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.

□ 1215

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.

□ 1230

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.