

immunity requires further clarification at conference.

We have a duty to be clear and precise when we grant such an extraordinary benefit as legal immunity to a private company. I raise this today because I want this issue to be further resolved in the Conference Committee, prior to enactment.

I look forward to working with my colleagues, Senators HOLLINGS, MCCAIN, LOTT, STEVENS, BURNS and others on the Commerce Committee to ensure that this clarification problem is corrected.

Mr. DODD. Mr. President, I am pleased that today we will pass S. 376, which concerns the important topic of International Satellite Reform. I have followed the issue with interest for years, in part because in my Foreign Relations Committee work, we have addressed the market access concerns that are a critical part of opening up this industry.

Although it is significant to finally have the Senate on record supporting the need for a competitive restructuring of the international satellite market, this bill will need some work before it can achieve that goal. It does not make sense to address this issue for the first time in over 35 years, and to leave some issues unresolved. I believe that there is room for improvement with respect to balancing incentives and leverage in making the international marketplace more competitive. I also believe we need to move quickly to normalize our relations with Intelsat, and its U.S. component, Comsat.

I urge the Senate conferees from the Commerce Committee to continue their good work by tightening up this bill and removing unnecessary loopholes.

AMENDMENT NO. 1221

Mr. BURNS. There is a managers' amendment at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Montana [Mr. BURNS], for himself, Mr. LOTT, and Mr. STEVENS, proposes an amendment numbered 1221.

Mr. BURNS. I ask unanimous consent that the reading of the amendment be dispensed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Section 4 of S. 376 (as amended by the "ORBIT" substitute) is amended by striking proposed

Section 603 of the Communications Satellite Act of 1962 and inserting the following new section:

**"SEC. 603. RESTRICTIONS PENDING PRIVATIZATION.**

(a) INTELSAT shall be prohibited from entering the United States market directly to provide any satellite communications serv-

ices or space segment capacity to carriers (other than the United States signatory) or end users in the United States until July 1, 2001 or until INTELSAT achieves a pro-competitive privatization pursuant to section 613 (a) if privatization occurs earlier.

(b) Notwithstanding subsection (a), INTELSAT shall be prohibited from entering the United States market directly to provide any satellite communications services or space segment capacity to any foreign signatory, or affiliate thereof, and no carrier, other than the United States signatory, nor any end user, shall be permitted to invest directly in INTELSAT.

(c) Pending INTELSAT's privatization, the Commission shall ensure that the United States signatory is compensated by direct access users for the costs it incurs in fulfilling its obligations under this Act.

(d) The provisions of subsections (b) and (c) shall remain in effect only until INTELSAT achieves a pro-competitive privatization pursuant to section 613(a)."

On line 21, page 32, Section 612(b), insert "subsection" after the word "under".

On line 21, page 32, Section 612(b), replace "consider" with "determine whether".

On line 23, page 32, Section 612(b), insert "exist" after the word "connections".

On line 9, page 33, Section 612(b)(4), after "ownership", insert "and whether the affiliate is independent of IGO signatories or former signatories who control telecommunications market access in their home territories."

On line 19, page 35, section 613(c)(1), after "taxation", insert "and does not unfairly benefit from ownership by former signatories who control telecommunications market access to their home territories."

On line 13, page 37, Section 613(d), replace "consider" with "determine".

On line 14, page 37, Section 613(d), insert "and Inmarsat" after "INTELSAT".

Mr. BURNS. I ask unanimous consent that the amendment be considered as read and agreed to, the committee substitute be agreed to, as amended, and the bill be read for the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1221) was agreed to.

The committee substitute, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. BURNS. Mr. President, I thank our distinguished Majority Leader and Senator STEVENS for working with me, Senator MCCAIN, Senator HOLLINGS, and Senator BREAUX on the passage of S. 376, the Open-Market Reorganization for the Betterment of International Telecommunications Act, better known as "ORBIT."

The passage of ORBIT by unanimous consent today clearly indicates the Senate's overwhelming support for the approach taken in ORBIT to reform our satellite communications laws. I look forward to working with my good

friend in the other body, Chairman BLYLEY, on getting this legislation enacted into law this year.

ORBIT is a truly bipartisan bill that updates the Satellite Communications Act of 1962, expands competition, and encourages new market entrants in satellite communications. It will help to secure the rapid and pro-competitive privatization of INTELSAT by a date certain of January 1, 2002. The bill provides new incentives for INTELSAT's privatization, while at the same time, carries tough consequences if INTELSAT fails to achieve this important objective.

The bill also brings needed reform to the U.S. signatory to INTELSAT, COMSAT, by removing its special privileges and immunities. In addition, the bill eliminates outdated statutory restrictions on the ownership of COMSAT, which will allow COMSAT to function like a normal, private commercial company.

ORBIT will enhance competition in satellite communications, bringing far reaching and long-term benefits to consumers both here and abroad. I thank my colleagues on both sides of the aisle, and I especially want to thank the staff. The staff of all parties was involved in this. There have been long hours and long days devoted to this particular issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I yield to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

DISTRICT OF COLUMBIA  
APPROPRIATIONS ACT, 2000

Mrs. HUTCHISON. Mr. President, at this time I call up Calendar No. 170, S. 1283, the D.C. appropriations bill for fiscal year 2000.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

A bill (S. 1283) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for fiscal year ending September 30, 2000, and for other purposes.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I ask my colleague from Georgia if he would allow me to make a general statement about the bill for about 5 minutes, and then I will defer to Senator DURBIN if he has a statement?

Mr. COVERDELL. Absolutely.

Mrs. HUTCHISON. Mr. President, I am pleased to bring to the Senate floor the bill making appropriations for the government of the District of Columbia

for fiscal year 2000. This bill is largely the result of the cooperation between Mayor Williams, the city council, and the Financial Control Board. As a result of the hard work of locally elected officials, the Congress and the Financial Control Board, we begin to see signs of a healthier financial picture in the District.

At the end of fiscal year 1998, the District boasted an annual surplus of \$445 million. This surplus allowed the District to eliminate the accumulated deficit.

Having paid that off, the District still realized a \$112 million positive fund balance. The District is projecting a \$282 million fund balance by the end of this year, which is 6 percent of the gross budget. The District's healthy fund balance and improved economic forecasts have helped the District achieve investment grade bond ratings on Wall Street, which will save the District millions in borrowing costs. One of the important provisions in the committee bill creates a mechanism that will help improve this situation even more. I am looking toward a higher bond rating for the city than the level at which it now rests.

While the economic condition of the District is improving, service delivery in our Nation's Capital still has a way to go. The public school system is still in serious condition. Chief among these concerns are recent reports of convicted felons walking away from district-run halfway houses and committing violent crimes. The District government will not be able to attract new families, middle-class families, to the city unless its streets are safe, the schools are effective, and its tax structure is competitive with surrounding jurisdictions.

Despite these problems, the budget moves the city in the correct direction, and I think we are making great progress. The subcommittee has adopted the District's consensus budget with a few modifications. These are the few:

We have again required the District to hold a \$150 million reserve fund, and there are tight restrictions on the use of the reserve fund. It can now serve as a true "rainy day" fund for the city. In addition, we require the District to hold a 4-percent budget surplus. The combination of the reserve and the required surplus will give the District a solid financial cushion that is slightly above what other major cities hold, but it is appropriate for the District in order to improve its bond rating. Any funds above the 4-percent surplus are directed to be used in this manner: No less than half for debt reduction, no more than half for spending on non-recurring expenses.

Currently, the District spends 13 percent of its budget servicing its debt. The highest normal ratio for a city is 10 percent. The reforms envisioned by this bill would bring this more in line with other cities.

The city's debt was at one time so bad that it was not even rated by the major agencies. The city's bond rating is now investment grade, although it is the lowest rank of investment grade. I think this budget will start the process by which that rating will be upgraded. This is so important for the District to save millions in borrowing costs in the future.

In addition, our budget has education reform. The committee has provided \$17 million for the D.C. College Tuition Assistance Program, subject to authorization. I will wait and talk about that a little more when Senator DURBIN discusses it as well.

We have also addressed the issue of charter schools in the city. Many believe that charter schools are an important force for improving education in the city. Our bill adopts the D.C. City Council program to ensure that pupils in both public schools and charter schools receive the same amount of funding. This way, charter schools will remain an education alternative for students in the District.

Everyone knows crime in the District is still too high. We have provided \$5.8 million for drug testing of people on probation. This has worked in other cities and we hope it will bring down the crime rate in the District of Columbia as well. We provided \$1 million to the D.C. police to combat open-air drug markets. This was a special concern expressed by Senator DURBIN, and I think a correct one. These are dens of criminal activity that ruin a neighborhood and spread drugs to children. This money we hope will be used to start wiping out those open-air drug markets.

We have also permitted the District to use economic development funds that we appropriated last year to be used for local tax relief for commercial revitalization. Rebuilding or refurbishing a blighted neighborhood is the most important thing we can do to bring it back into the economic mainstream and keep it safe. The District has found just recently, as the landlord of a number of abandoned properties, that such properties are a magnet for crime and drug use. So these funds can be used for revitalization and public/private partnerships.

The committee tried to address the concerns of the mayor and the council. We certainly intend to improve the education system in the District. We are not where we want to be to make the Capital City the very best city in the whole United States, the beacon for what America is, but we are heading in that direction. It is the goal of Congress to make sure that our Capital City is one that all Americans feel they own and they can be proud of.

I am pleased the Appropriations Committee reported this bill unanimously and look forward to working through the conference with Senator

DURBIN, my ranking member, who has been very cooperative and helpful in getting a bill through that will address the needs the District has and provide for those needs.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me say this is a new assignment for me as a ranking Democrat on the subcommittee on D.C. appropriations. I served in a similar capacity in the House and it has become a subject which I am more familiar with each time the appropriation process begins. But it has been a special pleasure to work with the chairman of this committee, Senator KAY BAILEY HUTCHISON of Texas. This is the first time we worked this closely together. It has been a very professional relationship, and I think a very productive one for the people of the District, as well as the Senate.

I salute, as well, Mary Beth Nethercutt and Jim Hyland of her staff, for their cooperation. I thank, on my side, Terry Sauvain, who is not only the minority clerk for this bill but who also serves as the minority deputy staff director for the Appropriations Committee. I appreciate very much Senator BYRD making him available to help me on this my maiden voyage on the Senate Appropriations Committee.

My staff member, Marianne Upton, of the D.C. authorization subcommittee of the Governmental Affairs Committee has worked tirelessly as well, and I extend my gratitude to her, as well as Liz Blevins and Suzanne Bailey of the committee staff.

May I say at the outset that I am heartened at the election of Mayor Williams in the District of Columbia. I do believe it is a new day for the District. The District has a better chance for a better future than it has had in many years. Those of us who had lost faith in the future of the District of Columbia have had it renewed by the earliest days of his administration. He is a man who is honest. He is a man who is dedicated. He truly wants the very best for the District of Columbia and I am anxious to work with him.

People whom he has hired to this point in his administration include some for whom I have a high regard. Police Chief Ramsey, who was a member of the Chicago police force, was well respected there and I am certain will do a good job here. Terry Gainer, who was the Superintendent of the Illinois State Police, works as an assistant to Chief Ramsey, and he, too, brings extraordinary expertise in the field of law enforcement.

Mr. President, having said that, Senator HUTCHISON has explained this unusual situation where the Congress of the United States, the Federal Government, appropriates money to give to a city government, the D.C. government.

Of course, that is why we are here this evening. We have a special interest in the District of Columbia, not just because the Capitol is located here, but because we believe, as every American does, that this is our city, too. Whatever our hometowns happen to be, the District of Columbia, Washington, DC, is our capital city, and we are very proud of it.

The millions of visitors who come each year really come to enjoy the institutions, the landmarks, the monuments, and all of the things that make this such a wonderful city and respected across the face of the Earth. The building we work in, the U.S. Capitol, is one of the most recognizable buildings in the world, and we are proud to work here, to be part of it, and we understand that Washington, DC, is part of the future of this country and part of our heritage.

Having said that, though, I have to be very candid. When my friends in Illinois and others tell me they are going to visit the District of Columbia, I tell them: Be careful. You have to be careful because, sadly, the crime in the District of Columbia is the worst in the Nation. The murder rate in the District of Columbia is more than twice any other city in the United States and certainly more than any other city in the world, from all the information I have been given. The number of auto thefts is higher in the District of Columbia than anywhere else in the United States of America. The schools, sad to say, are some of the worst. They may be getting better, and we hope they will, but, unfortunately, there are many problems.

When the mayor of the city came to testify before our committee, he said the Annie E. Casey Foundation has done an evaluation of children in the District of Columbia on how our kids are doing in Washington, DC. Time after time, we find they are doing worse than virtually every city in the United States or any State in the Union. As good as the District of Columbia may be, as inspiring as the monuments may be, there are endemic problems in this city which are horrible.

I am happy the revitalization plan has really given the District more voice in its own future. I have tried throughout the years to overcome the temptation to meddle in the politics of the District of Columbia and to let them govern themselves as much as humanly possible.

I can tell you as a person who has spent a good part of his adult life in the District, it has been tempting sometimes to speak up. Tonight I will speak up on an action taken by the D.C. City Council which I think is absolutely irresponsible. I will get to that a little later. But this appropriations bill tries to strike that balance where the Federal Government comes in with

its contribution to the District of Columbia and respects the right of this city to make its own decisions, even if, in the judgment of some Senators here this evening, we think those decisions are wrong.

I, once again, salute Senator HUTCHISON. I know during the course of the debate on the amendments before us we will have a chance to get into more specific issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, under the unanimous consent agreement, at this time we will go to Senator COVERDELL's amendment, and the time will be divided, 20 minutes under the control of Senator COVERDELL and 10 minutes under the control of Senator DURBIN.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I thank the Senator from Texas.

AMENDMENT NO. 1222

(Purpose: To prohibit the use of funds for the distribution of sterile needles or syringes for the hypodermic injection of any illegal drug.)

Mr. COVERDELL. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. COVERDELL], for himself and Mr. ASHCROFT, proposes an amendment numbered 1222.

At the appropriate place, insert the following:

SEC. . None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug, or for any payment to any individual or entity who carries out any such program.

Mr. COVERDELL. Mr. President, the amendment, in a sense, is a reflection of the comments just made by the Senator from Illinois about some of the difficulties in the Nation's Capital, and the amendment is drafted in the belief that a needle exchange program in the Nation's Capital is not conducive to the safety of the citizens of the Nation's Capital.

I ask unanimous consent that a New York Times op-ed dated Wednesday, April 22, 1998, by James L. Curtis, a professor of psychiatry at Columbia University Medical School and the director of psychiatry at Harlem Hospital, be printed in the RECORD.

There being no objection, the op-ed was ordered to be printed in the RECORD, as follows:

[From the New York Times, April 22, 1998]

CLEAN BUT NOT SAFE

(By James L. Curtis)

Donna Shalala, the Secretary of Health and Human Services, wanted it both ways this week. She announced that Federal money would not be used for programs that distribute clean needles to addicts. But she

offered only a halfhearted defense of that decision even stating that while the Clinton Administration would not finance such programs, it supported them in theory.

Ms. Shalala should have defended the Administration's decision vigorously instead, she chose to placate AIDS activists, who insist that giving free needles to addicts is a cheap and easy way to prevent H.I.V. infection.

This is simplistic nonsense that stands common sense on its head. For the past 10 years, as a black psychiatrist specializing in addiction, I have warned about the dangers of needle-exchange policies, which hurt not only individual addicts but also poor and minority communities.

There is no evidence that such programs work. Take a look at the way many of them are conducted in the United States. An addict is enrolled anonymously, without being given an H.I.V. test to determine whether he or she is already infected. The addict is given a coded identification card exempting him or her from arrest for carrying drug paraphernalia. There is no strict accounting of how many needles are given out or returned.

How can such an effort prove it is preventing the spread of H.I.V. If the participants' are anonymous and if they aren't tested for the virus before and after entering the program?

Studies in Montreal and Vancouver did systematically test participants in needle-exchange programs. And the studies found that those addicts who took part in such exchanges were two to three times more likely to become infected with H.I.V. than those who did not participate. They also found that almost half the addicts frequently shared needles with others anyway.

This was unwelcome news to the AIDS establishment. For almost two years, the Montreal study was not reported in scientific journals. After the study finally appeared last year in a medical journal, two of the researchers, Julie Bruneau and Martin T. Schechter, said that their results had been misinterpreted. The results, they said, needed to be seen in the context of H.I.V. rates in other inner-city neighborhoods. They even suggested that maybe the number of needles given out in Vancouver should be raised to 10 million form 2 million.

Needle-exchange programs are reckless experiments. Clearly there is more than a minimal risk of contracting the virus. And addicts already infected with H.I.V., or infected while in the program, are not given antiretroviral medications, which we know combats the virus in its earliest stages.

Needle exchanges also affect poor communities adversely. For instance, the Lower East Side Harm Reduction Center is one of New York City's largest needle-exchange programs. According to tenant groups I have talked to, the center, since it began in 1992, has become a magnet not only for addicts but for dealers as well. Used needles, syringes and crack vials litter the sidewalk. Tenants who live next door to the center complain that the police don't arrest addicts who hang out near it, even though they are openly buying drugs and injecting them.

The indisputable fact is that needle exchanges merely help addicts continue to use drugs. It's not unlike giving an alcoholic a clean Scotch tumbler to prevent meningitis. Drug addicts suffer from a serious disease requiring comprehensive treatment, sometimes under compulsion. Ultimately, that's the best way to reduce H.I.V. infection among this group. What addicts don't need is the lure of free needles.

Mr. COVERDELL. Mr. President, I am going to read several of the statements made by Mr. Curtis in the op-ed. He says:

For the past 10 years, as a black psychiatrist specializing in addiction, I have warned about the dangers of needle-exchange policies, which hurt not only individual addicts but also poor and minority communities.

There is no evidence that such programs work. . . .

Studies in Montreal and Vancouver . . . found that those addicts who took part in such exchanges were two to three times more likely to become infected with HIV than those who did not participate. They also found that almost half the addicts frequently shared needles with others anyway. . . .

Needle-exchange programs are reckless experiments. . . .

Needle exchanges also affect poor communities adversely. For instance, the Lower East Side Harm Reduction Center is one of New York City's largest needle-exchange programs. According to tenant groups I talked to, the center, since it began in 1992, has become a magnet not only for addicts but for dealers as well. . . .

The indisputable fact is that needle exchanges merely help addicts continue to use drugs. . . .

Mr. President, I point out the last time that an amendment like this appeared before the Senate, it was adopted 96-4.

General McCaffrey, the Nation's drug czar, says:

As public servants, citizens and parents, we owe our children an unambiguous no use message. And if they should become ensnared in drugs, we must offer them a way out, not a means to continue addictive behavior.

He goes on to say:

The problem is not dirty needles, the problem is heroin addiction . . . the focus should be on bringing help to the suffering population—not giving them more effective means to continue their addiction. One doesn't want to facilitate this dreadful scourge on mankind.

A spokesman for the Office of Drug Control Policy also said that "addicts who took part in needle-exchange programs in Vancouver and Montreal had higher HIV infection rates than addicts who did not participate."

Just a word or two about the Vancouver experiment. In the case of Vancouver's needle exchange program, one of the biggest in the world, studies show that intravenous drug use increased by 20 percent and deaths from overdose have increased five-fold since 1988 when the program started. Some needle exchange programs actually encourage cocaine and crack injection providing so-called safe crack kits with instructions on how to inject crack intravenously.

I have one of the kit's brochures. It is the one issued by the Bridgeport Needle Exchange Program in Bridgeport, CT. It makes an interesting menu. It starts off:

Get your stuff ready.

Have a cooker, water, syringe, citric or ascorbic acid, cotton and alcohol wipes ready.

Put crack and citric or ascorbic acid (about a pinch to a slab), in a cooker. Add plenty of water (about) 30 to 40 I.U. of water. Smash and mix well.

Add cotton and draw up into the syringe.

Get your vein ready.

Tie off, find a good vein and clean with a alcoholic wipe.

Inject, make sure you are in a vein, register, look for blood back flow in syringe.

Slowly push plunger in for injection. This helps to avoid vein trauma and collapse.

Withdraw needle. Apply pressure for about a minute. Use clean gauze tissue. . . .

Well, anyway, it goes on to say: Take care of yourself. Use vitamin C, eat a good diet, and things will be just fine.

I agree with General McCaffrey. I especially agree that in the Nation's Capital we do not want to send the messages of a needle exchange program.

I ask unanimous consent that Senator ASHCROFT of Missouri be added as a cosponsor to my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, I can assure the Senate and the Nation that we will continue pressing for this amendment. I believe we are going to succeed and overcome our foes that have caused us to have to withdraw this tonight. I think we are going to be successful because I think common sense, in this case, will prevail again.

I ask unanimous consent that when the time assigned to Senator DURBIN expires this amendment be withdrawn.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

Mr. COVERDELL. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Who seeks time?

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I believe under the unanimous consent agreement I am given 10 minutes to speak in opposition to this amendment; is that correct?

The PRESIDING OFFICER. That is correct, sir.

Mr. DURBIN. Thank you very much, Mr. President.

This is a tough topic. I not only don't care to talk about intravenous drug injection, I can't stand watching it on television.

I find myself in the middle of a debate where you have to face the reality of what this is all about. The reality is that too many people in the District of Columbia—wait a minute—too many people in America have become IV drug users. We are trying to reduce that number, not only because addiction to drugs can ruin your life but also because there are other dangers associated with it, such as HIV and AIDS and hepatitis, and so many other things that cause problems.

I find it interesting that the Senator from Georgia, together, I understand,

with the Senator from Missouri, comes here to try to stop the needle exchange program in the District of Columbia, because as we look at a map of the United States showing the States that have needle exchange programs, we see there is a needle exchange program in the home State of the Senator from Georgia and there is a needle exchange program in the home State of the Senator from Missouri.

As you look across the Nation, you see that many States are trying these programs. I am certain that the Senator from Georgia has spent a great deal of time trying to overturn the decision in his own State. That is probably why he comes here in this crusade against the D.C. needle exchange program.

But before we dismiss this as something that might encourage drug use, please, let's look at the facts.

The highest rate of new HIV infections is in [Washington, DC.] AIDS kills in the District like no other cause of death for residents between ages 30 and 44.

I am quoting from a July 1, 1999, Washington Post editorial. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, July 1, 1997]

HOW TO SPREAD HIV IN D.C.

When the Senate takes up the District's fiscal year 2000 budget, a floor amendment may be offered to ban a needle-exchange program in the city. A yes vote is a green light to allow HIV to spread unimpeded among intravenous drug users.

The District has strong reason for an effective needle-exchange program. The highest rate of new HIV infections is in the nation's capital. AIDS kills in the District like no other cause of death, for residents between ages 30 and 44. The city has the distinction of having an AIDS death rate seven times the national average. As if this weren't tragic enough, the city also has to contend with needle-exchange opponents attacking a program that has—through the Whitman Walker Clinic—reduced the spread of HIV by causing a 29 percent drop in the number of drug injections.

Opponents will argue that needle-exchange programs promote drug use. That has not been the District's experience. Nor has it been the experience of more than 113 other state and local government-supported programs across the nation. Maybe that's why the American Medical Association, the National Academy of Sciences, the American Bar Association and the U.S. Department of Health and Human Services have thrown their weight behind the program.

Last year Congress unwisely added to another District law a prohibition on funding a needle-exchange program. In an act of legislative overkill, it also required that private groups spending their own money on such programs lose any federal funds they might receive. That took the Whitman Walker Clinic out of the picture. As a result, a local group receiving only private funds is trying to fight the spread of HIV on a shoestring budget. That's the wrong way to fight a killing disease. The District should be able to

spend its own money on this lifesaving program.

Mr. DURBIN. I will continue:

[Washington, DC] has the distinction of having an AIDS death rate seven times the national average. As if this weren't tragic enough, the city also has to contend with needle-exchange opponents attacking a program that has—through the Whitman Walker Clinic—reduced the spread of HIV by causing a 29 percent drop in the number of drug injections.

So we have a terrible scourge of HIV and AIDS right here in the Nation's Capital—seven times the national average. We have a program that tries to convince HIV users, through a needle exchange, to stop it, to go through drug rehab, to end their addiction. And it is successful.

As a result of the program, there was a 29-percent drop in the number of drug injections. The Senator from Georgia—and he is going to withdraw the amendment, in fairness to him—the Senator from Georgia says the best thing we can do is eliminate that program. That is an invitation for more HIV and AIDS and more addiction.

Mr. President, 75 percent of the cases of babies born with HIV are due to the use of dirty needles by either the mother or the father, and 70 percent of the cases of women with HIV are due to their own or their partner's use of contaminated needles.

That is what the debate is all about. It pains me to even talk about this topic. I am not comfortable with it. But I think we have to be honest if we want to deal with public health issues. We should say—and I think it should be a standard—that we will not support a needle exchange program unless it fits two criteria: First, it has a valid public health purpose—and I certainly believe that the elimination or reduction of HIV and AIDS in the District of Columbia is such a valid purpose—and, secondly, it must not encourage addiction to drugs.

There is absolutely no evidence that this program in the District encourages addiction. In fact, just the opposite is true. Those who come to these clinics end up getting in programs where they finally—perhaps after a lifetime of addiction—find themselves drug-free so that their babies can be born drug-free.

I am glad that the Senator from Georgia is going to withdraw this amendment. As difficult as it is to talk about some of these issues, we must face the reality that it is part of our responsibility.

The needle exchange program, which he would have restricted, is supported by many groups that I think have great stature in our country: The American Medical Association, the National Academy of Sciences, the American Academy of Pediatrics, the American Bar Association, the U.S. Conference of Mayors, and many others.

Again, I am happy the Senator is going to withdraw his amendment.

I yield the floor.

AMENDMENT NO. 1222 WITHDRAWN

The PRESIDING OFFICER. The amendment is withdrawn.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I just say, I commend Senator COVERDELL for offering the amendment. I think that because of the opposition, he withdrew it. But if this is a subject that will come up in our conference committee, I will be supportive of the amendment. I think it is a tragedy to give any credence to the notion that it is OK to use drugs and we just wanted to make sure you have clean needles to do it.

So this may come back. When it does, I will certainly be favorable to making sure we do not send any kind of signal that would make this an acceptable occasion in our country.

Mr. President, I think Senator DASCHLE has asked to put his amendment up next. I am happy for him to do that.

Mr. DURBIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I have no objection to changing the order so the minority leader can offer his amendment at this time.

The PRESIDING OFFICER. Without objection, the minority leader is recognized.

AMENDMENT NO. 1223

(Purpose: To direct the Secretary of the Interior to implement the notice of decision approved by the National Capital Regional Director, dated April 7, 1999)

Mr. DASCHLE. Mr. President, I have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from South Dakota [Mr. DASCHLE] proposes an amendment numbered 1223.

Mr. DASCHLE. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 53, between lines 11 and 12, insert the following:

SEC. 1 \_\_\_\_\_.—WIRELESS COMMUNICATIONS.—

(a) IN GENERAL.—Notwithstanding any other provision of law, not later than 7 days after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the National Park Service, shall—

(1) implement the notice of decision approved by the National Capital Regional Director, dated April 7, 1999, including the provisions of the notice of decision concerning the issuance of right-of-way permits at market rates; and

(2) expend such sums as are necessary to carry out paragraph (1).

(b) ANTENNA APPLICATIONS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, a Federal agency that receives an application to locate a wireless communications antenna on Federal property in the District of Columbia or surrounding area over which the Federal agency exercises control shall take final action on the application, including action on the issuance of right-of-way permits at market rates.

(2) GUIDANCE.—In making a decision concerning wireless service in the District of Columbia or surrounding area, a Federal agency described in paragraph (1) may consider, but shall not be bound by, any decision or recommendation of—

(A) the National Capital Planning Commission; or

(B) any other area commission or authority.

Mr. DASCHLE. I thank my colleagues for their cooperation and indulgence. I appreciate very much the opportunity to go out of order. This should not take very long.

Mr. President, I want to just take a couple of minutes to talk about why I believe this amendment is needed, primarily for the RECORD, but also for those who may be interested in knowing of a problem that I think is a serious one that has to be addressed.

After 4 years of delay, the National Park Service tentatively approved applications to locate two cellular antennae in Rock Creek Park on April 8 of this year. These antennae will be located in areas that are already developed; namely, the Park Service Maintenance Yard and the Fitzgerald Tennis Center. Engineering tests show that the antennae cannot be seen by park users.

In March of 1999, the Park Service completed the environmental assessment and concluded that these antennae pose no significant environmental impact.

Federal law directs agencies to make their property available to communications facilities so long as they comply with the National Environmental Policy Act, which these antennae do.

Unfortunately, even though the decision was approved on April 8, even though we have now waited 4 years, the National Park Service has yet to announce its final decision. This amendment would simply require them to finish the process within 1 week of enactment—now after 4 years.

The U.S. Park Police has testified repeatedly that communication antennae are needed in Rock Creek Park because large sections of the park lack a reliable communications service. The police rely on commercial wireless communications for their own protection and to respond to the public's calls. Joggers, emergency medical groups, and other park users also testified these antennae will provide key links to police and rescue personnel. When someone is injured, rapid response may mean the difference between life and death.

The U.S. Park Police reported in Rock Creek Park over 3,500 safety incidents, including 348 violent crimes, 1,600 criminal offenses, and 1,664 traffic accidents in that 4-year period, from July 1995 to April 1999. When these incidents occur, there is no way for a victim or a Good Samaritan to call 911.

Our amendment ensures the intention of the Telecommunications Act is simply carried out. The act recognizes that Federal property should be available for locating the antennae so essential services for wireless communication can be provided.

In many locations in the D.C. area, Federal property holdings are extensive and afford the only reasonable location for such antennae. This amendment supports these initiatives. When the consideration of applications determines that the antennae meet applicable Federal environmental and other requirements, neither the Federal agencies nor local administrations should have any cause to block them. This amendment clarifies the current law for the Washington region like other jurisdictions and requires approval of these facilities if they meet all the Federal requirements.

That is an explanation of my amendment. I hope that, and I appreciate very much, under the unanimous consent agreement, we will have a voice vote on this matter. I certainly hope it can be maintained in conference, because I think this is a critical issue for public safety and also for the need for Federal responsiveness on issues of this import.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, the explanation of the amendment sounded very good. I had not seen the amendment until earlier this evening. I am happy to go forward with a vote on the amendment.

The PRESIDING OFFICER. All time on the amendment having expired, the question is on agreeing to amendment No. 1223.

The amendment (No. 1223) was agreed to.

Mr. DASCHLE. Mr. President, I move to reconsider the vote.

Mrs. HUTCHISON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DASCHLE. Mr. President, I thank the manager of the bill, the Senator from Texas, and my colleague, the Senator from Illinois.

#### AMENDMENT NO. 1224

(Purpose: To strike Federal funding for the District of Columbia resident tuition support program)

Mrs. HUTCHISON. Mr. President, the next item on the unanimous consent agreement is Senator DURBIN's tuition assistance program amendment. Twenty minutes will be given to Senator

DURBIN, and I will control 10 minutes, at the end of which time Senator DURBIN will withdraw.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 1224.

The amendment is as follows:

On page 5, strike beginning with line 17 through page 6, line 4.

On page 11, line 1, after the semicolon insert "up to".

On page 11, line 2, after "resident" insert "college".

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, a bipartisan group of legislators, Congressmen from this region, came up with an idea that is a very good one. It is an effort to try to promote higher education among the residents of the District of Columbia.

Washington, DC, does not have a major public university. The young people in D.C. are disadvantaged. People living in the State of Texas, young people living in the State of Illinois can consider a number of public universities and colleges and qualify for in-State resident tuition, which is usually much lower than those out of State.

That same benefit is not available for the young people in the District of Columbia by and large, and this scholarship idea, which was promoted by the Clinton administration, as well as local Congressmen and many others in this area, has come forward. It is one that I wholeheartedly support. I think this tuition assistance program is an excellent idea. The estimated cost is about \$17 million a year. That sum is appropriated in this bill.

Having said that, though, I have taken exception to a fact of life in the District of Columbia. I mentioned at the outset that the District of Columbia is going through major reform, major revitalization. We have changed the Federal contribution to help the District in some regards. For example, we are paying more Medicaid in the District of Columbia than in my home State of Illinois. We are paying for certain benefits, like a \$5,000 tax credit for those first-time homebuyers in the District, things to encourage the District of Columbia to stand on its own feet.

They have made progress. I give credit to Mayor Williams and the city council for a lot of positive things that have occurred in a very short period of time.

Having said that, though, there is an action by the D.C. City Council which I consider to be the height of irresponsibility. That was a decision by this city council this year to give \$59 million in tax cuts to D.C. residents.

Mark my words, any politician would like to stand up and say: I am going to give you a tax cut. Everyone applauds. That is a natural applause line. But

when you take a look at the District of Columbia and the situation that it faces, it is almost incredible that they would decide at this moment in history that they have \$59 million they can't figure out how to spend; \$59 million they want to return in tax cuts, some of them in the neighborhood of \$100 or \$150 a year, \$2 a week, \$3 a week, for a total of \$59 million. This is a tax cut in a city that has serious infrastructure problems and serious problems when it comes to the very basic things.

Let me give you an example. Here we are at the Capitol Building. A lot of my staff members live nearby. One of my staffers said to me the other evening: I am going home.

I said: Do you need a ride?

He said: I just live five blocks away. He paused and said: But come to think of it, a woman was stabbed and murdered in my neighborhood last week. I will take a ride, if you don't mind.

I said: Do you know what you need in your neighborhood, where murders are occurring? You need a tax cut.

Well, I think we know better. The people in the District of Columbia, more than anything else, need police protection. They need protection because we have the highest murder rate in the Nation right here in the District of Columbia, more than twice the next city in any State in this entire country.

I had some time to look over what has happened with the D.C. Police Department. The D.C. City Council can't seem to see any need there beyond the current budget. In fact, they want to give away \$59 million.

Let me tell you a little bit about the D.C. Police Department. I think it has a good chief. Chief Ramsey comes from Chicago. I think he is making changes. But they wanted to have 3,800 policemen in the District of Columbia, and they can't find them. They found about 3,500, so they are short of the mark of even having the force in the city that they hope to have.

When the new chief took over a year ago, he looked around the District of Columbia Police Department and learned that 75 percent of the telephones in the D.C. Police Department were rotary phones. This is like traveling in Eastern Europe after the wall came down and discovering what is left of the Soviet empire. You travel around the D.C. city government and wonder how in the world did it get so bad.

This D.C. City Council can look beyond that. They can look beyond the fact that the policemen in the District of Columbia were not receiving firearms training a year ago. They can look beyond the fact that the D.C. policemen were not even trained for conducting sobriety tests. Can you imagine that? They didn't pull over speeders who were drunk because only 200 of the policemen, out of 3,800, had been

trained in giving a basic sobriety test. In most cities in the Nation, 100 percent of the force receives that training.

The deficiencies, one after another, stack up until the people in this poor city worry more about getting hit in the head than whether they are going to get a tax cut. This is really, in my mind, quite a tragedy. If it were a family situation and you were trying to draw an analogy, the D.C. City Council decided to go out and buy a big screen TV although it couldn't afford to buy a lock for the front door of the house. That is what the tax cut is all about.

Give away \$59 million in a city with these problems? That is not it alone. As I mentioned earlier, the D.C. public schools really need help. They have brought on some new people in an effort to try to deal with that. I hope it works. But the belief by the D.C. City Council that putting money into summer programs, early childhood development, afterschool programs is unnecessary, really strikes me as insensitive to the reality of the need for improving public education in the District of Columbia.

When the Mayor came and spoke to us, incidentally, he told us something which was troubling—I have a chart that demonstrates it—on children in the District of Columbia. The Casey Foundation took a look at kids in the District of Columbia, kids in Washington, DC. With one exception—and they looked at all the different criteria for children, and that was the high school dropout rate—the District of Columbia ranked worst in the Nation in every category involving children.

D.C. City Council, are you listening? The children you represent in these wards out here are the worst in the Nation in every single category. You can't figure out where to put \$59 million, so you want to declare a dividend and give it away.

Why don't you consider, for a moment, the percent of low-birth-weight babies in the District of Columbia, the worst in the Nation, worse than any other State; the infant death rate in the District of Columbia is the worst in the Nation, twice the national average; the child death rate; the rate of teen deaths by accident and homicide; the teen birth rate; the percent of teens not attending school and not working; the percent of children living with parents who do not have full-time, year-round employment is last place in the District of Columbia; the percent of children in poverty; the percent of families headed by a single parent is the worst in the Nation.

The D.C. City Council has blinders on when it comes to the kids in the District of Columbia. They are more intent on the theory of a tax cut; they want to give \$100. What is \$100 worth when you are holding a premature baby who has to stay in the hospital for week after week and month after

month in the hope that when it is all said and done, that child will have enough strength and intelligence to lead a normal life? Wouldn't you, as a member of the D.C. City Council, stop and say: Maybe we ought to dedicate a few dollars to the kids; maybe we ought to dedicate a few dollars to the police department?

I can't tell you, in my experience here in Washington, DC, how many times I have heard about the incidence of crime and how close it has come. I was a student here; I went to college and law school here. I have lived a big part of my life in Washington, DC. I have seen a lot of it. There is crime in other cities, make no mistake; but the rate of crime in this town is just incredible. The rate of auto theft is the worst in the Nation. A year ago, there was 1 police officer out of 3,500 who was assigned this responsibility of auto theft. These sorts of things, I suggest, the D.C. City Council ought to be taking into consideration—things that, frankly, cry out for a response.

The D.C. City Council says: No, we are not going to spend the money on the kids, we are not going to spend the money on the crime.

Pick up the Washington Post any morning of any day of any week, and you will find another story that is scandalous about what is happening in the District of Columbia. We have quotes here about homicides. Just in the last few months, a girl, 15, died in gang crossfire; an anticrime activist—he worked in one of the neighborhoods near Capitol Hill—was killed; a victim feared for family safety; four were arrested after a woman was killed by a stray bullet.

Last week, a grandmother—an innocent person—was killed by a stray bullet in a drive-by shooting. Little babies are being killed by guns. The D.C. City Council, when it reads headlines in the morning, must say that crime is so bad in the District that we need a tax cut.

That is what it is all about. If there is a belief that a tax cut is going to bring people back to the District to live, it is such a naive belief. People will live in the District of Columbia when it is safe to live in this District, when the schools are good schools, when the city meets its most basic needs. This idea, this perfidy that we can somehow answer the needs of the District with a tax cut, I find troubling.

That is why I raised the concern about this college tuition program. To think that we would take \$17 million from the Federal Treasury and give it to the District of Columbia for this college assistance program at a time when the District of Columbia is giving away \$59 million, I found to be particularly offensive—not that the program for college tuition isn't a good one, but the District of Columbia, apparently, has money to burn, money to give away,

money to award in tax cuts, in a city that is in shambles, when you look at the basics.

I don't want to get into graphic details here. This mayor said he is going to do everything in his power to eradicate rats in this city. It is estimated that the rat population is larger than the human population in Washington, DC, and that doesn't include politicians in Congress. It is estimated that these problems cause public health hazards that, frankly, are rampant across Washington, DC. D.C. City Council says: We are not going to spend any of that \$59 million on rat eradication; we are going to give a tax cut.

I think if they want to bring people to the District and businesses to the District, tax cuts can be part of the answer—after you have met the basics. If you can't afford a roof on your home, you won't go out and buy a swimming pool. If you can't afford the basics of food in the cupboard, you don't rent a caterer for a patio party. The D.C. City Council just doesn't get it; they are going to give away this \$59 million.

I have been prepared to offer an amendment that would have said the money that was going to be allocated in this bill for this program would be stricken, \$14 million. For the sake of the RECORD at this point, I want to offer the amendment.

#### AMENDMENT NO. 1224

(Purpose: To strike Federal funding for the District of Columbia resident tuition support program)

Mr. DURBIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 1224.

On page 5, strike beginning with line 17 through page 6, line 4.

On page 11, line 1, after the semicolon insert "up to".

On page 11, line 2, after "resident" insert "college".

Mr. DURBIN. Mr. President, I am going to withdraw the amendment. I received a telephone call from the White House today, and it is very clear that this college tuition assistance program is very important to the President, and I understand it. It is something that was part of his budget, something that he believes would be very good for the children of the District of Columbia.

I have asked and received the assurance of the administration that when the District of Columbia makes next year's budget request, we are going to hold them to a very sensible yardstick. We are going to ask them whether their experiment worked. We are going to ask them whether or not this idea of a \$59 million tax cut did, in fact, not only improve the quality of life in the District, but address the most basic problems—whether or not the crime

rate has come down, whether or not children are better off, and whether or not the schools are improved.

The District of Columbia will be held accountable. With that assurance, I can assure those who are listening that if I am still serving on the subcommittee, as I expect to be, I will apply the same standard. To the D.C. City Council, I say: I don't think you can have it both ways. I don't think you can give away the money in a tax cut and meet basic needs in the city. You have 12 months to prove me wrong. I will be watching.

I will be offering a sense-of-the-Senate resolution in a few moments that addresses some of the yardsticks and criteria we hope to use in measuring the performance of the D.C. City Council.

At this point, I ask how much time I have remaining under the unanimous consent request.

The PRESIDING OFFICER. The Senator has 51/2 minutes.

Mr. DURBIN. At this point, I ask that my 5 minutes be held until Senator HUTCHISON has an opportunity to respond. If I may close, I will appreciate that.

Mrs. HUTCHISON. Mr. President, I have listened to Senator DURBIN's arguments on his amendment, and I have to say I am pleased that he is withdrawing the amendment, because I think his amendment is absolutely flat wrong.

Let's talk about what would give kids a chance in the District of Columbia. A better education system would give kids a better chance in the District of Columbia. We are funding health care for children in this District with the Federal programs that are available throughout our country. We are providing better support for education—well, we are not providing it; in fact, I think the District is providing it, and I think they are doing a good job. They are saying that charter schools should be given a chance, that if a child cannot be given a good public education in this system and that child chooses to go to a charter school, they will have an equal allocation of resources as if they were going to a public school—which a charter school is.

So the District is addressing education, because they want their kids to have a chance. We are putting more in crime prevention in this bill, in crime control, because we do think it is important to clean up neighborhoods. But a very important part of cleaning up neighborhoods is the tax cuts the District consensus budget envisions.

Now, the Senator from Illinois refers to these as giving away \$59 million. Well, first of all, I don't think income tax cuts are giving money away. They are letting people who earn the money keep more of what they earn. Now, why would we support the District's decision to do that? Because the District is

trying to clean up the neighborhoods, to do exactly what the Senator from Illinois wants to do—that is, have safe and clean neighborhoods throughout the District of Columbia.

The way they are doing this is with, I think, a quite balanced tax cut program. The tax cuts for business will attract business into the city. This city needs more business investment. It is a government city. There isn't much commercial activity. The commercial activity will clean up property. It will provide jobs. It will have economic viability. But it will also have more investment in beautification of the city.

Attracting business through tax cuts is something that is being done all over this country by cities that are trying to be progressive and improve their quality of life.

The tax cuts on the income tax side are so modest that I don't see how anyone could possibly disagree with them. People in the District who make \$10,000 pay 6 percent in income taxes, and it would be lowered to 4 percent. It also gives breaks to the middle-income families that we want to be able to live in the District.

We want to have a full range of families able to live in the District, and we are trying to support the District's efforts to do exactly that—to make this a family-friendly city.

That is why it is so incredible that we would have any opposition to the tuition assistance plan, because one of the factors that a family uses to choose where it lives is the higher education potential for their children. I have had people tell me that it is like getting a \$25,000-a-year pay raise to move to Texas because in-State tuition at Texas University is so low. I mean, it is ridiculously low. It is about \$1,000.

So a person moving to Texas getting a first-rate education from the University of Texas, Texas A&M, all of our colleges, and universities that are rated in the top 10, top 20, in many fields, have a good bargain.

But what about a child who is growing up in the District of Columbia? They don't have a State university where they have an equal opportunity to go with in-State tuition because people are paying taxes to that State. This bill gives them that equal chance. This bill will equalize out-of-State tuition costs for D.C. students. So if they qualify to go to the University of Maryland, or the University of Virginia, or I hope the University of Texas, they will be able to have that added tuition they would have as an out-of-State student with these tuition assistance programs.

I think it is part of the overall strategy of the District to make this city family friendly. They are making every attempt in the budget they presented to us to give them a better chance for education at the grade school, middle school, and high school level. This bill

gives them the chance to have out-of-State tuition lowered to in-State tuition, where they would qualify anywhere in the country.

This bill gives them more in crime prevention, more in crime control, and it says to businesses: We want you to come to the District, we want you to make an investment in the District, because we want to clean up the neighborhoods; and we know it is going to take a public-private partnership to do it.

But I think this bill is quite balanced. I think the District has done a terrific job in trying to use the money it has—both the Federal budget side and the local budget side—to do what is necessary to attract families back into the District to live, and to keep the families that are here living here. If they don't do something about the income tax rate, they are never going to attract people, because the income tax rates on either side of them in Maryland and Virginia are half of what they are in the District.

I think the Mayor and the council should be commended for saying: We are going to make our city attractive, we are going to do it in a balanced way, and we are going to meet the needs of the children in the District. But every city in the country is looking for ways to make their cities attractive.

I am going to support the District in their efforts to make this city attractive for families. I am going to continue to work with Senator DURBIN to try to make sure we are funding crime control in open air drug markets. I am going to continue to work with the District in trying to give charter schools a chance, if public education isn't serving the needs of individual children.

Let's give competition a chance. I think the District has been quite progressive in doing that in their budget.

I defend the tax cuts. I defend the tuition assistance program, which has bipartisan support, and the support of the President and the support of the District. I think we are going to see this city turn around.

I am going to support the council in every way I can when I think they are going in the right direction. I think they are going in the right direction with tuition assistance. I hope Congress will authorize this program so we can put it into effect for the next university year.

I think we will see a lot of activity in the District with people wanting to come here, stay here, and raise their families here. That will be good for every American, because a safe city, a clean city, and a city that has a low crime rate is going to be a city that every American wants to bring their families to visit as our Capital City.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 5 minutes 30 seconds.

Mr. DURBIN. Thank you, Mr. President.

I respect what the Senator from Texas has said. I agree with much of what she said. I certainly agree the college tuition assistance program is a good one. I support it.

I hope you can tell from the debate that our point of disagreement is on the tax cut, and my belief is that tax cut money—at least a portion of it—should be dedicated toward making the District a safer place to live, and making D.C. schools better schools—and addressing some of the serious problems the children in this District face, problems which are, frankly, of a third world nature and seem to be ignored by this D.C. City Council.

Let me tell you, you shouldn't take the word of a Senator from Illinois, nor a Senator from Texas, about what D.C. residents are interested in; you should take their own word.

When you look at the surveys of the people of the District of Columbia, Washington, DC, and their priorities, you search down that list for a long way before they start talking about taxes. High on the list is their concern about safety and crime in their neighborhoods. How low could you bring taxes to attract a person into a neighborhood where they felt as though they were not safe?

So many members of my staff who would love to live on Capitol Hill where I live have finally reached the conclusion that they can't. One member of my staff, after she was mugged a second time on Capitol Hill, and her face was swollen for about a week, gave up and moved out of Washington, DC, to a neighboring suburb. The taxes had nothing to do with that.

I talked to another young couple, just the kind of people who should be living in the District to make a great contribution. They said it finally just wore them down—their concern about crime, their concern about the filth they saw in the streets, and the rats running across the streets as they came home in the evening. It finally just wore them down, and they picked up and moved to a neighboring suburb. They didn't mention taxes. I am sure it is a concern. Nobody wants to pay any more taxes than they have to.

But I think if this District were more livable when it came to the basics of protecting families in their own homes and neighborhoods that you would attract more people to live in what is otherwise in many places one of the most beautiful cities in America. The Senator from Texas said she wants Washington, DC, to be family friendly. I couldn't agree more. But first it has to be family safe. Unfortunately, it isn't close.

When they did a survey of the people in the District of Columbia, 48 percent said they live in fear of crime in their neighborhood. When they asked people in the District of Columbia, they had the highest percentage of residents among 12 cities surveyed indicating the presence of abandoned cars and run-down buildings. When they asked the residents in the District of Columbia whether or not they had problems of public drug sales, they had the highest response in the Nation. Panhandling and begging was the highest in the Nation.

These are quality-of-life issues that need to be addressed by the city council that should get its head out of the clouds and down on the street, talking to the people they represent.

AMENDMENT NO. 1224 WITHDRAWN

Mr. DURBIN. I ask my amendment be withdrawn.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1224) was withdrawn.

Mr. JEFFORDS. Mr. President, the amendment offered by the Senator from Illinois would strike the \$17 million which is included in this bill to support a program offering tuition assistance to DC students who are pursuing postsecondary education. As the author of legislation to authorize this program, I strongly oppose the Durbin amendment.

In crafting my legislation—which is cosponsored by Senators HUTCHISON, WARNER, and MOYNIHAN—I have been mindful of the need for fiscal responsibility. The \$17 million included in the DC appropriations bill is the amount recommended in the President's budget. Although I would agree that any amounts above this figure should come from sources other than the Federal treasury, I do believe it is appropriate for the Federal government to participate in an effort to place DC students on an even keel with students in other parts of the country.

The authorization process for the DC tuition bill is well underway. Under the leadership of Representative TOM DAVIS and DC Delegate ELEANOR HOLMES NORTON, the House of Representatives approved "The District of Columbia College Access Act" without a dissenting vote. The Senate Subcommittee on Oversight of Government Management, Restructuring and the District of Columbia—chaired by Senator VOINOVICH—recently held a hearing on this initiative. I am working actively with him and other members of the Senate to move forward with sound legislation.

The legislation I have introduced and the measure approved by the House share the same goal. That goal is to provide citizens of the District with a greater range of options in pursuing postsecondary education by having the Federal government offer support that,

in other areas of the country, is provided by State governments.

Throughout my career in Congress, I have made support for education one of my top priorities, and I have regarded the education of DC students as being an important part of my efforts.

I am therefore delighted at the level of interest and support which the DC tuition concept has received.

With respect to public postsecondary education, DC students exploring their options find they have a more limited set of choices than any other group of students in the country. A student in any of the 50 states who wishes to attend a public institution of higher education has a number of institutions among which to choose. That student can base his or her decision on considerations such as the size of the institution and the strengths of the various programs it offers. A student in the District of Columbia finds that only one public institution is available.

As a practical matter, the District cannot expand its boundaries, nor can it establish a system of public higher education that can offer the diversity of offerings available in the various states. Every State provides support for higher education from which their residents benefit through lower in-state tuition, while out-of-state residents pay a premium to attend. I believe it is appropriate for the Federal government to assume the role of the State, effectively pushing the boundaries to a point where District students are placed on an equal footing in terms of the public education choices available to them.

The legislation also recognizes that many District residents choose to attend one of the many private postsecondary institutions in the DC area. Many of these institutions have made extraordinary efforts to enable District residents to succeed in their pursuit of advanced education. A number of states have developed programs, such as the Virginia Tuition Assistance Grant (TAG), to assist students at private institutions in defraying costs. The program authorized in my bill is modeled after these initiatives.

This legislation also complements not only those programs such as "Everybody Wins!" and the Potomac Regional Education Partnership (PREP) with which I have been directly involved, but also the many other initiatives undertaken by individuals and institutions who work tirelessly to nurture the potential of the children of our Nation's capital. Members of the business community have recently launched a program known as the D.C. College Access Program (DC-CAP) which will offer both financial support for students pursuing postsecondary education and assistance to high school students to assure they are prepared to tackle the challenges of higher learning.

An investment in education is one of the most important investments we as a society and we as individuals can make. There are boundless opportunities in the DC area for individuals with education and training beyond high school. DC residents should not be left behind in obtaining the capacity to take advantage of these opportunities.

Mr. DURBIN. Mr. President, as part of last October's Omnibus Appropriations bill, a provision (Section 130) in the District of Columbia's FY 99 appropriations placed a \$50 per hour/\$1,300 per case cap on attorney's fees in cases brought under the Individuals with Disabilities Education Act (IDEA) in the District.

In signing the bill, President Clinton singled out the cap in his remarks, calling it "unacceptable" and he pledged to eliminate the cap this year. However, it has again been included in this bill to fund the District. (Sec. 128)

This cap has made it virtually impossible for local special education attorneys to accept cases on contingency, which is required for indigent parents and court-supervised children. Attorneys are forced to demand retainers from these residents, which precludes low-income parents from obtaining legal representation at all. In the end, the poorest kids in the District receive inadequate services from DCPS.

Federal law under the IDEA provides for the recovery of reasonable attorneys' fees at market rates. IDEA was passed with the understanding that it applied to cases in all jurisdictions. Congress, however, has singled out the District of Columbia and in effect has singled out poor families and children who struggle to get even a basic education.

DCPS spends \$165 million per year on about 12,000 special education students. The average per-pupil cost comes out to be \$17,000 per year. One in 10 District students are in need of special education program services.

Yet, services rendered to these students are substandard at best. Disabled children wait months, and in some cases years, to have their special education needs evaluated by DCPS. Since DCPS doesn't have nearly enough special education programs to accommodate its students, students wait lengthy periods of time to be placed in an appropriate classroom setting where they can receive essential related services.

In order to get these deserving kids assessed, parents have had to resort to litigation to get their children the services the law allows them. The tangled system of DCPS is unnavigable without an experienced attorney and most parents can't afford to hire and retain counsel for their children.

So for years, lawyers have sued the system on behalf of thousands of children with physical, emotional or learning disabilities who have not received

proper assessments or services. The school system is required to pay legal fees when the child's case prevails—which has occurred most of the time.

The Washington Times reported in March that DCPS has committed funds to hire eight private attorneys to defend the school system in special education cases. It is disconcerting that the District is willing to pay the prevailing rate to "defense" attorney's to oppose parents, but it claims it can't afford to pay the prevailing rate to attorneys to represent parents seeking to have their children assessed.

Three class action suits have been filed against DCPS and recently, two of those lawsuits were settled. Under the terms of the settlement, the school system has agreed to hold hearings or otherwise resolve the backlog of hearing requests, estimated at more than 700, by the end of summer. The backlog of some 400 unimplemented decisions will be cleared up in stages, with the goal of reaching compliance with all decisions and agreement by the end of the first semester of the 1999-2000 school year. One more class-action suit against the division remains unresolved.

In one of those cases, Federal District Court Judge Paul Friedman ruled on May 11 that:

"\$4 million assessed for failure to comply with past court orders 'has to be paid'";

The school system violated legal provisions by trying to apply the congressional cap on fees for work performed before the cap was set;

The school system must pay more than \$400,000 to one law firm, Feldman, Tucker, Leifer, Fidell & Bank, which has been handling a class-action lawsuit for several years and has not been paid in more than a year; and

Nothing in the law prevents judges from awarding attorney fees in special-education cases that continue longer than the one-year cap imposed this year. The city would simply be liable to pay the rest next year, or whenever the cap is lifted ["The statute doesn't tell me I can't award more than \$50 an hour. It tells you can't pay more than \$50 an hour."]

The special education problems are an embarrassment and need to be resolved. The school system has to address this and the kids are entitled to counsel and counsel deserve to be paid fairly and reasonably for their work and the time.

Mrs. HUTCHISON. This is a matter we can take up in conference.

Mrs. HUTCHISON. Mr. President, according to the unanimous consent agreement, it is now appropriate for Senator DURBIN's sense of the Senate on D.C. quality of life. He has 15 minutes under his control; I have 5 minutes under my control.

I yield the floor to Senator DURBIN.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank the Senator from Texas. I will make it brief because I have spoken on my concerns about the District of Columbia. My reason for withdrawing the last amendment is my belief that not only is it a high priority of the White House, it is fundamentally a sound program, as I said from the start.

My quarrel is what I consider to be the irresponsible action of the D.C. City Council with the so-called tax cut they have enacted. The sense of the Senate, which I make a part of this appropriations bill, says the D.C. City Council has a chance to prove their theory; they have a chance to prove the \$59 million in tax cuts is more important than \$59 million spent on police protection; \$59 million, a part of which could be spent on the schools; \$59 million, a part of which could be spent to try to help these poor babies who are dying because of low birth-weight and other problems.

You have your chance. That is what home rule is all about. The sense of the Senate says it is a sense of the Senate that in considering the District of Columbia's fiscal year 2001 budget, the Senate will take into consideration progress or lack of progress in addressing the following issues: crime, including the homicide rate; implementation of community policing; the number of police officers on local beats; and the closing down of open-air drug markets.

Second, access to drug abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment drugs. Remember that HIV-AIDS is seven times more prevalent in the District of Columbia than in other city.

The third item on the sense of the Senate is management of parolees and pretrial violent offenders, including the number of halfway house escapees, and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapees.

Pick up the paper with regularity and you will find that the so-called halfway houses have revolving doors. Those accused of felonious conduct and violent crime are back on the street, walking in the neighborhoods of the District of Columbia, shoulder to shoulder with the people who live here and those who come to visit the Nation's capital.

That has to change. It is one of the criteria which I will personally use, and I hope others will use, during the course of this consideration of criteria for future appropriations for the District of Columbia.

Fourth, education including access to special education services and student achievement.

Fifth, improvement in the city's basic services, including rat control and abatement.

Six, the application for and management of Federal grants. This D.C. city government has not even applied for the money it is eligible for from the Federal Government. They have to reach a level of competence and it may mean achieving some in phases. I hope the Mayor is listening, and I hope the members of the D.C. City Council will be responsible for that.

Finally, the indicators of child well-being, which I mentioned earlier. Let's see next year, when we gather to debate this appropriation, whether the District of Columbia is still in last place among all the States in the Nation in so many categories which reflect the well-being of the children who live here.

## AMENDMENT NO. 1227

(Purpose: To express the sense of the Senate regarding the urgent need to address basic quality of life concerns in the District of Columbia)

Mr. DURBIN. I retain the remainder of my time and offer the amendment, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 1227.

Mr. DURBIN. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) FINDINGS.—The Senate finds the following:

(1) The District of Columbia has recently witnessed a spate of senseless killings of innocent citizens caught in the crossfire of shootings. A Justice Department crime victimization survey found that while the city saw a decline in the homicide rate between 1996 and 1997, the rate was the highest among a dozen cities and more than double the second highest city.

(2) The District of Columbia has not made adequate funding available to fight drug abuse in recent years, and the city has not deployed its resources as effectively as possible. In fiscal year 1998, \$20,900,000 was spent on publicly funded drug treatment in the District compared to \$29,000,000 in fiscal year 1993. The District's Addiction and Prevention and Recovery Agency currently has only 2,200 treatment slots, a 50 percent drop from 1994, with more than 1,100 people on waiting lists.

(3) The District of Columbia has seen a rash of inmate escapes from halfway houses. According to Department of Corrections records, between October 21, 1998 and January 19, 1999, 376 of the 1,125 inmates assigned to halfway houses walked away. Nearly 280 of the 376 escapees were awaiting trial including 2 charged with murder.

(4) The District of Columbia public schools system faces serious challenges in correcting chronic problems, particularly long-standing deficiencies in providing special education services to the 1 in 10 District students needing program benefits, including backlogged assessments, and repeated failure to meet a

compliance agreement on special education reached with the Department of Education.

(5) Deficiencies in the delivery of basic public services from cleaning streets to waiting time at Department of Motor Vehicles to a rat population estimated earlier this year to exceed the human population have generated considerable public frustration.

(6) Last year, the District of Columbia forfeited millions of dollars in Federal grants after Federal auditors determined that several agencies exceeded grant restrictions and in other instances, failed to spend funds before the grants expired.

(7) Findings of a 1999 report by the Annie E. Casey Foundation that measured the well-being of children reflected that, with 1 exception, the District ranked worst in the United States in every category from infant mortality to the rate of teenage births to statistics chronicling child poverty.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that in considering the District of Columbia's fiscal year 2001 budget, the Senate will take into consideration progress or lack of progress in addressing the following issues:

(1) Crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets.

(2) Access to drug abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs.

(3) Management of parolees and pretrial violent offenders, including the number of halfway house escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes.

(4) Education, including access to special education services and student achievement.

(5) Improvement in basic city services, including rat control and abatement.

(6) Application for and management of Federal grants.

(7) Indicators of child well-being.

Mrs. HUTCHISON. Mr. President, I think the Senator from Illinois has a very good sense of the Senate. I think having benchmarks and accountability we can look at next year is very appropriate. I commend him for caring about these crime issues and the issues that we all want to solve.

I certainly support his amendment and suggest we approve it unanimously.

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1227) was agreed to.

## AMENDMENTS NOS. 1228 THROUGH 1231, EN BLOC

Mrs. HUTCHISON. Mr. President, I have a group of managers' amendments which I will send to the desk and ask for their immediate consideration. They have been cleared on both sides. I urge their adoption. There are two amendments by Senator DORGAN and two amendments by myself.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes amendments numbered 1228 through 1231, en bloc.

The amendments are as follows:

## AMENDMENT NO. 1228

(Purpose: To encourage the Mayor of the District of Columbia to adhere to the recommendations of the Health Care Development Commission with respect to the use of Medicaid Disproportionate Share payments)

At the appropriate place, insert the following:

SEC. . The Mayor, prior to using Federal Medicaid payments to Disproportionate Share Hospitals to serve a small number of childless adults, should consider the recommendations of the Health Care Development Commission that has been appointed by the Council of the District of Columbia to review this program, and consult and report to Congress on the use of these funds.

## AMENDMENT NO. 1229

(Purpose: To allow the District of Columbia Public Schools to consider funding of a program to discourage school violence)

On page 13, line 17, insert the following:

“Provided further, That the District of Columbia Public Schools may spend \$500,000 to engage in a Schools Without Violence program based on a model developed by the University of North Carolina, located in Greensboro, North Carolina.”.

## AMENDMENT NO. 1230

(Purpose: To require a GAO study of the criminal justice system of the District of Columbia)

At the appropriate place, insert the following:

## SEC. . GAO STUDY OF DISTRICT OF COLUMBIA CRIMINAL JUSTICE SYSTEM.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study of the law enforcement, court, prison, probation, parole, and other components of the criminal justice system of the District of Columbia, in order to identify the components most in need of additional resources, including financial, personal, and management resources; and

(2) submit to Congress a report on the results of the study under paragraph (1).

## AMENDMENT NO. 1231

(Purpose: To amend the District of Columbia Code to require the arrest and termination of parole of a prisoner for illegal drug use)

At the appropriate place, insert the following:

## SEC. . . . TERMINATION OF PAROLE FOR ILLEGAL DRUG USE.

(a) ARREST FOR VIOLATION OF PAROLE.—Section 205 of title 24 of the District of Columbia Code is amended—

(1) in the first sentence, by striking “If the” and inserting the following:

“(a) If the”; and

(2) by adding at the end the following:

“(b) Notwithstanding subsection (a), with respect to a prisoner who is convicted of a crime of violence (as defined in §23-1331) and who is released on parole at any time during the term or terms of the prisoner's sentence for that offense, the Board of Parole shall issue a warrant for the retaking of the prisoner in accordance with this section, if the Board, or any member thereof, has reliable information (including positive drug test results) that the prisoner has illegally used a

controlled substance (as defined in §33-501) at any time during the term or terms of the prisoner's sentence."

(b) HEARING AFTER ARREST; TERMINATION OF PAROLE.—Section 206 of title 24 of the District of Columbia Code is amended by adding at the end the following:

"(c) Notwithstanding any other provision of this section, with respect to a prisoner with respect to whom a warrant is issued under section 205(b), if, after a hearing under this section, the Board of Parole determines that the prisoner has illegally used a controlled substance (as defined in §33-501) at any time during the term or terms of the prisoner's sentence, the Board shall terminate the parole of that prisoner."

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The amendments (Nos. 1227 through 1231) were agreed to.

Mrs. HUTCHISON. I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMENICI. Mr. President, I rise in support of S. 1283, the District of Columbia Appropriations bill for FY 2000 as reported by the Senate Appropriations Committee.

The bill provides \$410 million in new budget authority and \$401 million in new outlays for federal contributions to the District of Columbia government. When outlays from prior-year budget authority and other completed actions are taken into account, the Senate bill totals \$410 million in budget authority and \$405 million in outlays for FY 2000.

I commend the distinguished Chairman of the Subcommittee, Senator HUTCHISON, for her hard work and diligence in fashioning this bill. The bill is exactly at the Senate Subcommittee's 302(b) allocation. The bill is \$17 million in budget authority and \$12 million in outlays above the President's request due to the inclusion of a tuition assistance program for D.C. students who attend out-of-state colleges. The Administration has requested these funds, however, through the Department of Education rather than directly to the District of Columbia.

Mr. President, I ask unanimous consent that the Senate Budget Committee scoring of the District of Columbia Appropriations bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1283, D.C. APPROPRIATIONS, 2000—SPENDING  
COMPARISONS—SENATE-REPORTED BILL  
[Fiscal year 2000, in millions of dollars]

	General Purpose	Crime	Mandatory	Total
<b>Senate-reported bill:</b>				
Budget authority .....	410			410
Outlays .....	405			405
<b>Senate 302(b) allocation:</b>				
Budget authority .....	410			410
Outlays .....	405			405

S. 1283, D.C. APPROPRIATIONS, 2000—SPENDING  
COMPARISONS—SENATE-REPORTED BILL—Continued  
[Fiscal year 2000, in millions of dollars]

	General Purpose	Crime	Mandatory	Total
<b>1999 level:</b>				
Budget authority .....	621			621
Outlays .....	616			616
<b>President's request:</b>				
Budget authority .....	393			393
Outlays .....	393			393
<b>House-passed bill:</b>				
Budget authority .....				
Outlays .....				
<b>SENATE-REPORTED BILL COMPARED TO:</b>				
<b>Senate 302(b) allocation:</b>				
Budget authority .....				
Outlays .....				
<b>1999 level:</b>				
Budget authority .....	(211)			(211)
Outlays .....	(211)			(211)
<b>President's request:</b>				
Budget authority .....	17			17
Outlays .....	12			12
<b>House-passed bill:</b>				
Budget authority .....	410			410
Outlays .....	405			405

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. DOMENICI. I urge my colleagues to support the bill.

Mrs. HUTCHISON. That is all the amendments we have pending. If there are no further amendments, I ask that the bill be read for a third time.

The bill was ordered to be read for a third time.

Mr. BYRD addressed the Chair. The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I will take a couple of minutes to express my appreciation to the two managers of this bill. I chaired the subcommittee on appropriations for the District of Columbia for 7 years, beginning in 1961 and ending in 1968.

This is not just an ordinary city, as we all know. I have traveled in many areas of the world, as have most Senators. I have been in many cities of the world, but this is the only Federal city in the world. This is the only Federal city in the United States.

Referring to the words of the Constitution, article I, section 9, it is the seat of the Government of the United States. It is not "a" seat of the Government of the United States, it is "the" seat of the Government of the United States.

So it is a unique city. It is the only city of its kind in this country. It is the only city of its kind in the universe.

I compliment these two Senators. It is 20 minutes after 9 o'clock on what will be the last day the Senate will be in session until after next week. These two Senators are here discussing important matters.

As I sat here, I thought this bill is one that the Senate should vote on. Senators should be here and should vote on this bill.

Next year, all things being equal, it is my intention at the present time to see that we have a vote on this bill, a rollcall vote. I think Senators should indicate that much interest in "the" city of the Federal Government of the United States.

I happen to agree with the distinguished Senator from Illinois in respect to his comments concerning a tax cut. Senators will not find me supporting very many tax cuts, whether it is for the District of Columbia or elsewhere. I will have plenty to say about that in due time. But every Senator has a right to his own viewpoint. Every Senator is here representing his own State, trying to do the best he can. That is what I am trying to do. But we all have a responsibility toward this city.

I referred to the job of the distinguished Senator from Texas, Mrs. HUTCHISON, and the distinguished Senator from Illinois, Mr. DURBIN, as being a thankless task. What did I mean by that? That was not spoken in pejorative terms, it was not in derogation of the District of Columbia, but it is a thankless task insofar as getting any credit from the folks back home is concerned. It doesn't get any Senator any votes back home, if that is what one expects. So in that respect, it is a thankless task.

But we all, all 100 Senators and every person in the United States, owe our thanks to the Senators who give of their time to fulfill this responsibility. It is a responsibility; it is a duty. Nobody wants this job. I didn't want it, but I held it for 7 years and gave it my best because I thought that the District of Columbia was entitled to the best of my talents, my energy, and whatever limited wisdom I possessed. So we owe that to the District of Columbia. It is our capital. It is our seat of our Federal Government.

So I thank both Senators. They spend a lot of time on this matter, I can tell you, and it is not easy. And they are subject to many criticisms from editorials in papers in the District and from editorials, probably, in their own States. They are subject to these criticisms. In return, as I say, they won't get many thanks. But they get my thanks. I hope to call this to the attention of the Senate, as I am now trying to do, as I am saying to the people of the United States who may be watching at this hour: These two Senators are entitled to the thanks and the congratulations of the people of the United States and the people of the District of Columbia.

There are people in the District of Columbia who do not look back with great satisfaction on certain recent years. There is a Delegate to the U.S. House of Representatives. She has the privilege of the floor. She is not sitting in the gallery. The rules say that we cannot call attention to people in the galleries. I hope Senators will read that rule and refresh their memory. I trust the Presiding Officers will keep that in mind in the future and call it to the attention of any Senator who refers to people in the gallery; a person, name those persons. But we can refer

to an elected Delegate to the U.S. House of Representatives who has the privilege of this floor. I do that now with respect to Delegate ELEANOR HOLMES NORTON. She is highly respected, highly regarded, and she gives the best of her talents and services to the people of the District of Columbia who elected her. I salute her.

Again, I close by thanking the two fine Senators who have labored here and worked so late. I daresay the Senator from Texas would probably be on her way home, home in Texas. And the Senator from Illinois, I am quite sure, would be on his way home in Illinois. But he had a job to do here. He had a responsibility. I salute him, I thank him, and I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I think that was a very special statement made by the Senator from West Virginia, and I appreciate very much that he loves this Capitol and the seat of Government for all Americans. The fact that he spent 7 years on the Appropriations Committee chairing this subcommittee means that there was a lot of attention and a lot of care paid to this city.

I think he is right. I think we need to make sure this is a job well done. This is every bit as important as what I do for my constituents in Texas, because this is part of what I do for my constituents in Texas, and that is to make this the city that we all want it to be.

I am very pleased the Senator recognized Delegate ELEANOR HOLMES NORTON. I was going to do that as well, because Delegate NORTON is so interested in everything that applies to the District and she is always there, making sure that her constituents are represented. I have been very pleased to work with her and talk to her about these issues that affect her constituents. I hope she knows that all of us look at this Capital City as all America's city, which does give it a very special place in everyone's heart and means that all of us are going to take a special interest in making it a great city.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, if I might just take a moment of time here to thank the Senator from West Virginia. His kind words are high praise indeed.

This Washington, DC, has many museums which contain many national treasures, but the Senate has its own treasure in the Senator from West Virginia, and his dedication to this institution is just unparalleled. The fact that he would praise us for staying after 9 o'clock to do our job of course is belied by the fact that he is still here, prepared to say a few words as well, doing his job, as he always does, for the people of West Virginia.

I thank the Senator from West Virginia, as well as my colleague from Texas, for their kindnesses during consideration of this bill.

Mr. BYRD. Mr. President, I thank both Senators.

Mrs. HUTCHISON. Mr. President, I think we need to pass the bill.

The PRESIDING OFFICER. The question is on final passage of the bill.

The bill (S. 1283) was passed.  
(The bill will be printed in a future edition of the RECORD.)

#### UNANIMOUS CONSENT AGREEMENT

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that when the Senate receives from the House of Representatives the companion bill to S. 1283, the Senate immediately proceed to the consideration of that measure, that all after the enacting clause be stricken and the text of the Senate bill, S. 1283, as passed, be inserted in lieu thereof, that the House bill, as amended, be read for a third time and passed, that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses thereon, and the Chair be authorized to appoint conferees on the part of the Senate and that the foregoing occur without any intervening action or debate.

I further ask unanimous consent that the bill, S. 1283, not be engrossed, that it remain at the desk pending receipt of the House companion bill, and that upon passage by the Senate of the House bill as amended, the passage of S. 1283 be vitiated and the bill be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I wish to thank profusely the staff who have worked so hard on this bill. As Senator BYRD said earlier, this takes a lot of time, because there are a lot of issues that are affected by this bill. I want to thank Mary Beth Nethercutt on the Appropriations Committee and Terry Sauvain, her counterpart on the minority side. They have done a wonderful job making sure that all the t's are crossed and the i's are dotted and the agreements are made and the agreements to disagree are put on the table. They have done a wonderful job.

On my staff, my legislative director Jim Hyland and Robb Woodson, who is the legislative assistant who has done so much to try to make sure that this is a very good and solid bill supporting the District of Columbia.

With that, Mr. President, I thank everyone for a job well done and appreciate once again Senator DURBIN's cooperation. We have had a great relationship. We have agreed to disagree on some issues, but I think he speaks from the heart, and I understand, even when we disagree, that we want the same goal. For that reason, I know we will have a good bill to come back out of conference for the Senate to adopt, and

then we will continue to work with the District government to make sure our views are implemented and their views are implemented.

I yield the floor.

#### FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

##### AMENDMENT NO. 1186, AS MODIFIED

Mr. CAMPBELL. Mr. President, I send to the desk a modification of amendment No. 1186, previously agreed to within the foreign operations appropriations bill.

I ask unanimous consent the amendment be so modified.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The amendment (No. 1186), as modified, is as follows:

At the appropriate place, insert:

##### AUTHORIZATIONS

SEC. 599C. The Secretary of the Treasury may, to fulfill commitments of the United States, (1) effect the United States participation in the fifth general capital increase of the African Development Bank, the first general capital increase of the Multilateral Investment Guarantee Agency, and the first general capital increase of the Inter-American Investment Corporation; (2) contribute on behalf of the United States to the eighth replenishment of the resources of the African Development Fund, the twelfth replenishment of the International Development Association. The following amounts are authorized to be appropriated without fiscal year limitation for payment by the Secretary of the Treasury: \$40,847,011 for paid-in capital, and \$639,932,485 for callable capital, of the African Development Bank; \$29,870,087 for paid-in capital, and \$139,365,533 for callable capital, of the Multilateral Investment Guarantee Agency; \$125,180,000 for paid-in capital of the Inter-American Investment Corporation; \$300,000,000 for the African Development Fund; \$2,410,000,000 for the International Development Association.

The PRESIDING OFFICER. The Senator from Washington.

##### MORNING BUSINESS

Mr. GORTON. Mr. President, I ask unanimous consent that the Senate proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORTON. Mr. President, I ask for recognition to speak in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### RECOVERY OF SALMON RUNS

Mr. GORTON. Mr. President, a thoughtful and detailed article appeared about a week ago in the Portland Oregonian indicating public expenditures of close to \$1 billion during