH ANNIVERSARY OF TURKISH INVASION OF CYPRUS

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

Mr. PALLONE. Mr. Speaker, tonight I join my other colleague, the gentlewoman from New York (Mrs. MALONEY), on the House floor to remember a horrific act taken by Turkey against the citizens of Cyprus 27 years ago.

On July 20, 1974, the Nation of Turkey violated international law when it brutally invaded the sovereign Republic of Cyprus. Following the Turkish invasion, 200,000 people were forcibly displaced from their homes and a large number of Cypriot people, who were captured during the invasion, including five American citizens, are still missing today.

Earlier this year, the Turkish government was rebuked by the European Court of Human Rights when the court overwhelmingly found Turkey guilty of massive human rights violations over the last 27 years in a scathing 146-page decision. In the case of Cyprus versus Turkey, the court concluded Turkey had not done enough to investigate the whereabouts of Greek-Cypriot missing persons who disappeared during life-threatening situations after the occupation.

The court also found Turkey guilty of refusing to allow the return of any Greek-Cypriot displaced persons to their homes in Northern Cyprus. Families continue to be separated by the 113-mile barbed wire fence that runs across the island. The court found this to be unacceptable.

Mr. Speaker, I was also troubled by the court's findings on the living conditions of Greek Cypriots living in the Karpas region of Northern Cyprus. Residents in this region face strict restrictions on access to religious worship, no access to appropriate secondary schools for their children, and no security that their possessions will be passed on to their families after their death.

By disregarding international law and order, and by defying democratic principles, Turkey has over the past 27 years remained an anachronistic hostage to the past rather than choosing to look to the future with renewed vitality for cooperation and development.

Since the invasion, all efforts towards finding a just, peaceful, and viable solution to the problem have been constantly met with intransigence and the lack of political will by Turkey. The United States, which is trusted by all sides in this conflict, has the ability to help move the peace process forward. We must continue to support the United Nations' framework for negotiations between the Greek-Cypriot and Turkish-Cypriot communities. But currently peace negotiations are at a standstill.

Over the years, I have become quite familiar with the Turkish side's of well-known negotiation tactics. The Turkish side agrees to peace negotiations on the Cyprus problem only for the purpose of undermining them once they begin and then blames the Greek Cypriots for their failure. Once again, face-to-face negotiations that were scheduled for January have never occurred because Turkish Cypriot leader Rauf Denktash refuses to attend.

Mr. Speaker, while the U.S. should do everything possible to restart the U.N. negotiations, it should be made crystal clear to the Turkish leadership and Mr. Denktash that their unacceptable demand for recognition of a separate state in order to return to the negotiating table are completely unacceptable. No effort should be made to appease the Turkish Cypriot leader in order to return to the negotiating table.

And not only should Mr. Denktash return to the negotiating table, but he should negotiate in good faith in order to reach a comprehensive settlement within the framework provided by the relevant United Nations Security Council's Resolutions. These resolutions establish a bizonal, bicommunal federation with a single international personality and sovereignty and a single citizenship.

Mr. Speaker, for 27 years now, the people of Cyprus have been denied their independence and freedom because of a foreign aggressor. I urge all of my colleagues to join me in remembering what the Cypriot people have suffered and continue to suffer at the hands of the Turks. I also urge my colleagues to join me in pressuring the administration to focus American efforts to move the peace process forward on the Turkish military, which has real and substantial influence on decision-making in the Turkish government.

MISSILE DEFENSE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, I look forward to spending this evening talking to my colleagues about an issue that I think is fundamentally important to not only this generation in America but to every future generation in America, at least as far out as we can see. It is also an issue that is absolutely critical for our friends and allies throughout the world. It is missile defense.

Now, I hope this evening to be joined by my colleague, the gentleman from Nebraska (Mr. OSBORNE), and the two of us will go through missile defense and talk a little about the necessity for it.

We have heard a lot of rhetoric here in the last few weeks about how missile defense is going to set off an arms race, about how missile defense does not make any sense, about how missile defense is not technologically feasible. But tonight I want to go to the facts, to cut through the rhetoric, and I want to get right to the meat. Because this issue is so critical for us, we cannot afford to let the substance be diluted by the rhetoric. Again, do not let the substance of missile defense for this country be diluted by rhetoric, because all of us lose.

I was at the World Forum in Vail, Colorado 2 or 3 years ago. Vail is in my district out in Colorado. And the World Forum, put on by President Gerald Ford, was a fabulous thing. Leaders from all over the world came there. Margaret Thatcher spoke. And when Margaret Thatcher spoke, you could almost hear a pin drop at this World Forum. She got up and said in response to a question on missile defense, she said to the leaders of the United States and to the leaders of the United Kingdom, you have an inherent responsibility. Now, remember, her whole sentence I am about to cite, her whole answer is maybe two or three sentences. But her response was that you have an inherent responsibility to the people that you represent to protect them, and failure to do so would be dereliction of your duty. Now, that is a summary of what she said. Failure to do so would be dereliction of your duty.

We have a known threat out there. We know there are missiles aimed at the United States of America. We know that there are other countries, and not just what used to be the Soviet Union, which was the big threat in my generation.

When I was a young child I remember my mom and dad telling me, during the Cuban missile crisis, that we were probably going to go to war in the next few hours. I remember the fallout shelters. And as I grew up, everything was Russia; the Soviet Union, the Soviet Union is going to launch an attack. And, of course, we in the mountains of Colorado were worried because we had Cheyenne Mountain, the headquarters for NORAD over in Colorado Springs.

But has the threat subsided? The threat has not subsided. I do not understand the reasoning of some of these people who are trying to convince the American people that the threat of a missile attack has subsided. In fact, I would venture to say that the threat of a missile attack has actually increased, because we now have a multitude of nations that have tested nuclear weapons. We know there are a multitude of nations out there that have missile technology.

We know, for example, that when the Soviet Union was the Soviet Union they had very strict control over their weapons. Today, we do not know what kind of control they have over their weapons. We know that we have China that is attempting to build up its military. And, frankly, I think China and Russia, as it now is, are more manageable than say a North Korea or a Pakistan or an India or over in the Middle East or some terrorist group.

And, God forbid, what if we had an accidental launch against the United

States of America? What if somebody did not want to destroy the United States, what if somebody just launched by accident a nuclear missile for New York City? How strong do my colleagues think their rhetoric would stand up the day after that missile hit, or the minute after that missile hit, after standing on this floor and saying that we should not have a missile defense; that a missile defense is going to start off an arms race; that we should not defend our people; we should stick to an old treaty, a treaty that was drafted in 1972, 30 years ago.

How many of my colleagues are driving a 30-year-old car today? How many people do that? How many of my colleagues are using 30-year-old technology in their offices? How many people use 30-year-old technology in their airplanes? We do not do that, and we should not use that kind of technology to defend this country.

Now, what am I talking about? What treaty am I talking about? It is called the Anti-ballistic Missile Treaty. Let us talk about the Anti-Ballistic Missile Treaty. First of all, let me say to my colleagues that the theory of the Anti-Ballistic Missile Treaty was about really only two countries. There were two nations in the world that were capable of any kind of significant missile launch against somebody else in the world. One, the United States of America, and, two, the Soviet Union. These two superpowers possessed not only the knowledge of nuclear weapons, but they also had the capability of delivering these weapons, and delivering these weapons in multitudes and with deadly accuracy.

So the theory of the Anti-Ballistic Missile Treaty in 1968, 1969, and 1970, was, hey, look, Russia and the United States, and by the way I do not agree with this theory, but the theory was the best way for the United States not to attack Russia and the best way for the Soviet Union not to attack the United States was for both of them to agree not to build a defense. Because if these two countries have a missile, theoretically, and each knows it could be destroyed by that missile because it cannot defend against it, then each country will be less reluctant to fire their missiles. That is the theory of what happened.

Now, what does this treaty contain? Let us take a look at a little of what the treaty says, because it is important. I will refer to my poster here to the left. Article I: Each party undertakes to limit anti-ballistic missile systems and to adopt other measures.

And I will just summarize some of these. There is no need to go through each sentence. Each party undertakes not to deploy anti-ballistic missile systems for defense of the territory.

Now, remember, as we go through this treaty and as I talk tonight, I am not talking about the development of offensive weapons. The United States has significant offensive weapons.

□ 2130

I am talking about defensive weapons. I am not talking about firing a missile against another country, I am talking about defending the United States of America. So my discussion tonight is not as an aggressor. My discussion this evening with you is as a defender. A defender of the territory of the United States of America. And by the way, we should expand that as a defender of our allies in this world.

For the purpose of this treaty, an ABM system is a system to counter strategic ballistic missiles. Each party undertakes not to develop, test or deploy a defensive system which is sea-based, air-based, space-based or mobile land-based.

So in this treaty, the United States of America agrees with the Soviet Union, which as my colleagues know, the Soviet Union no longer exists. It has been broken into a number of different countries. Each party undertakes not to develop, test, or deploy a defensive weapon system. That is what that paragraph says. To ensure assurance of effectiveness of the ABM, each party undertakes not to give missiles, launches, or radars, other than ABM interceptor missiles, et cetera, or their elements in flight trajectory, and not to test them in a mode.

That says you cannot test. If the United States determines that they want to test some type of system to defend our country, we cannot do it under this treaty. This treaty is not cloudy. It is black and white. It is very clear in its definitions. If you want to build a defensive system for your Nation, you are not allowed to under this treaty. There is no way around it. This treaty is totally incompatible with our Nation or any nation, well, our Nation or the Soviet Union because there are only two parties to this agreement, the Soviet Union and the United States.

It is totally incompatible with this treaty for the Soviet Union or the United States to build some type of defense to protect their country from an accidental launch or an intentional launch of a missile against their country as long as this treaty exists.

They understood that this treaty may not be good forever. In fact, they put provisions in the treaty. They had the foresight, they had the foresight to put provisions in this treaty which would allow the parties to the treaty, again the Soviet Union and the United States, which would allow these parties to leave the treaty. To go out of the treaty.

I have heard recently and when I have read some of the press, some of you off this floor, frankly, who have made announcements that the United States would break a treaty. What would give any Nation the desire to make a treaty with the United States if the United States broke their word and broke these treaties.

We are not breaking the treaty. The treaty has contained within its four corners, within the four corners of the document, it has contained provisions of how to withdraw from that treaty.

So any representation by anyone that the United States of America through the Bush administration, which I commend for their leadership on this issue, any representation that withdrawal from this treaty is a breaking of the treaty is incorrect. The treaty itself contains provisions that allow withdrawal from the conditions of this treaty.

Again to my left on this poster, this is the article. This treaty shall be of unlimited duration. Each party shall, in exercising its national sovereignty, have the right to withdraw from this treaty. It is a right. It is a right we retain for ourselves. It is a right the Soviet Union retained for themselves, and that is the right to be able to withdraw from this treaty. You have the right to withdraw from this treaty if it decides that extraordinary events related to the subject matter of this treaty have jeopardized its supreme interest. It shall give notice to the other party 6 months prior to the withdrawal from the treaty. Such notice shall include a statement of the extraordinary events of the notifying party in regards as having jeopardized its supreme interest.

Do we have circumstances which would justify extraordinary events? You know something, that is the easiest question of the night to answer. Have events occurred that are extraordinary in their nature which would allow us to withdraw from a treaty which prevents the United States from defending itself against missile attacks?

Number one, the Soviet Union is not around any more.

Number two, it is called Russia, Ukraine and other nations. The Soviet Union at that time in 1968, 1970, when these treaties were being negotiated, there was only one other country that had the capability to deliver missiles to the United States of America, and it was the Soviet Union.

Let me show you today what we have got. It is no longer just Russia. Look at my poster to the left. It is no longer just Russia. No longer just the Soviet Union. Today North Korea has the capability to hit the West Coast with their nuclear missile. Pakistan has nuclear capability and missiles.

India has nuclear capability and missiles. Israel has nuclear capability and missiles. China has nuclear capability and missiles. How much further do I have to go to justify extraordinary circumstances? Just one more nation other than the Soviet Union, in my opinion, justifies extraordinary circumstances.

Let me go on. And other countries have all successfully detonated nuclear weapons, in addition, Iraq, Iran. Do those strike some kind of familiar sound? Do my colleagues remember a war not too long ago? In addition, Iran, Iran and Libya all have ballistic missile technology that they could use to

deliver either a chemical or a biological attack.

So we are not just talking about a nuclear warhead on top of one of these missiles. We are talking about the capability to deliver a biological weapon, some type of chemical weapon. These countries can destroy large portions of the United States of America; and we on this floor and our administration down the street, and the Senate on the other side, we have, as Margaret Thatcher has said, we have an inherent responsibility to protect the citizens of this country.

So how can anybody stand on this floor and say we should not have a missile defense or the President is wrong because he said this ABM treaty, you cannot have the ABM and the missile defense both. The treaty does not allow for it.

What the treaty does allow, it says in the treaty. The treaty says if you want to build a missile defense, you can withdraw from the treaty. We are not breaking the treaty, we are exercising our rights that we negotiated 30 years ago. That is to pull out of the treaty and build a defensive system for this country.

By the way, the President just recently returned from Europe, and I have seen a lot of press about how the Europeans are opposing President Bush and his missile defense. He is some kind of roving cowboy.

In Europe in the last few days, people are beginning to say, their leaders are saying, that George W. Bush is on to something. Somebody could launch a missile against Italy. Somebody could launch a missile against Spain, against London. We do not want to offend our other European brothers, but maybe we ought to look at it and see what Bush has in that bag.

The United States, by the way, is going to make it technologically feasible; and I will address that in a few minutes. The Europeans are saying, I know what everybody is saying on the podium, and I know what the European press is saying, but frankly as a leader of my country, I have an obligation to defend it.

So guess what happened last weekend? Italy's premier came out and said in a very aggressive nature, we support a missile defense system, and we encourage the United States of America to rapidly develop the technology to protect countries in this world from attack by a missile containing either biological, chemical or nuclear weapons.

Italy, the second one to jump on board. Our good friends, the United Kingdom, who have been wonderful allies, are on board. Guess who else? Spain. Spain is out there saying it is not such a bad idea. Maybe the best way, maybe the people that are most opposed to weapons in my opinion should be the strongest proponents of this.

What is the best way to make a missile ineffective? It is the capability to defend against it. Whether it is in Europe or the United States of America, those people that oppose the development of missiles that are opposed to any kind of violence, they ought to be the first ones signing on the bottom line. They should say the United States has come up with a pretty good idea.

Let me tell you that iron wall in Europe in opposition to American development of a missile defensive system, is showing significant cracks. It is my opinion, and the French usually lag behind, but it is my opinion that most of the European allies of ours and NATO over time will adopt the policy of the United States, and that is to defend their country from a missile attack.

Let us talk just for a moment about what happens if we do not, just to give you an idea.

On a Trident submarine, and the United States has Trident nuclear submarines. We have the most powerful military in the world. In fact, we have the most powerful military in the history of the world. We ought to have.

I had kind of a fun thing happen the other day. I love high school students to stop by. The 4–H students stop by. The Boy Scouts stop by. We have some leadership programs back in Washington stop by. Usually we have groups, and I open it up for questions. One of the questions was from one of the students, and these questions are bright questions. This generation coming out, they are a bright generation. I have a lot of hope for the future of this country just based on these young people I have had the opportunity to meet. But back to the question.

A high school student asked me, he said, Why do we need the CIA? Why do we need spies? My teacher, he implied his teacher thinks our country is being bad in essence because we have spies.

I said, Let us answer that question. How many of you in here play high school sports? Almost everyone raised their hands. I asked one of the young ladies what sport she played. She said, I play basketball.

I said, Tell me this. Before you play an opposing team, do you know the height of the person you are going to guard? Yes.

Do you know how many baskets that lady made in the previous games? Yes.

If it is a championship game, does somebody film them playing a prior game? Yes.

I said, That is gathering intelligence. By gathering intelligence, you are able to disarm, dispose of the threat before the threat becomes destructive. That was one point.

The second point, somebody asked why do we need such a strong military. I said it is very simple. This young man's name was John. I said John, if you were a black belt in karate and everybody in your class knew that and everybody knew if they tried to take your lunch or take something of yours, you would break their neck, how many fights do you think you would be in? John answered correctly, probably none. That is right.

By having a strong military, and my theory, by having a strong military defense for your country, by defending the citizens of your Nation, you will avoid violence. You do not bring on violence, you avoid violence because the people who decide they want to undertake a violent act against you understand that there are repercussions that have a deadly impact. Or if we put up a missile defense system, they understand that they may not be able to produce any type of weapon that could give that harm to a missile. It makes a lot of sense for the United States to have a strong military.

□ 2145

It makes a lot of sense for us to be able to defend this country. Let us take a look at what happens.

Let me step back just for a moment. The Trident submarine, nuclear launching base. We probably have 18 or so of those out there. I am not giving you anything that is classified, obviously. We probably have 10 or 12 of them at sea at any given time. Do you know that one Trident submarine, one nuclear submarine of the United States, has more firepower than all of the countries combined for all the years of World War II? That is how powerful. A nuclear submarine can launch 195 nuclear warheads. We have a powerful force out there.

But the other side has got a powerful force, too. And no matter how many submarines you have out there, you have got to have the capability not to just fire a missile if that, God forbid, ever became necessary, you have got to have the capability to stop an incoming weapon. Because if you do not, the odds of you having to fire your missiles out of one of those deadly submarines becomes much higher. If somebody shoots a missile at the United States of America and we are able to intercept it on its launching pad through a space intercept method or we can intercept it in space, we could prevent a war.

Let us say, for example, that somebody launches a missile by accident, an accidental launch. Let me tell you, it happens. We have planes that crash by accident. As we all know the tragedy, we lost a spacecraft by accident. Accidents happen. It is logical to say that, at some point in the future, there might be an accidental launch of a nuclear weapon or an accidental launch of a weapon containing chemical or biological elements that would be devastating to this country. If we knew we had an inbound missile coming in and we did not have the capabilities to stop it, we may very well go to war with that country. If that missile hit, for example, New York City or if it hit Washington, D.C., or it hit Orlando, Florida, we may very well go to war instantaneously. Our retribution would be quick, and it would be decisive.

But what if we found out later that the launch was by accident? What the missile defense system allows us is if the missile defense, if we have got that

capability and there is an accidental launch that comes over and we are able to successfully stop that missile from hitting the mainland United States, we may have an allowance of time to find out that it was not an act of war, that it was an accident and because we had a missile defense system in place, we stopped the next world war. That alone justifies what President Bush is attempting to do and that is build a missile defense system for the United States.

Do we have the technological capability? Of course we do. We do not have it all in-house today, but about 2 weeks ago, remember, we did a test. We have had four tests. Two of them have failed. Two of them have been successful. Remember that when the Wright brothers flew their airplane or when we ran the car, any other major invention, the first time, how many space missions we had to have before we could finally figure out and how much money we went through, how to land on the moon or how to fly an airplane or how to make a car.

We are going to have failures. This technology is advanced. Remember that in order to intercept a missile in the air, en route, somebody told me one time it is the equivalent of throwing a basketball from San Francisco and making it through the hoop in Washington, D.C. This is tough technology.

Two weekends ago, the United States of America fired a missile. That missile was traveling 4½ miles a second. Imagine, a bullet, 4½ miles a second inbound. We fired a missile to intercept it, and it was traveling at 4½ miles a second. 4½ miles, 4½ miles, and we have got to bring the two together, and they cannot miss by that far. They cannot miss by a foot. They have got to hit. Guess what happened? We brought the two missiles together. We intercepted.

We will have the technology. We will have the technology to make a missile defense system in this country possible. We have an obligation to put on an expedited basis the necessary resources that it is going to take to bring us that technology.

Let me give you an idea of what just a couple of missile heads would do if we do not defend, for example, and somebody fired a two-warhead attack on Philadelphia. Two warheads, one-megaton devices, detonating the results. If they fired one warhead with two heads on it, just one, with two on it, we would have 410,000 people killed like that.

Some of my colleagues and some of the scholars in this country are saying and criticizing this country for saying that it should develop a system that will stop an inbound missile, that will stop a two-headed missile from wiping out 410,000 people in Philadelphia. What do we do today? If some foreign country, just so you know where we are today, one, we have a treaty that says we cannot defend ourselves with a missile defensive system. And, two, we today have a detection unknown before in the history of the world. It is called NORAD. It is located in Colorado Springs, the district of the gentleman from Colorado (Mr. HEFLEY), Colorado Springs, Colorado. NORAD has the capability to detect a missile launch anywhere in the world, and they can detect it within a few seconds.

So our country today, within a couple of seconds, can detect a missile launch anywhere. We can tell you within a few seconds more where that missile is going, at what speed it is going, the likely type of missile it is and where its target is.

But after that today, what can our country do? We can call up Philadelphia and say, you have an inbound missile, it has got, we think, two warheads, a minimum of two warheads on it. It is going to hit in 16½ minutes. That is all we can tell you. There is not anything we can do for you. We will pray for you, and we have alerted the White House so that we can prepare to go to war immediately. The President is prepared to launch an all-out nuclear retaliatory attack.

Why should we have to go through that? Why should we have to go through what at some point in the future is not going to be a test but is going to be a realistic either accidental or an intentional missile launch against the United States of America when we do not have to do it, when we can stop it? This may very well be the secret to stopping a war in the future.

So why would any of my colleagues oppose the President's position, number one, that the treaty, the anti-ballistic missile treaty is not valid. You cannot have that and a missile defense system at the same time. Do not think there is a way to tiptoe around the treaty. Do not think there is a way to talk fuzzy, warm talk and pat the Russians on the back and tell our European friends that, okay, we will do this, water it down a little here and there.

The fact is very clear and simple. You cannot have the treaty and have the missile defense system. You have got to do something with the treaty. The treaty allows you to do it.

We are not breaking the treaty. I have said this three times in my comments this evening. The President is not advocating the breaking of a treaty. The President, the Vice President, the Secretary of Defense, the Secretary of State and Condolezza Rice, they are not saying break the treaty. What they are bringing to our attention, and they are absolutely correct, what they are bringing to our attention is that the treaty contained within its own four corners allows us the rights, we have rights within this treaty, the right to withdraw from this treaty so that we can properly defend our country if extraordinary circumstances occur.

As I said earlier, what more extraordinary circumstances do you need as justification other than the fact that North Korea, India, Pakistan, China, Iraq, Iran, and several other countries now have nuclear capability and have missile technology?

Mr. Speaker, the old days of only the United States and the Soviet Union having missiles are over. Our generation, my generation, worried about the Soviet Union, but that is all we had to worry about was the Soviet Union as far as a missile attack with nuclear capability. That is what we had to worry about. Unfortunately, for the generation behind us, they have a multitude of concerns that they are going to have to worry about unless we accept our responsibilities in this generation and that is the responsibility of some type of vision to defend this country so that, as this new generation comes of age in our country, they are going to be able to relax knowing that if somebody launches accidentally against the United States or intentionally against the United States we will not have to sustain casualties in the hundreds and hundreds and hundreds of thousands. We will not have to do it because we will have the capability to defend against it.

Now, some of my colleagues, interestingly, have said, and some of the press, ''Well, let's just have a very limited missile ballistic system. Let's just have a few defensive missiles in Alaska and nowhere else in the country. Let's just have a little bit.''

Give me a break. Give me a break. You cannot do it halfway. You cannot afford to be derelict in your responsibility. You cannot afford to say to the United States of America, all right, we will protect this portion of the Nation, but the rest of you, because it happens to be politically correct today, we are not going to put a missile defensive system that will help you.

By the way, the missile attacks may not necessarily come against the cities. A good place for a missile attack may be Hoover Dam, knock out 70 percent of the water in the West, knock out the power generation. Psychologically, think of what you would do to a country. You could hit a nuclear generation facility. There are a lot of different targets out there. You cannot just say we are going to defend a little tiny part of the country. That is what some of my colleagues are saying.

I think some of my colleagues have picked this issue up not because they really believe that the United States should not have a missile defense system. I think some of my colleagues have picked this issue up simply because it is a big issue for our new President, George W. Bush, and so politically they are searching for something to attack the President on and this happens to be what they have gotten.

Let me beg all of you, and I said beg. I do not like begging anybody—neither do you—but let me beg each and every one of you, do not use this as your political issue. This is the wrong issue. From a bipartisan point of view, we all

have an obligation, as fundamental as protecting our children when they were babies. We have a fundamental obligation to the people we represent to provide a defense for them, to make sure that nobody, friendly in case of an accidental launch or unfriendly in case of an intentional launch, we have an obligation to give our people the maximum protection, the maximum protection against that type of an attack.

Let us talk about the system the President has proposed.

Real briefly, before we get into that, let me just show this poster because I think this poster accurately reflects and gives you an idea. Remember, that in 1972 when the Soviet Union and the United States signed the Antiballistic Missile Treaty, this map only had two areas of blue color, over here in the Soviet Union and right here in the United States of America. Look at where we are today. Look at where we are today. These colors reflect right here countries possessing ballistic missiles.

Take a look at the number of countries that we have on this poster to my left. Let us start over in the extreme left, the Ukraine, UAE, U.S. obviously, Vietnam, Yemen, Taiwan, Syria, South Africa, Slovakia, Saudi Arabia, Russia, North Korea, South Korea, Libya, Pakistan, Poland, keep going, Iran, Iraq, Israel, Hungary, China, Croatia, Czech Republic, Egypt, France, Afghanistan, Algeria, Argentina, Bulgaria. Take a look at that.

Let me say, look to my left at this poster. How can any one of my colleagues say that with this kind of threat, and everywhere there is purple there is a threat to the United States of America, with this kind of a threat you are saying to the people of the United States of America that we should not be able to defend against this? How can you look at your constituents when you go back to your district? Or, even more importantly, how can you look at yourself in the mirror and say that under these kind of circumstances with this kind of current existing threat, not even assuming what will be in existence 10 years from now, but even under the current conditions of the threat, how can you look yourself in the mirror and say, I am not going to allow the country that I represent to build a missile defensive system?

□ 2200

You cannot do it. You cannot do it. We have that obligation. We owe it to the people of this Nation, and we have an obligation for vision to the people of the next generation and the next generation to make sure that no matter how spread over here on my left, no matter how spread this purple is, no matter how many countries in the world have missiles, we will have a missile defense system that will stop it. We will have a missile defense system that, by the way, we are willing to share with our friends. We can do it. We can do it, and we have an obligation to do it.

Now, let me shift. Earlier, as I said, I wanted to talk for a few moments about the capability of the technology that we have got. What do I envision of a missile defensive system?

Well, what we have got, we are going to have to have several elements of it. I do not have my diagram here this evening to show you, so I am going to explain it the best I can.

You do not want a missile defense system which intercepts the enemy missile or the accidental launch of a missile over the United States. That is the last resort. Why hit a missile over New York City? If it is going to hit New York City and you destroy it a mile above New York City, you may in fact have more casualties. You do not want to have to bring down a nuclear missile over the air space of the United States of America. So that is the last choice you want.

Now, that may be, under some circumstances, the only alternative you have got. But under the technology we are trying to develop, and, let me tell you, if the United States of America can put a man on the moon, if the United States of America can discover penicillin and utilize it in this country, if the United States of America can do some of the amazing accomplishments that we have done, whether it is the invention of the airplane, cars or et cetera, et cetera, et cetera, we can develop the technology to do what I envision, what the President envisions, the type of defensive system we need.

What would it include? It would have to have a space laser intercept. The advantage of being able to utilize a defensive satellite with laser intercept in space is that you can move that satellite to any trouble spot. So if, for example, and again referring to my map on the left, if, for example, we end up with a problem down in this area, and we have got a satellite defense system over here, take a look at this poster to my left, we can move the satellite so it is right over the country that is our threat.

Now, obviously if we have an accidental launch, we want to be able to pick that accidental launch up. But a lot of our threat in the future will begin with or be preceded with tensions between the countries. There will be high tensions. We will know that a conflict is approaching. So, as a defensive move, as a preemptive move, we will move our satellite over that vicinity where we think their missiles are located.

What we want to be able to do, the ideal situation is to destroy a missile that is targeted for the United States of America, to destroy that missile on its launching pad. Let the country that is going to send the missile our way, let them deal with the missile exploding on a pad right there in their own country.

How many countries do you think are going to want to fire a missile against the United States, a nuclear missile, or a biological missile, if they know that the United States has the capability of destroying that missile while it is still in their own country? There is not a lot of incentive to do that kind of thing.

So we have got a system that, upon its launch, or being able to destroy on its launching pad the missile. If the missile gets off its launching pad and begins to come across, then this is going to really be a three tier system, space, sea and land. So out over here, you are going to have to have intercept missiles based on ships that are going to be able to target and hopefully destroy that missile while it is out over the ocean, where it is going to have the minimal amount of impact.

Now, remember that any time you destroy a missile in air space, you still have air currents, so the fact that we destroy this missile out here somewhere over the Atlantic does not mean we are not going to have an impact over the continental United States. In fact, because of the air currents, we may very well.

But we do know this: We are a lot better off to destroy that missile here before it hits here in New York City or Colorado Springs or Los Angeles.

Finally, the third part of our technology, the land-based system would be our last resort, which means that our laser beam and our space defense system missed it, our ship sea defense system missed it, so we have got a final try, and that is our land-based system, as that missile comes into the final few miles before it hits its target.

My interest on discussing technology tonight is to tell you that the technology will be available; that the United States of America is leading every country in the world in the development of this technology; that this test that we had 2 weeks ago, where a missile was fired and approaching the target, 4½ miles a second, 4½ miles a second, our technology that we have right now, we were able to launch an intercept missile also going 4½ miles a second, and we were able to, in essence, bring two bullets together out there in the air space, and we stopped it. It was a successful test.

Now, we have a long ways to go, but we can accomplish this. I think one way to help us with this technology in this area is for us to give it political support.

My purpose here tonight is not to act like a scientist. I am not a scientist. I can no more tell you about nuclear physics, I am not much better at frying an egg than that. I can tell you about political support.

The President has stepped forward, I think in a very courageous manner, to say, look, somebody has to say what needs to be said, and what needs to be said is that the United States of America needs a defensive system; a defense not only against an intentional launch, but an accidental launch as well. And this President, George W. Bush, has had the courage to step forward.

All the politically correct people, the Europeans, people in our own country,

people on this House floor, jump up as an issue, not because I think they really believe in it, but as an issue, and say, how dare you talk about the United States having a defensive system, a system that would protect them from an intentional or accidental launch? How dare you do that. That is not politically correct.

But our President is determined, and our President has in his heart and has as a principle of his entire philosophy that he has inherent responsibility to the people of the Nation that he serves to protect them from a missile launch. So he said what has to be said.

We need to give that President political support. Do not take cheap shots off this floor. Do not go to your newspaper and talk about technologically it is impossible. Our former President, I heard a former President say this morning, I heard a quote about it is a technological impossibility or something similar to that.

Wake up. What happened 2 weeks ago? We do have the technology available to get us to the point we need to get that will provide a defensive system for this Nation, for this generation and for the following generations, to protect our own children, not just ourselves, but our own children and our grandchildren from a missile attack. So we will have the technology.

But we are not going to get to the technology and we are not going to get to the point where we can protect the citizens of this country if we do not have enough guts to stand up and do what is necessary, and that is give the political support to the President and to the administration with a green light to go ahead, and say, Mr. President, build a system that will protect your and our country. Mr. President, you have an obligation to defend this country. You are on the right track.

Every one of us in these chambers, to the person, ought to be willing to stand strong against political correctness and say to the world, Look, world: No matter how much you criticize, the United States is not going to make itself a target for many multitudes of countries in the future to launch a missile attack against us.

The United States will not allow itself to get into a position where some small country, or some large country, or any country, can intimidate, threaten, or force the United States to take an action they do not want to take, simply because they have the capability to launch a missile into a city in the United States of America. We owe this to the people. We owe it to them.

So let me in my remaining moments, these last 12 minutes, kind of reiterate the importance of the issue that we are talking about tonight.

Obviously Social Security is critical for us. Health care is an important issue for us. Education, I could tell you about that. I would love to talk about education. To me in the West, public lands, water issues. There are a lot of important issues for us. So I am not meaning to discount any other issue. I am not meaning to dilute your own personal platform as far as what you think is important.

But I can tell you this: I sincerely believe that if we lay out all the issues, we put them on this table, I cannot believe of an issue that is more important nor a threat more impending than missiles, and that issue of missile defense is something important for every one of us on a bipartisan basis.

Unfortunately, what I am sensing is that my colleagues, a good number, not all of my colleagues, but some on the liberal side of the Democratic Party, the liberal aspects of the Democratic Party, have decided that a missile defense is not good for this country; that this country should not defend itself from a missile attack.

More than that, I think the real thing that is driving the liberal side of some of these thinkers is that it is President Bush really pushing it. He might get it done. We certainly cannot allow him to accomplish this kind of thing.

So I am asking all of you, and I asked in my previous comments, set the partisanship aside. Set it aside and think about the vision that we owe for future generations. Think about what we need to do to assure that people even 10 years from now will not be intimidated or have the entire future of this country at risk because somebody launches, accidentally, not even intentionally, somebody launches accidentally a missile against the United States of America.

We can all stand together. This is an issue that is not Republican, not Democrat. It is an issue that we can join with the administration, with George W. Bush, to take to the American people, and we can deliver to the American people a security net; a security net that is as important to the American people as a seat belt is to you in a car. We can deliver a security net that will assure the American people, and our allies, and our allies, that no other country in the world can threaten or launch a missile successfully against the United States of America.

Now, earlier in my comments I mentioned about political courage, and it is very interesting to hear all the bashing that has gone on about President George W. Bush's position of missile defense in Europe, that the Europeans, the way you read the media, you would think the Europeans are entirely unified in opposition to this; they are aghast; they are astounded that a Nation like the United States would think of building a system that would defend themselves from a missile attack.

But, do you know what? That wall has cracked. Do you know what? There are countries over there in Europe saying, wait a minute. You know, I think it is nice to bash the United States of America, but, you know, they got a point here. This missile defensive system, you know, it might work. In fact, after this test 2 weeks ago that they did, this thing is going to work, and the United States is going to have a system that defends their citizens from attack. Maybe we ought to do the same thing.

Who is saying that? Look at the United Kingdom, the Brits. They are saying, hey, we support the United States.

Take a look at Italy this last weekend. Take a look at the comments from Italy. Their leader has said in Italy, we strongly support and strongly advocate the United States of America building a defensive missile system.

Take a look at Spain. They are not far behind.

Do you know what is going to happen? As the rest of the world has in the past, as they are amazed by American technology, they are going to come on board. My prediction is 15 years from now, almost every Nation in the world will have some type of missile defensive system. And what happens when that happens? What happens when that happens? You know what? It takes that very deadly, lethal weapon, the missile; it significantly lowers the risk of impact, negative impact, from that missile. Because what good are missiles, especially in any kind of volume, if a defensive missile system will stop them from being effective, or, even more importantly, if you have a defensive missile system that will destroy the missile on its launching pad in the country that wants to fire it, so it does devastating damage to that country?

You know, there is not a lot of incentive to fire a missile against the United States, if you know the United States can pick it up, fire a laser, and stop that missile on its launching pad. It kind of makes short history of the people around your launching pad.

There are so many things that are essentially common sense in missile defense. Common sense in missile defense. Think about it. Go out and talk to your constituents this weekend. First of all, ask your constituents, find out how many of them today think we have some type of protection. It is surprising. A lot of our constituents think that today we can defend ourselves against a missile defense attack.

□ 2215

We cannot. Once you get by that with your constituents this week, sit down, put your partisanship aside, and for the liberal segment here, for the liberal people, put that aside, just for a few moments and ask the people, person-to-person, all politics aside, person-to-person, do you think it would be a good idea for this Nation to defend itself against an intentional or accidental launch against our citizens?

Guess what? You will get a resounding yes and probably followed by a comment, why have we not done it already? What are you guys doing? I thought we had a defensive system in place.

That is what the American people are saying to us. We are their leaders. We

are not kings. We have been elected by these people in a representative government to come up here. We have fiduciary duties. That is the highest responsibility of duty to our Nation and to its people, to do what will protect the public interest and will protect our country and allow our country to remain strong into the future.

Right now, the number one issue at the very front is a missile defense system.

In conclusion, I ask every one of my colleagues, regardless of what State you are from, whether you are from Massachusetts or Florida or Oregon or Colorado, that you step forward and start giving political support so that we can then advance the technological support to implement, as President George W. Bush has asked, a missile defensive system to protect the citizens and future generations of this country. It is our responsibility. It is not our neighbor's responsibility. It is our responsibility. I hope each and every one of us carries it out to the fullest extent.

REPORT ON RESOLUTION WAIVING A REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO THE SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Ms. PRYCE of Ohio, from the Committee on Rules, submitted a privileged report (Rept. No. 107–163) on the resolution (H. Res. 290) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BLUMENAUER (at the request of Mr. GEPHARDT) for after 4 p.m. today and the balance of the week on account of emergency family business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. DEUTSCH, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Mr. DEFAZIO for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. LAMPSON, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

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

Mr. SWEENEY, for 5 minutes, today.

Mr. BILIRAKIS, for 5 minutes, today.

Mr. KIRK, for 5 minutes, today.

The following Member (at his own request) to revise and extend his remarks and include extraneous material:

Mr. PALLONE, for 5 minutes, today.

ADJOURNMENT

Ms. PRYCE of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Thursday, July 26, 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:

3053. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule—Blueberry Promotion, Research, and Information Order; Amendment No. 1 [FV–00–706–FR] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3054. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule—Exemption From the Requirement of a Tolerance Under the Federal Food, Drug, and Cosmetic Act for Residues Derived Through Conventional Breeding From Sexually Compatible Plants of Plant Incorporated Protectants (Formerly Plant-Pesticides) [OPP–300368B; FRL–6057–6] (RIN 2070–AC02) received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3055. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Department's final rule—Exemption From the Requirement of a Tolerance Under the Federal Food, Drug, and Cosmetic Act for Residues of Nucleic Acids that are Part of Plant Incorporated Protectants (Formerly Plant-Pesticides [OPP–300371B; FRL–6057–5] (RIN 2070–AC02) received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3056. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Regulations Under the Federal Insecticide, Fungicide, and Rodenticide Act for Plant Incorporated Protectants (Formerly Plant-Pesticides [OPP–300369B; FRL–6057–7] (RIN: 2070–AC02) received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3057. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the determination and a memorandum of justification pursuant to Section 2(b)(6) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

3058. A letter from the Director, Office of Federal Housing Enterprise Oversight, transmitting the Office's final rule—Risk-Based Capital Regulation—received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3059. A letter from the Deputy Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—Commission Policy Statement on the Establishment and Improvement of Standards Related to Auditor Independence [Release Nos. 33–7993; 34–44557; IC–25066; FR–50 A] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

3060. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''Assuring Access to Health Insurance Coverage in the Large Group Market''; to the Committee on Energy and Commerce.

3061. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 130–1130a; FRL–7016–4] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3062. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Control of VOC's from Wood Furniture Manufacturing, Surface Coating Processes and Other Miscellaneous Revisions [PA 168–4109a; FRL–7013–7] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3063. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of VOC Emissions from Organic Chemical Production [MD 118–3073a; FRL–7014–1] received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3064. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (West Rutland, Vermont) [MM Docket No. 00–12; RM–9706] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3065. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Caro and Cass City, Michigan) [MM Docket No. 01–33; RM–10060] (Warsaw and Windsor, Missouri) [MM Docket No. 01–34; RM–10061] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3066. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Steubenville, Ohio and Burgettstown, Pennsylvania) [MM Docket No. 01–6; RM–10009] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3067. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Pana, Taylorville and Macon, Illinois) [MM Docket

No. 00–160; RM–9928] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3068. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Thermopolis and Story, Wyoming) [MM Docket No. 00–159; RM–9889] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3069. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Quartzsite, Arizona) [MM Docket No. 01–70; RM–10082] (Leesville, Louisiana) [MM Docket No. 01–71; RM–10083] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3070. A letter from the Senior Legal Advisor to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Abingdon and Canton, Illinois) [MM Docket No. 01–67; RM–10084] received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3071. A letter from the Chair, District of Columbia Financial Responsibility and Management Assistance Authority, transmitting a report on the District of Columbia Fiscal Year 2002 Budget and Fiscal Year 2002–2005 Financial Plan Review; to the Committee on Government Reform.

3072. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International, S.A. CFM56–3, –3B, and –3C Series Turbofan Engines, Correction [Docket No. 98–ANE–57; Amendment 39–12124; AD 2001–04–06] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3073. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Limited, Areo Division-Bristol, S.N.E.C.M.A. Olympus 593 Mk. 610–14–28 Turbofan Engines [Docket No. 2000–NE–07–AD; Amendment 39–12310; AD 2001–13–28] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3074. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC–7 Series Airplanes [Docket No. 2000–NM–272–AD; Amendment 39–12266; AD 2001–12–11] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3075. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters [Docket No. 2001–SW–02–AD; Amendment 39–12272; AD 2001–01–52 R1] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3076. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD–90–30 Series Airplanes [Docket No. 2000–NM–323–AD; Amendment 39–12270; AD 2001–12–15] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3077. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes [Docket No. 2000–NM–320–AD; Amendment 39–12269; AD 2001–12–14] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3078. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model CN–235 Series Airplanes [Docket No. 2000–NM–262–AD; Amendment 39–12274; AD 2001–12–18] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3079. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Model Hawker 800XP Series Airplanes [Docket No. 2000–NM–176–AD; Amendment 39–12273; AD 2001–12–17] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3080. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 2000–NM–158–AD; Amendment 39–12277; AD 2001–12–21] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3081. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2B19 Series Airplanes [Docket No. 2001–NM–33–AD; Amendment 39–12280; AD 2001–12–24] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3082. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 and Model A300 B4–600, A300 B4–600R, and A300 F4–600R (Collectively Called A300–600) Series Airplanes [Docket No. 2000–NM–261–AD; Amendment 39–12297; AD 2001–13–16] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3083. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757 Series Airplanes Equipped with Rolls Royce Engines [Docket No. 98–NM–271–AD; Amendment 39–12296; AD 2001–13–15] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3084. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream Model G–1159, G–1159A, G–1159B, G–IV, and G–V Series Airplanes [Docket No. 2001–NM–83–AD; Amendment 39–12191; AD 2001–08–13] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3085. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300 B4–601, B4–603, B4–620, B4–605R, B4–622R, and F4–605R (Collectively Called A300–600) Series Airplanes [Docket No. 2000–NM–306–AD; Amendment 39–12298; AD 2000–03–20 R1] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3086. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747 Series Airplanes [Docket No. 99–NM–313–AD; Amendment 39–12292; AD 2001–13–12] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3087. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 45 (YT–34), A45 (T–34A, B–45) and D45 (T–34B) Airplanes [Docket No. 2000–CE–09–AD; Amendment 39–12300; AD 2001–13–18] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3088. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA) Model CN–235 Series Airplanes [Docket No. 2000–NM–273–AD; Amendment 39–12267; AD 2001–12–12] (RIN: 2120–AA64) received July 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3089. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Aircraft Operator Security [Docket No. FAA–2001–8725; formerly Docket No. 28978; Amendment No. 108–18] (RIN: 2120–AD45) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3090. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airport Security [Docket No. FAA–2001–8724; formerly Docket No. 28979; Amendment No. 107–13, 139–23] (RIN: 2120–AD46) received July 19, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3091. A letter from the Director, Office of Regulations Management, Department of Veterans' Affairs, transmitting the Department's final rule—Rules of Practice: Medical Opinions from the Veterans Health Administration (RIN: 2900–AK52) received July 18, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3092. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Extension of Relief Relating to Application of Nondiscrimination Rules for Certain Church Plans and Governmental Plans [Notice 2001–46] received July 17, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3093. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that shrimp harvested with technology that may adversely affect certain sea turtles may not be imported into the United States unless the President makes specific certifications to the Congress by May 1, pursuant to Public Law 101—162, section 609(b)(2) (103 Sat. 1038); jointly to the Committees on Resources and Appropriations.

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. WALSH: Committee on Appropriations. H.R. 2620. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002, and for other purposes (Rept. 107–159). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2436. A bill to provide secure energy supplies for the people of the United States, and for other purposes; with an amendment (Rept. 107–160 Pt. 1).

Mr. YOUNG of Florida: Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2002 (Rept. 107–161). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN: Committee on Energy and Commerce. H.R. 2587. A bill to enhance energy conservation, provide for security and diversity in the energy supply for the American people, and for other purposes; with an amendment (Rept. 107–162 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Ways and Means, Science, Transportation and Infrastructure, the Budget and Education and the Workforce discharged from further consideration of H.R. 2587.

Pursuant to clause 2 of rule XII the Committee on Energy and Commerce discharged from further consideration. H.R. 2436 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 2436. Referred to the Committee on Energy and Commerce extended for a period ending not later than July 25, 2001.

H.R. 2587. Referral to the Committees on Ways and Means, Science, Transportation and Infrastructure, the Budget, and Education and the Workforce for a period ending not later than July 25, 2001.

PUBLIC BILLS AND RESOLUTIONS

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

By Ms. HART (for herself and Ms. BALDWIN):

H.R. 2621. A bill to amend title 18, United States Code, with respect to consumer product protection; to the Committee on the Judiciary.

By Mr. REYNOLDS:

H.R. 2622. A bill to prohibit the interstate transport of horses for the purpose of slaughter or horse flesh intended for human consumption, and for other purposes; to the Committee on Agriculture.

By Mr. MEEHAN (for himself, Mr. MCGOVERN, and Mr. FRANK):

H.R. 2623. A bill to extend the deadline for granting posthumous citizenship to individuals who die while on active-duty service in the Armed Forces; to the Committee on the Judiciary.

By Mr. SCHIFF (for himself, Mr. TOM DAVIS of Virginia, Mr. STUPAK, Mr. SOUDER, Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. LANTOS, Ms. MCKINNEY, and Ms. ROYBAL-ALLARD):

H.R. 2624. A bill to authorize the Attorney General to make grants to honor, through permanent tributes, men and women of the United States who were killed or disabled while serving as law enforcement or public safety officers; to the Committee on the Judiciary.

By Mr. HORN (for himself, Mr. FILNER, Mr. HONDA, and Ms. WATERS):

H.R. 2625. A bill to amend the Higher Education Act of 1965 to eliminate consideration of the amount of a student's tuition in determining the amount of a student's basic grant; to the Committee on Education and the Workforce.

By Mr. BOEHLERT:

H.R. 2626. A bill to authorize research, development, demonstration, and commercial application activities relating to clean coal technologies, and for other purposes; to the Committee on Science.

By Mr. CONYERS (for himself, Mrs. CHRISTENSEN, Mr. BONIOR, Mrs. JONES of Ohio, Ms. SOLIS, Mr. DAVIS of Illinois, Ms. LEE, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, and Mr. RUSH):

H.R. 2627. A bill to amend title XIX of the Social Security Act to permit uninsured families and individuals to obtain coverage under the Medicaid Program, to assure coverage of doctor's visits, prescription drugs, mental health services, long-term care services, alcohol and drug abuse treatment services, and all other medically necessary services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CRAMER:

H.R. 2628. A bill to direct the Secretary of the Interior to conduct a study of the suitability and feasibility of establishing the Muscle Shoals National Heritage Area in Alabama, and for other purposes; to the Committee on Resources.

By Mr. CRANE (for himself, Mrs. ROUKEMA, Mr. SNYDER, Mr. FERGUSON, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mrs. MORELLA, Ms. HARMAN, Mr. GREENWOOD, Mr. SHIMKUS, Mr. HALL of Ohio, Mr. RUSH, and Ms. SLAUGHTER):

H.R. 2629. A bill to amend the Public Health Service Act to provide for research, information, and education with respect to blood cancer; to the Committee on Energy and Commerce.

By Mr. DINGELL (for himself, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. STARK, Mr. GEPHARDT, Mr. ALLEN, Mr. BALDACCI, Mr. DOYLE, Mr. FRANK, Mr. FROST, Mr. GREEN of Texas, Mr. MORAN of Virginia, Mr. MOORE, Mr. PALLONE, Ms. SCHAKOWSKY, Ms. NORTON, Mr. BLAGOJEVICH, Mr. RUSH, Mr. TOWNS, Mr. STRICKLAND, Mr. KLECZKA, Mr. BOUCHER, Mrs. CHRISTENSEN, Mrs. THURMAN, Mr. ENGEL, Mr. TIERNEY, Mr. JOHN, Mr. MARKEY, Mr. WATT of North Carolina, Mr. OWENS, Mr. WYNN, Mr. NADLER, Mrs. CAPPS, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. KILDEE, and Mr. JEFFERSON):

H.R. 2630. A bill to amend titles XIX and XXI of the Social Security Act to provide for FamilyCare coverage for parents of enrolled children, and for other purposes; to the Committee on Energy and Commerce.

By Ms. DUNN (for herself and Mr. CRAMER):

H.R. 2631. A bill to accelerate the repeal of the estate and generation-skipping transfer taxes and the reduction in the maximum gift tax rate; to the Committee on Ways and Means.

By Mr. FOLEY (for himself, Mrs. CAPITO, and Mr. TERRY):

H.R. 2632. A bill to amend title XVIII of the Social Security Act to provide Medicare beneficiaries with access to affordable outpatient prescription drugs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRELINGHUYSEN (for himself, Mr. GRUCCI, Mrs. KELLY, Mr. HINCHEY, Mr. GILMAN, Mr. ACKERMAN, Mr. KING, Mr. SANDERS, Mr. PALLONE, Mrs. ROUKEMA, Mrs. MCCARTHY of New York, Mr. LAFALCE, Ms. DELAURO, Mr. MCHUGH, Mr. FOSSELLA, Mr. CROWLEY, Mr. WEINER, Mr. BASS, Mr. PASCRELL, Mr. LARSON of Connecticut, Mr. PAYNE, Mr. HOLT, Mr. SWEENEY, Mr. MCNULTY, Mr. FERGUSON, Mr. MENENDEZ, Mr. ROTHMAN, and Ms. VELAZQUEZ):

H.R. 2633. A bill to require the Secretary of Veterans Affairs to replace with a more equitable formula the current formula, known as the Veterans Equitable Resource Allocation (VERA), for the allocation of funds appropriated to the Department of Veterans Affairs for medical care to different geographic regions of the Nation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRELINGHUYSEN (for himself, Mr. GRUCCI, Mrs. KELLY, Mr. HINCHEY, Mr. GILMAN, Mr. ACKERMAN, Mr. KING, Mr. SANDERS, Mr. PALLONE, Mrs. ROUKEMA, Mrs. MCCARTHY of New York, Mr. LAFALCE, Ms. DELAURO, Mr. MCHUGH, Mr. FOSSELLA, Mr. CROWLEY, Mr. WEINER, Mr. BASS, Mr. PASCRELL, Mr. LARSON of Connecticut, Mr. PAYNE, Mr. HOLT, Mr. SWEENEY, Mr. MCNULTY, Mr. FERGUSON, Mr. MENENDEZ, Mr. ROTHMAN, Ms. VELAZQUEZ, Mrs. MALONEY of New York, and Mr. SAXTON):

H.R. 2634. A bill to require the Secretary of Veterans Affairs to modify the formula, known as the Veterans Equitable Resource Allocation (VERA) system, for the allocation of funds appropriated to the Department of Veterans Affairs for medical care to different geographic regions of the Nation, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GREEN of Texas:

H.R. 2635. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to allow States and localities to provide primary and preventive care to all individuals; to the Committee on Energy and Commerce.

By Mr. KENNEDY of Rhode Island (for himself, Mr. GILMAN, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. STRICKLAND, Mr. STARK, Mr. DEFAZIO, Mr. SANDERS, Mr. UDALL of New Mexico, Ms. JACKSON-LEE of Texas, Mr. OWENS, Ms. NORTON, Ms. MCKINNEY, Mr. MCGOVERN, Mr. BONIOR, Ms. SCHAKOWSKY, Ms. SOLIS, Mr. HILLIARD, Mr. FORD, Mrs. JONES of Ohio, Mr. CRAMER, Mr. LANGEVIN, Mr. TOM DAVIS of Virginia, Mr. FOLEY, Mr. CUMMINGS, Mr. SANDLIN, Mr. ABERCROMBIE, Mr. SCOTT, Mrs. MINK of Hawaii, Mr. BLAGOJEVICH, Mr. MEEKS of New York, Mr. ALLEN, Mr. KUCINICH, Mr. REYES, Mr. CONYERS, Mr. FATTAH, and Ms. WATSON):

H.R. 2636. A bill to establish a grant program to promote emotional and social development and school readiness; to the Committee on Education and the Workforce.

By Mr. LOBIONDO (for himself, Mr. CAPUANO, Mrs. BONO, Mr. BALDACCI, Mr. SPRATT, Mr. REYES, Mr. DUNCAN, and Mr. SPENCE):

H.R. 2637. A bill to correct inequities in the second round of empowerment zones and enterprise communities; to the Committee on Financial Services, and in addition to the Committee on Agriculture, 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. MCKEON (for himself, Mr. BERMAN, Mr. PETERSON of Pennsylvania, Mr. SANDLIN, Mrs. MORELLA, Mr. FRANK, Mr. BOEHLERT, Mr. PAUL, Mr. MATSUI, Mr. STARK, Mrs. DAVIS of California, Ms. LEE, Mr. BALDACCI, Mr. RUSH, Mr. ALLEN, Mr. FILNER, Mr. LANTOS, Ms. LOFGREN, Mr. FROST, Mr. SHERMAN, Mr. BACA, Mr. SCHIFF, Mr. WAXMAN, Ms. WATERS, Ms. WOOLSEY, Ms. ROYBAL-ALLARD, Ms. SOLIS, Ms. WATSON, and Ms. ESHOO):

H.R. 2638. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Ways and Means.

By Mr. PITTS (for himself, Mr. SOUDER, Mr. KIND, Mr. PETERSON of Pennsylvania, Mr. FATTAH, Mr. ENGLISH, Mr. GEKAS, and Mr. REGULA):

H.R. 2639. A bill to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products; to the Committee on Education and the Workforce.

By Mr. SERRANO (for himself and Mr. LEWIS of Georgia):

H.R. 2640. A bill to establish the Elie Wiesel Youth Leadership Congressional Fellowship Program in the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. STARK:

H.R. 2641. A bill to amend the Internal Revenue Code of 1986 to deny any deduction for certain gifts and benefits provided to physicians by prescription drug manufacturers; to the Committee on Ways and Means.

By Mr. UPTON (for himself and Mr. STUPAK):

H.R. 2642. A bill to establish a National Commission on Farmworkers and Federal Health Coverage to study the problems of farmworkers under the Medicaid Program and the State children's health insurance program (SCHIP); to the Committee on Energy and Commerce.

By Mr. WU (for himself, Mr. BAIRD, and Mr. SOUDER):

H.R. 2643. A bill to authorize the aquisition of additional lands for inclusion in the Fort Clatsop National Memorial in the State of Oregon, and for other purposes; to the Committee on Resources.

By Mr. YOUNG of Alaska (for himself, Mr. HAYWORTH, Mr. CAMP, and Mr. CANNON):

H.R. 2644. A bill to make technical amendments to the Indian Child Welfare Act of 1978; to the Committee on Resources.

By Mr. BOSWELL:

H.R. 2645. A bill to amend the Public Health Service Act to establish a National Organ and Tissue Donor Registry that works in conjunction with State organ and tissue donor registries, to create a public-private partnership to launch an aggressive outreach and education campaign about organ and tissue donation and the Registry, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTS:

H.J. Res. 58. A joint resolution proposing an amendment to the Constitution of the United States to limit the number of consecutive terms that a Member of Congress may serve; to the Committee on the Judiciary.

By Mr. STEARNS (for himself and Mr. LEWIS of Georgia):

H. Con. Res. 197. Concurrent resolution expressing the sense of Congress regarding the establishment of Chronic Obstructive Pulmonary Disease Awareness Month; to the Committee on Government Reform.

By Mr. MEEKS of New York (for himself, Mr. MENENDEZ, Mr. RANGEL, Mrs. CHRISTENSEN, Mr. HINCHEY, Mrs. CLAYTON, Mr. TOWNS, Mr. JACKSON of Illinois, Ms. MCKINNEY, Mr. CLAY, Ms. BROWN of Florida, Mrs. MEEK of Florida, Mr. RUSH, Mrs. JONES of Ohio, Mr. PAYNE, Mr. WYNN, Mr. OWENS, Mr. THOMPSON of Mississippi, Mr. FATTAH, Mr. HASTINGS of Florida, Mr. ENGEL, Mr. FALEOMAVAEGA, Mrs. MALONEY of New York, and Mr. QUINN):

H. Con. Res. 198. Concurrent resolution expressing the sense of Congress regarding civil unrest in Jamaica; to the Committee on International Relations.

By Mr. RANGEL:

H. Con. Res. 199. Concurrent resolution expressing the sense of the Congress regarding the national nutrition program for the elderly, on the occasion of the 30th anniversary of its establishment; to the Committee on Education and the Workforce.

By Mr. TIAHRT (for himself and Mr. CHAMBLISS):

H. Con. Res. 200. Concurrent resolution expressing the sense of Congress in opposition to the retirement of 33 B–1 Lancer aircraft as proposed by the Air Force; to the Committee on Armed Services.

By Mr. FROST:

H. Res. 207. A resolution designating minority memebership on certain standing committees of the House; considered and agreed to.

By Ms. BROWN of Florida:

H. Res. 208. A resolution expressing the sense of the House of Representatives that a postage stamp should be issued in honor of Zora Neale Hurston; to the Committee on Government Reform.

ADDITIONAL SPONSORS

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

H.R. 25: Mrs. MALONEY of New York.
H.R. 133: Mr. ABERCROMBIE.
H.R. 134: Mr. UNDERWOOD and Mr. EVANS.
H.R. 179: Mr. BURTON of Indiana.
H.R. 292: Ms. MILLENDER-MCDONALD, Mr. ACKERMAN, Mr. FROST, Mr. MCNULTY, and Ms. WOOLSEY.
H.R. 293: Mr. UDALL of Colorado.
H.R. 303: Mr. ISSA.
H.R. 326: Mr. KIRK.
H.R. 331: Mr. SCHAFFER and Mr. BROWN of South Carolina.
H.R. 397: Mr. PLATTS, Mr. LOBIONDO, Mr. HONDA, Mr. RUSH, Mr. CLYBURN, Mrs. DAVIS of California, Mr. BOSWELL, Ms. BROWN of Florida, Mr. DAVIS of Illinois, and Ms. KAPTUR.
H.R. 481: Mr. NADLER.
H.R. 490: Mr. THOMPSON of Mississippi, Mr. HYDE, Mr. GREENWOOD, Mr. TAYLOR of Mississippi, and Mr. SNYDER.
H.R. 491: Mr. BROWN of South Carolina, Ms. MILLENDER-MCDONALD, Ms. LEE, and Mrs. NAPOLITANO.
H.R. 527: Mr. FORBES, Mr. GRAHAM, and Mr. HALL of Texas.
H.R. 534: Mr. MOORE, Mr. WELLER, and Mr. BEREUTER.
H.R. 632: Mr. TRAFICANT.
H.R. 638: Mr. LEWIS of Georgia.
H.R. 664: Mr. BOSWELL and Mr. PETERSON of Minnesota.
H.R. 677: Ms. KAPTUR, Ms. HART, and Mr. HOSTETTLER.
H.R. 742: Mr. BOUCHER, Ms. ESHOO, and Mr. LEACH.
H.R. 747: Mr. SHERMAN.
H.R. 781: Mr. DINGELL.
H.R. 836: Mr. SMITH of Washington.
H.R. 902: Mr. KUCINICH.
H.R. 912: Mr. PLATTS.
H.R. 917: Mr. SANDERS.
H.R. 975: Mr. KENNEDY of Rhode Island.
H.R. 1051: Mr. ISRAEL.
H.R. 1089: Mr. SHAW.
H.R. 1090: Mr. PRICE of North Carolina, Mr. PASTOR, Mr. LATOURETTE, and Ms. ROYBAL-ALLARD.
H.R. 1097: Mr. FILNER.
H.R. 1143: Mr. ANDREWS and Mr. HALL of Ohio.
H.R. 1155: Mrs. DAVIS of California, Mr. REHBERG, Mr. SAWYER, Mr. THOMPSON of Mississippi, Mr. SIMMONS, and Mr. LANGEVIN.
H.R. 1170: Mr. TIERNEY.
H.R. 1254: Mr. BEREUTER.
H.R. 1331: Mr. CLEMENT and Mr. SIMMONS.
H.R. 1361: Mr. BONIOR, Mr. FILNER, and Mr. GONZALEZ.
H.R. 1382: Mr. PRICE of North Carolina.
H.R. 1388: Mr. GILCHREST.
H.R. 1408: Mrs. NORTHUP and Ms. PRYCE of Ohio.
H.R. 1464: Mr. HASTINGS of Florida.
H.R. 1465: Mr. SIMMONS.
H.R. 1487: Mr. ROHRABACHER.
H.R. 1597: Mr. WAMP.
H.R. 1645: Mr. MOLLOHAN, Mr. SMITH of Washington, and Ms. MCCARTHY of Missouri.
H.R. 1700: Ms. WOOLSEY, Mr. FATTAH, and Mr. COOKSEY.
H.R. 1707: Mr. BLUMENAUER.
H.R. 1718: Mr. MOLLOHAN, Mr. ROTHMAN, Mr. KANJORSKI, Ms. BERKLEY, Mr. JOHN, Mr. BERRY, and Mr. DICKS.
H.R. 1733: Mr. MOLLOHAN and Mr. PASCRELL.
H.R. 1774: Ms. ROS-LEHTINEN.
H.R. 1822: Mr. STRICKLAND and Mr. LAHOOD.
H.R. 1891: Mr. NETHERCUTT.
H.R. 1895: Mr. WHITFIELD.
H.R. 1975: Mr. INSLEE, Mr. DEMINT, and Mr. GILLMOR.
H.R. 1990: Ms. ESHOO.
H.R. 1997: Mr. HOYER.
H.R. 2001: Mr. YOUNG of Alaska.
H.R. 2081: Ms. HART.
H.R. 2096: Mr. GARY G. MILLER of California, Mr. CHABOT, Mr. WELLER, and Mr. KERNS.
H.R. 2117: Mr. FORD, Mr. GRAHAM, and Mrs. LOWEY.
H.R. 2122: Mr. BEREUTER.
H.R. 2123: Mr. EHRLICH and Mr. GRAVES.
H.R. 2125: Mrs. MINK of Hawaii.
H.R. 2138: Ms. WATSON.
H.R. 2158: Ms. BERKELY.
H.R. 2164: Ms. HART.
H.R. 2166: Mr. MCDERMOTT.
H.R. 2174: Mr. SNYDER and Mr. KUCINICH.
H.R. 2175: Mr. KERNS, Mr. PLATTS, and Mr. KILDEE.
H.R. 2177: Mr. CARSON of Oklahoma, Mr. ISTOOK, and Mr. ROHRABACHER.
H.R. 2181: Mrs. MINK of Hawaii, Mr. LARSEN of Washington, and Mr. BACA.

H.R. 2220: Mr. HEFLEY and Mr. FRANK.
H.R. 2263: Ms. ESHOO.
H.R. 2281: Mr. RANGEL, Mr. WATT of North Carolina, Mr. MATSUI, and Mr. THOMPSON of Mississippi.
H.R. 2294: Mr. PRICE of North Carolina and Mr. ABERCROMBIE.
H.R. 2302: Mrs. MINK OF HAWAII.
H.R. 2308: Mr. HUTCHINSON.
H.R. 2315: Mr. BURTON of Indiana.
H.R. 2354: Mr. GILMAN.
H.R. 2364: Mr. KENNEDY of Rhode Island, Mr. MOLLOHAN, and Mr. MATSUI.
H.R. 2375: Ms. SLAUGHTER, Mr. MCGOVERN, Mr. PASCRELL, Mr. FORD, Mr. MARKEY, Mr. TIERNEY, and Mr. SAWYER.
H.R. 2410 : Mr. STEARNS.
H.R. 2417: Mrs. BONO.
H.R. 2453: Mr. EHRLICH.
H.R. 2487: Mr. DAVIS of Ilinois.
H.R. 2550: Mr. KNOLLENBERG, Mr. MCDERMOTT, and Mrs. THURMAN.
H.R. 2558: Mr. GUTKNECHT.
H.R. 2560: Mr. COSTELLO and Mr. RUSH.
H.R. 2563: Mr. SCHIFF, Mr. RAHALL, and Mrs. LOWEY.
H.R. 2592: Ms. BALDWIN.
H.R. 2605: Mr. ABERCROMBIE.
H.J. Res. 6: Mr. GRUCCI.
H. Con. Res. 17: Mr. WEINER.
H. Con. Res. 77: Ms. SCHAKOWKY, Mr. BROWN of Ohio, Ms. ESCHOO, Mr. GUTIERREZ, Mr. KUCINICH, Mr. HINCHEY, and Mr. SCOTT.
H. Con. Res. 131: Mr. GILMAN, Mr. SHIMKUS, Mr. BLAGOJEVICH, Mr. TERRY, Ms. SLAUGHTER, Mr. HOEFFEL, Mr. KNOLLENBERG, and Mr. MCGOVERN.
H. Con. Res. 164: Mr. FILNER.
H. Con. Res. 178: Ms. ROS-LEHTINEN.
H. Con. Res. 188: Mr. KILDEE, Ms. ROYBAL-ALLARD, Mr. ANDREWS, Mr. BOSWELL, Mr. PETRI, Mr. ALLEN, Mr. UDALL of New Mexico, Mr. BONIOR, Mr. TERRY, Mr. DEFAZIO, and Ms. JACKSON-LEE of Texas.
H. Con. Res. 195: Mr. SMITH of New Jersey, and Ms. ESHOO.
H. Res. 132: Mr. TIERNEY and Mr. FRANK.
H. Res. 133: Mrs. TAUSCHER, Mr. SHAYS, Mr. FROST, Mr. STRICKLAND, Mr. LEACH, Ms. LOFGREN, Mrs. KELLY, Ms. KILPATRICK, Mr. CONYERS, Mr. ENGEL, and Mr. UDALL of Colorado.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2620

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC. ____. For an additional amount for the Environmental Protection Agency for grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) for State expenses of formulating source water assessment programs under section 1453 of such Act, and the amount otherwise provided in this Act for ''Department of Housing and Urban Development—Management and Administration—Salaries and Expenses'' is hereby reduced by, $85,000,000.

H.R. 2620

OFFERED BY: MR. ANDREWS

AMENDMENT NO. 2: In title III, in the item relating to ''CONSUMER PRODUCT SAFETY COMMISSION—SALARIES AND EXPENSES'', insert before the period at the end the following:

: *Provided,* That, of the amount provided under this heading for nonsalary expenses, $2,500,000 shall not be available for obligation until June 1, 2002

H.R. 2620

OFFERED BY: MR. KLECZKA

AMENDMENT NO. 3: At the end of title I, insert the following new section:

SEC. ____. (a) AUTHORITY OF DEPARTMENT OF VETERANS AFFAIRS PHARMACIES TO DISPENSE MEDICATIONS TO VETERANS ON PRESCRIPTIONS WRITTEN BY PRIVATE PRACTITIONERS.—Subsection (d) of section 1712 of title 38, United States Code, is amended to read as follows:

''(d) Subject to section 1722A of this title, the Secretary shall furnish to a veteran such drugs and medicines as may be ordered on prescription of a duly licensed physician in the treatment of any illness or injury of the veteran.''.

(b) CLERICAL AMENDMENTS.—(1) The heading of such section is amended by striking the sixth through ninth words.

(2) The item relating to that section in the table of sections at the beginning of chapter 17 of that title is amended by striking the sixth through ninth words.

H.R. 2620

OFFERED BY: MR. ROEMER

AMENDMENT NO. 4: In the item relating to ''DEPARTMENT OF VETERANS AFFAIRS—VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH'', after the aggregate dollar amount, insert the following: ''(increased by $10,000,000)''.

In the item relating to ''DEPARTMENT OF VETERANS AFFAIRS—DEPARTMENTAL ADMINISTRATION—GENERAL OPERATING EXPENSES'', after the aggregate dollar amount, insert the following: ''(increased by $56,000,000)''.

In the item relating to ''DEPARTMENT OF VETERANS AFFAIRS—DEPARTMENTAL ADMINISTRATION—CONSTRUCTION, MINOR PROJECTS'', after the aggregate dollar amount, insert the following: ''(increased by $10,000,000)''.

In the item relating to ''DEPARTMENT OF VETERANS AFFAIRS—DEPARTMENTAL ADMINISTRATION—GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES'', after the aggregate dollar amount, insert the following: ''(increased by $30,000,000)''.

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', after the aggregate dollar amount in the first paragraph, insert the following: ''(reduced by ⟦$1,831,300,000,00⟧) (increased by $300,000,000)''.

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', after the aggregate dollar amount specified in the second paragraph for the development of a crew return vehicle, insert the following: ''(reduced by ⟦$275,000,000⟧)''.

In the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—SCIENCE, AERONAUTICS AND TECHNOLOGY'', after the aggregate dollar amount, insert the following: ''⟦(reduced by $343,600,000)⟧ (increased by $290,000,000) (increased by $20,000,000) (increased by $6,000,000) (increased by $49,000,000)''.

In the item relating to ''NATIONAL SCIENCE FOUNDATION—RESEARCH AND RELATED ACTIVITIES'', after the aggregate dollar amount, insert the following: ''(increased by $405,000,000)''.

In the item relating to ''NATIONAL SCIENCE FOUNDATION—MAJOR RESEARCH FACILITIES CONSTRUCTION AND EQUIPMENT'', after the aggregate dollar amount, insert the following: ''(increased by $62,000,000)''.

In the item relating to ''NATIONAL SCIENCE FOUNDATION—EDUCATION AND HUMAN RESOURCES'', after the aggregate dollar amount, insert the following: ''(increased by $34,700,000)''.

In the item relating to ''NATIONAL SCIENCE FOUNDATION—SALARIES AND EXPENSES'', after the aggregate dollar amount, insert the following: ''(increased by $5,900,000)''.

H.R. 2620

OFFERED BY: MR. ROEMER

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the National Aeronautics and Space Administration—

(1) to obligate amounts for the International Space Station in contravention of the cost limitations established by section 202 of the National Aeronautics and Space Administration Authorization Act of 2000 (Pub. L. 106–391; 42 U.S.C. 2451 note); or

(2) to defer or cancel construction of the Habitation Module, Crew Return Vehicle, or Propulsion Module elements of the International Space Station.

H.R. 2620

OFFERED BY: MRS. CAPPS

AMENDMENT NO. 6: In title III, in the item relating to ''FEDERAL EMERGENCY MANAGEMENT AGENCY—EMERGENCY PLANNING AND ASSISTANCE'', strike the period at the end and insert the following:

: *Provided,* That of the funds made available under this heading, $25,000,000 shall be available for purposes of predisaster hazard mitigation pursuant to section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133).

H.R. 2620

OFFERED BY: MRS. CAPPS

AMENDMENT NO. 7: In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—ENVIRONMENTAL PROGRAMS AND MANAGEMENT'', after the last dollar amount, insert the following: ''(reduced by $7,200,000)''.

In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—LEAKING UNDERGROUND STORAGE TANK TRUST FUND'', after the last dollar amount, insert the following: ''(increased by $7,200,000)''.

H.R. 2620

OFFERED BY: MR. DAVIS OF ILLINOIS

AMENDMENT NO. 8: In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING CAPITAL FUND'', after the aggregate dollar amount insert the following: ''(reduced by $1,265,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)'', after the aggregate dollar amount insert the following: ''(increased by $100,000,000)''.

H.R. 2620

OFFERED BY: MR. DAVIS OF ILLINOIS

AMENDMENT NO. 9: At the end of title II, insert the following new section:

SEC. 2____. For carrying out the Public and Assisted Housing Drug Elimination Act of 1990 (42 U.S.C. 11901 et seq.), and the aggregate amount otherwise provided in by this title for ''PUBLIC AND INDIAN HOUSING—PUBLIC HOUSING CAPITAL FUND'' is hereby reduced by, $100,000,000.

H.R. 2620

OFFERED BY: MR. EVANS

AMENDMENT NO. 10: In title I, in the paragraph under the heading ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', after the first dollar amount, insert the following: ''(increased by $1,200,000,000)''.

In title III, under the heading ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', after the dollar amount, insert the following: ''(reduced by $1,520,000,000)''.

H.R. 2620

OFFERED BY: MR. EVANS

AMENDMENT NO. 11: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. None of the funds provided by this Act may be used for the purpose of implementing any administrative proposal that would require military retirees to make an ''irrevocable choice'' for any specified period of time between Department of Veterans Affairs or military health care under the new TRICARE for Life plan authorized in the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public 106–398).

H.R. 2620

OFFERED BY: MR. FRELINGHUYSEN

AMENDMENT NO. 12: At the end of the bill, after the last section (before the short title) insert the following new section:

SEC. ____. None of the funds made available in this Act may be used by the Department of Veterans Affairs to implement or administer the Veterans Equitable Resource Allocation system.

H.R. 2620

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 13: In title I, in the paragraph under the heading ''VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH'', after the dollar amount, insert the following: ''(increased by $24,000,000)''.

In title III, under the heading ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—HUMAN SPACE FLIGHT'', after the dollar amount, insert the following: ''(reduced by $24,000,000)''.

H.R. 2620

OFFERED BY: MR. HOLT

AMENDMENT NO. 14: At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. ____. The Director of the Federal Emergency Management Agency may hereafter provide assistance under section 33 of the Federal Fire Prevention and Control Act of 1974, as added by Public Law 106–398 (15 U.S.C. 2229) to non-profit emergency medical service units and non-profit ambulance services, even if such units and services are independent and do not fall organizationally under the auspices of fire departments.

H.R. 2620

OFFERED BY: MR. LAFALCE

AMENDMENT NO. 15: In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the aggregate dollar amount, insert the following: ''(reduced by $100,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the dollar amount specified for the Downpayment Assistance Initiative, insert the following: ''(reduced by $100,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOMELESS ASSISTANCE GRANTS'', after the aggregate dollar amount, insert the following: ''(increased by $122,600,000)''.

In title II, in the item relating to ''MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'', after the aggregate dollar amount, insert the following: ''(reduced by $22,600,000)''.

H.R. 2620

OFFERED BY: MR. MENENDEZ

AMENDMENT NO. 16: In the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—ENVIRONMENTAL PROGRAMS AND MANAGEMENT'', after the aggregate dollar amount, insert the following: ''(reduced by $25,000,000) (increased by $25,000,000)''.

H.R. 2620

OFFERED BY: MR. NADLER

AMENDMENT NO. 17: In title I, in the item relating to ''DEPARTMENTAL ADMINISTRATION—GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES'', after the first dollar amount insert the following: ''(increased by $4,806,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the aggregate dollar amount insert the following: ''(increased by $195,194,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the seventh dollar amount (relating to incremental vouchers), insert the following: ''(increased by $195,194,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the eighth dollar amount (relating to amounts made available on a fair share basis), insert the following: ''(increased by $144,762,000)''.

In title II, in the item relating to ''PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after the ninth dollar amount (relating to amounts made available to nonelderly disabled families), insert the following: ''(increased by $50,432,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the aggregate dollar amount insert the following: ''(reduced by $200,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—HOME INVESTMENT PARTNERSHIPS PROGRAM'', after the second dollar amount (relating to the Downpayment Assistance Initiative) insert the following: ''(reduced by $200,000,000)''.

H.R. 2620

OFFERED BY: MR. OBEY

AMENDMENT NO. 18. At the end of the bill, insert the following new section:

''SEC. 427. Paragraph (2) of section 1(i) of the Internal Revenue Code of 1986 (relating to reductions in rates after June 30, 2001), is amended by adding after the table the following:

''In the case of taxable years beginning during calendar year 2002, the preceding table shall be applied by substituting '39.1%' for '38.6%'.''

In Title I, ''DEPARTMENT OF VETERANS AFFAIRS, VETERANS HEALTH ADMINISTRATION'':

In the paragraph ''Medical Care'', strike ''$21,281,587,000'' and insert ''$21,581,587,000'' in lieu thereof.

In Title II, ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, PUBLIC HOUSING CAPITAL FUND'':

In the paragraph entitled ''Public Housing Capital Fund'', strike ''$2,555,000,000'' and insert ''$2,822,000,000'' in lieu thereof.

In Title II, ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, RURAL HOUSING'':

After the paragraph entitled ''Housing Opportunities for Persons with AIDS'' insert the following new paragraph:

''RURAL HOUSING AND ECONOMIC DEVELOPMENT

''For the Office of Rural Housing and Economic Development, $25,000,000.''

In Title II, ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT:''

After the paragraph entitled ''Homeless Assistance Grants: insert the following new section:

''SHELTER PLUS CARE RENEWALS

''For the renewal on an annual basis or amendment of contracts funded under the Shelter Plus Care program, as authorized under subtitle F of Title IV of the McKinney-Vento Homeless Assistance Act, as amended, $100,000,000, to remain available until expended: *Provided*, That each Shelter Plus Care project with an expiring contract shall be eligible for renewal only if the project is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary.''

In Title III, ''ENVIRONMENTAL PROTECTION AGENCY, ENVIRONMENTAL PROGRAMS AND MANAGEMENT'':

In the paragraph entitled ''Environmental Programs and Management'', strike ''$2,014,799,000'' and insert ''$2,021,799,000 in lieu thereof''.

At the end of the paragraph entitled ''Environmental Programs and Management'', insert:

'': *Provided further*, That the on-board staffing level of the Office of Enforcement and Compliance Assistance shall be maintained at not less than the level authorized for this Office as of December 31, 2000''.

In Title III, CORPORATION FOR NATIONAL AND COMMUNITY SERVICE'':

Strike the paragraph following the center head entitled ''National and Community Service Programs, Operating Expenses'' and insert the following new section:

''(INCLUDING TRANSFER OF FUNDS)

''For necessary expenses for the Corporation for National and Community Service (the ''Corporation'') in carrying out programs, activities, and initiatives under the National and Community Service Act of 1990 (the ''Act'') (42 U.S.C. 12501 et seq.), $311,000,000, to remain available until September 30, 2003: *Provided*, That not more than 450,000,000, to remain available without fiscal year limitation, shall be transferred to the National Service Trust account for educational awards authorized under subtitle D of title I of the Act (42 U.S.C. 12601 et seq.).''.

H.R. 2620

OFFERED BY: MR. PALLONE

AMENDMENT NO. 19: In the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—ENVIRONMENTAL PROGRAMS AND MANAGEMENT'', after the aggregate dollar amount, insert the following: ''(reduced by $3,000,000)''.

In the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—STATE AND TRIBAL ASSISTANCE GRANTS'', after the 1st and 7th dollar amounts, insert the following: ''(increased by $3,000,000)''.

H.R. 2620

OFFERED BY: MR. ROEMER

AMENDMENT NO. 20: In title III, under the heading ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION'', before the item relating to ''OFFICE OF INSPECTOR GENERAL'', insert the following:

REDUCTION OF AMOUNTS FOR INTERNATIONAL SPACE STATION

The amounts otherwise provided in this title for the following accounts and activities are hereby reduced by the following amounts:

(1) ''Human Space Flight'', the aggregate amount specified in the first paragraph of such account, $1,531,300,000.

(2) ''Human Space Flight'', the amount specified in the second paragraph of such account for the development of a crew return vehicle, $275,000,000.

(3) ''Science, Aeronautics and Technology'', the aggregate amount, $343,600,000.

H.R. 2620

OFFERED BY: MR. SMITH

AMENDMENT NO. 21: In the item relating to ''NATIONAL SCIENCE FOUNDATION—SALARIES AND EXPENSES'', insert before the proviso the following:

, of which not less than $580,000 shall be available for experienced scientific construction management professionals

H.R. 2620

OFFERED BY: MS. VELAZQUEZ

AMENDMENT NO. 22: In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the aggregate dollar amount, insert the following: ''(increased by $10,000,000)''.

In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT FUND'', after the dollar amount specified for Youthbuild program activities, insert the following: ''(increased by $10,000,000)''.

In title II, in the item relating to ''MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES'', after the aggregate dollar amount, insert the following: ''(reduced by $10,000,000)''.

H.R. 2620

OFFERED BY: MR. WALDEN OF OREGON

AMENDMENT NO. 23: Insert before the undesignated paragraph at the end of the bill that contains the short title for the bill the following:

SEC. 427. DISASTER RELIEF FOR ECONOMIC HARDSHIPS CAUSED BY APPLICATION OF ENDANGERED SPECIES ACT.

Section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) is amended by adding at the end the following: ''Such term also includes any application of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) which, in determination of the President, causes economic hardship of sufficient severity and magnitude to warrant major disaster assistance under this Act.''.