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PROCEEDINGS AND DEBATES OF THE 106th CONGRESS, FIRST SESSION

SENATE—*Wednesday, September 8, 1999*

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Lord God, You know us as we really are. You know the inner person behind our highly polished exteriors; You know when we are tired and need Your strength; You know about our worries and anxieties and offer Your comfort; You understand our fears and frustrations and assure us of Your presence; You feel our hurts and infuse Your healing love. Flood our inner beings with Your peace so that we can live with confidence and courage.

You have told us that to whom much is given, much is required. Thank You that You have taught us also that of whom much is required, much shall be given. Lord, You require a great deal of the women and men of this Senate. Provide them with an extra measure of Your strength, wisdom, and judgment for the crucial work of this next session of the 106th Congress.

We thank You for all the people who make it possible for the Senate to function effectively. Especially, we thank You for the Senators' staffs and all those here in the Senate Chamber who work cheerfully and diligently for long hours to keep the legislative process moving smoothly. Help us to take no one for granted and express our gratitude to everyone.

Now we commit this day to You, for You are our Lord. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CONRAD BURNS, a Senator from the State of Montana, led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. Senator BURNS is recognized.

Mr. BURNS. I thank the Chair.

I welcome our colleagues back from the August recess.

SCHEDULE

Mr. BURNS. Mr. President, today the Senate will be in a period of morning business until 1 p.m. Following morning business, the Senate will stand in recess until 2:15 p.m. so that the weekly party conferences can meet. Following the conference meetings, the Senate will move to executive session for the consideration of two judicial nominees. Therefore, Senators can expect two consecutive votes at 2:15 today.

When the Senate returns to legislative session, it will resume consideration of the Interior appropriations bill. Amendments are expected to be offered, and therefore Senators can expect additional votes throughout today's session.

It is hoped that the Senate can complete the Interior appropriations bill on Thursday at a reasonable time. As a reminder, there will be no votes on Friday in observance of the Rosh Hashanah holiday. The majority leader looks forward to a productive legislative period as we complete the appropriations process, and he thanks all Senators in advance for their cooperation.

ORDER OF PROCEDURE

Mr. BURNS. Mr. President, as in executive session, I ask unanimous consent that at 2:15 p.m. today the Senate proceed to executive session to consider Calendar Nos. 173 and 175.

I further ask unanimous consent that following 5 minutes of debate equally divided in the usual form, the Senate then proceed immediately to two consecutive votes on the confirmation of the nominations with no intervening action or debate. I also ask unanimous consent that following the votes on the nominations, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

Mr. BURNS. I also ask unanimous consent that it be in order to ask for the yeas and nays at this time on both nominations.

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

Mr. BURNS. Therefore, I now ask for the yeas and nays on Calendar Nos. 173 and 175.

The PRESIDENT pro tempore. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. BURNS. I ask unanimous consent that the period of morning business be divided as follows: Senator DASCHLE or his designee in control of the first 30 minutes; Senator THOMAS in control of the second 30 minutes.

I further ask consent that immediately following the use or yielding back of those times, the Senate stand in recess until 2:15 today for the weekly policy luncheons.

I further ask unanimous consent that following the votes at 2:20, Senator FEINGOLD be recognized to speak in morning business for up to 30 minutes.

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

Mr. BURNS. Mr. President, I yield the floor.

The PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that I be allowed to speak for 10 minutes, followed on our side by Senator BOXER and Senator DORGAN, 10 minutes each.

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

Mr. WELLSTONE. I thank the Chair.

EAST TIMOR

Mr. WELLSTONE. Mr. President, while Senator FEINGOLD is in the Chamber, I wish to indicate my support for his effort—our effort—to make it crystal clear to the Government of Indonesia that the brutal murder of the men and women of East Timor has to stop, that we will hold the Government of Indonesia accountable, that we will

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

do everything we can to exert our leverage, including the question of whether there will be any financial assistance, and that the world community is watching. We want to communicate from the floor of the Senate our support to the people of East Timor.

CBS–VIACOM MERGER

Mr. WELLSTONE. Mr. President, before going to the main topic of my remarks, I wish to briefly speak about a story today in the papers that I just think Senators, Democrats and Republicans, must take note of. This is the report. Top executives of CBS and VIACOM will be huddling today with top officials of the Federal Communications Commission. CBS–VIACOM executives will be lobbying the FCC to approve their proposed merger and to relax FCC restrictions on media concentration.

Mr. President, I think that FCC Chairman Kennard has done an excellent job, but I do believe this private meeting would be improper and inappropriate. I think the meeting should be held in public. I think the public needs to know what is going on. I say this because I cannot think of anything more frightening in a representative democracy than to continue to see this consolidation of media, these media mergers, and this concentration of power over the flow of information.

I think this is a terribly important question. I think it goes to the heart of the functioning of our democracy. Our democracy depends upon citizen access to a wide and divergent range of views and information. We depend upon a free and independent media that will hold both private and public power accountable to people. This dramatic surge in media concentration makes this more difficult. It makes it more difficult for our media to perform these essential functions. I believe we are seeing a breathtaking, frightening concentration of power in the media over the flow of information, and I think it constitutes a direct threat to our democracy.

I hope this meeting and this debate will take place publicly and that there will be meaningful coverage by the major media in our country of this proposed merger of CBS and Viacom. The public needs to be engaged in this debate. This is a serious and important question. Media concentration is a real threat to our representative democracy.

(Mr. BURNS assumed the Chair.)

FAMILY FARMERS

Mr. WELLSTONE. Mr. President, I will take a brief period of time today, I say to my colleagues and to the Chair who cares deeply about this issue as well, I intend to take the time I need to give a report to the Senate and to the country about what is happening in agriculture. I say this to the Chair who I know cares deeply about this.

I have spent most all of August organizing with farmers. I have spent almost all my time in our agricultural and rural communities. I can tell my colleagues that we are now experiencing an economic convulsion, and on our present course we are going to lose a whole generation of farmers and producers. This is not just a battle or a struggle for a fair price for family farmers, it is a struggle for the survival of our rural communities.

I spent time in northwest Minnesota, in southeast Minnesota, in west central Minnesota, and then in southwest Minnesota, at one farm gathering after another. The good news is that many farmers turned out for our meetings, and that made me proud as a Senator. The bad news is that people are in such economic pain. The bad news is that people are in such desperate shape. The bad news is that people who have worked so hard and are asking for nothing more than a decent price so they can have a decent standard of living to give their children the care they know they need and deserve are not getting a decent price.

This Congress has to take action, and it has to take action this fall. We can get the emergency financial assistance out to people. Because of the way we are doing it, too much assistance will be going to some people who do not need it as much, and not enough will be going to many people who need it more. But it is a price crisis and we have to get the price up. We need to take the cap off the loan rate. We need to give the producer some leverage in the marketplace—with a farmer-owned reserve—and the ability to extend the payback period of the loan rate. We need to give our producers a fair shot. We need to get the prices up. Our farmers do not have cash-flow and they are going to be driven off the land.

I believe our country will deeply regret what is now happening in agriculture. It is a food scarcity issue. Who is going to farm the land? Are we going to have affordable food? Is it going to be food that is healthy and safe for our families? What about the environment? What about the whole idea of pattern of land ownership?

So much is at stake for America, but I do not think this crisis, of which the Presiding Officer is aware, is breaking through. No amount of self-reliance is going to help the farmers, given the prices they are getting for wheat, corn, and soybeans. Our livestock producers are faced with the most outrageous situation: they find themselves confronted with a few packers who control almost all of the market in terms of whom they can sell to.

Yesterday in Iowa we had an important hearing with Senator GRASSLEY and Senator HARKIN, and we had several hundred farmers there. I said that we should have a moratorium on all mergers and acquisitions and marketing agreements between agribusinesses with revenues over $50 million until the Congress reviews the antitrust laws. I am going to bring this moratorium to the floor, speaking about concentration of power.

Whatever happened to the Sherman Act and the Clayton Act and the work of Senator Kefauver? What does it mean when we have a few packers and they control almost all of the market? What does it mean, with our livestock producers facing extinction and IBP and ConAgra and a lot of these large outfits making record profits?

Mr. President, this is an injustice. I am telling Democrats and Republicans, we have to make it a priority and we have to push through legislation over the next 2 months that will make a difference. A lot of these farmers are going to be gone if we don't. I speak today to give a brief report, although I am going to start coming to the floor and talking at great length about the number of farmers we are losing.

Tracy Beckman, who directs the Farm Services Administration, has figures on all our counties, on what an emergency situation this is, on what a crisis situation this is, and on what we can do. We can take the cap off the loan rate. We can rewrite the farm bill. Freedom to Farm has become the ''Freedom to Farm for No Money,'' the ''Freedom to Fail.'' We have to change the farm bill. We have to take some antitrust action. We have to be on the side of family farmers and producers. We have to make sure they get a fair price. We have to have a fair trade policy and we need to do it now. Speeches are not enough.

Rural American farmers, when you come here next week, turn up the heat. When you meet with Senators and Representatives, turn up the heat. Ultimately, it is going to take rural America raising heck in order to turn this situation around.

This August, for me, was the most difficult during my time in the Senate. It was the most emotional 3 weeks I ever spent with people in my State. I say to the Senator from California, who is a good friend, what happens at these farm gatherings is that people will say to you: Thanks for caring, it makes me feel good. And you reach out to shake their hand, and they are crying, just crying because they are going to lose everything. Their farm has been in the family for generations. It is where they work, it is where they live, and they are going to lose it all. The implement dealers, the bankers, the educators, the hospital people, and the health care people all say: Our rural communities are going to be ghost towns.

This is needless suffering. This does not have to be. This is not Adam

Smith's invisible hand. It is not some law of gravity. The only inevitability about what is happening to family farmers is the inevitability of a stacked deck. If we change policies and give them leverage so they can get a decent price in the marketplace, if we take on some of these conglomerates and put free enterprise in the food industry, and if we move forward on trade policy, we can make a huge difference.

This is an issue that goes to the heart and soul of what America is about. America, if you are listening to what we are saying in the Senate, this is all about the country, this is about food scarcity, this is about getting food at a price you can afford. It is about who is going to own the land. This is about whether or not we are going to have a rural America. This is about whether we are going to have a few conglomerates muscle their way to the dinner table and exercise their power over all phases of the industry—over the producers, over the consumers, over the taxpayers—or whether we are committed to a family farm structure in agriculture.

I come from a State, Minnesota, where family farmers are really important. They are so important to my State, but they are important to our country. I hope and pray over the next 2 months we will take action in Congress that will make a positive difference and will change this policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, before I begin my remarks, I ask unanimous consent that Senator FEINGOLD and Senator REED each be given 10 minutes at the conclusion of Senator DORGAN's time. Of course, if people from the other side want that courtesy, we will be happy to support that.

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

Mrs. BOXER. Mr. President, before Senator WELLSTONE leaves the floor, I thank him. I thought his comments were very poignant, and what he is addressing is some of the unfinished business of this body, things we have to take care of. Certainly one of them is the problems of the family farmer.

EAST TIMOR

Mrs. BOXER. Mr. President, I add my voice in praising Senator FEINGOLD for his leadership in the Foreign Relations Committee, on which I serve, on this whole issue of East Timor.

There are some things we can do very quickly in the Senate to send a message to Indonesia that we will not stand by and see this violation of human rights occur. We have some leverage. We have some agreements. We can make a difference.

THANKING THE CHAPLAIN

Mrs. BOXER. Mr. President, I thank the Chaplain today for his very inclusive prayer, calling to our attention the things we take for granted, the good people around here who work so hard and always do it in a way that makes us feel as though we are not asking them to work very hard, and we are asking them to work very hard. They are always pleasant. That includes the staff on both sides. I thank the Chaplain for that.

UNFINISHED BUSINESS

Mrs. BOXER. Mr. President, I rise today, first of all, to say it is good to be back in the Senate because I am very hopeful we can do something, in the remaining days and weeks we have, to make life better for the people we represent. I also have had some wonderful interaction with the people of my State. They have some very strong opinions on many of the issues facing us.

I think the message I got more than anything was, can't you get together on both sides of the aisle and address the issues that impact our daily lives? I certainly think that is an appropriate sentiment.

That is not to say that the Congress shouldn't be doing its oversight investigations, be it the Waco incident or what has occurred in Russia. I am not against any of that. I am for that. But we have to do everything around here. We have to do the oversight, but we also have to pay attention to business.

There is an article in today's Washington Post written by Elizabeth Drew, who wrote a book called ''The Corruption of American Politics: What Went Wrong and Why.'' She has a very interesting article called ''Try Governing for a Change.'' She says to Congress: Welcome back. We hope you had a nice vacation. We hope you will use the few weeks that remain to govern, rather than to position yourselves politically.

That is my message today. We have unfinished business. I will go through some specifics. I am not going to just stand up and talk in generalities. I want to be specific.

One of the first things we have to deal with is school safety. Our children are back at school. We have provisions in the juvenile justice bill that are now in conference that can make schools safer. We also have provisions in the commerce bill that will make schools safer. What are some of these?

The Gregg-Boxer amendment that is in the Commerce bill, which would provide $200 million for school safety activities, including security equipment, hiring more police officers, and violence prevention programs for our children, is a bipartisan provision. It passed overwhelmingly. It ought to move forward. We ought to have that help for our schools.

The gun control provisions in juvenile justice that are so very important and, might I add, are not radical—they are very moderate—I want to see us pass.

We closed the gun show loophole that allowed criminals to get guns at gun shows without going through background checks. We banned the importation of high-capacity ammunition clips which are used in semiautomatic assault weapons. We required child safety devices be sold with every handgun. We required the Federal Trade Commission and the Attorney General to study the extent to which the gun industry is marketing its products to our students, our children. We made it illegal to sell or give a semiautomatic weapon to anyone under the age of 18. That is an assault weapon.

These are very simple. They are very straightforward. We passed them in the Senate, and they are in conference. I have yet to see that conference committee meet. I certainly hope it will. I look forward to the opportunity for getting the people's business of protecting our children done. That is school safety.

We have a lot of other unfinished business. There are not that many things but they are all very important. We have the issue of saving Medicare—a very important part of the President's proposal, saving Medicare. We have to get down to it. We have to do it. We have the issue of paying down the debt. We have a huge debt. We have an opportunity with the surplus to pay it down and save all those interest payments on the debt that we continue to pay out every single day, $1 billion a day just to pay the interest payment on the debt that has accumulated since the 1980s. We ought to pay that down.

On the minimum wage, I was amazed to see a report in the Los Angeles Times about the condition of people who live in Los Angeles County. I know my friend, the Chaplain, is from that area. More than 20 percent of Los Angeles County residents live below the official poverty line. That is $16,450 a year for a family of four. This is reflective of a lot of people in our Nation. It is not just Los Angeles. When most people think of Los Angeles, they think of Hollywood. They think of millionaires. They have to understand what is happening to real people.

Twenty percent are living in poverty. One out of every three children in Los Angeles lives in poverty. If you go to Los Angeles and see little children, one out of three of them is living in poverty. That is up from one out of four in 1990.

You might say: Well, maybe it is just minority kids. No, it is a lot of children, across the board. It is 21 percent of Anglo children living in poverty; 21 percent of Asian American children are living in poverty in Los Angeles; 33 percent of African American children

are living in poverty in Los Angeles; 43 percent of Latino children are living in poverty in Los Angeles; 12 percent of elderly people are living in poverty in Los Angeles, an increase from 9 percent in 1990; 2.7 million residents of Los Angeles County have no health insurance.

What I am saying is, when we talk about the minimum wage, this is real. Most of these people are working very hard. What is happening in our society today is people are working hard at the very bottom levels. I think the least we can do in this incredible economic climate that so many of us are benefiting from is to raise that minimum wage, save Medicare, help our seniors, pay down the debt, help the future, pass these safety provisions so our kids are safe in school, and pass a Patients' Bill of Rights. We have a watered down bill in the Senate but they are going to pass a good one in the House. Get them into conference and pass it, bring it out.

Finally, campaign finance reform is so important. Of all these issues I have mentioned, I am sad to say our majority leader has only put one on the agenda for his must-do list. That is campaign finance reform. I am glad it is there. It is there because there was a threat to shut down this place if it wasn't on there, but I am glad it is on the list. All of these other things are not there.

What is worse, when you look at the most important thing the Republican majority wants to do, it is going to hurt all these other things, because it is a huge tax cut of $800 billion that is going to help the people at the upper echelons and hurt everyone else. There won't be any money for Medicare. There won't be any money to save that program. There won't be any money to pay down the debt so we can be good to our grandchildren and their children. There won't be anything for education. There won't be anything for the environment.

I say to my friends, let's do what the people want us to do. Let us take care of business.

There was an extraordinary field poll done in California. I think it is very instructive, and it is amazing in the scope of what it said.

It said that more than 80 percent of the people of California agreed with the President's approach to the budget, which, as we know, is to take that surplus and use a third of it for tax cuts for the middle class, a third of it for Medicare, and a third of it for education, the environment, health research. Now, this means the majority of Republicans agree with the President on this point.

I think we have a golden opportunity to come together on issues that mean a lot to the people: school safety, a Patients' Bill of Rights, campaign finance reform, raising the minimum wage, saving Medicare, paying down the debt, targeted tax relief to the middle class, not to those at the very top who are doing very well.

And the reason I shared the survey with you on the poverty in Los Angeles is that while the economy is terrific and is going very well in California, the gap between the rich and the poor is growing mightily. Those of us who care about our fellow human beings cannot turn our backs on this, regardless of our party, because it is a recipe for problems in the future.

Mr. President, I thank you for your indulgence. I know my colleague, Senator DORGAN, has a lot to say on these and other matters. Again, I compliment my friends who are taking the lead on the East Timor situation. We have unfinished business to do. Let's get it done and do it across the party aisle and go home proud of our accomplishments.

I yield the floor.

DEPARTMENT OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

The PRESIDING OFFICER. Under the order of the Senate on July 22, the Senate having received H.R. 2670, the Senate will proceed to the bill, all after the enacting clause is stricken, the text of S. 1217 is inserted, H.R. 2670 is read the third time and passed, the Senate insists on its amendment, requests a conference with the House, and the Chair appoints Mr. GREGG, Mr. STEVENS, Mr. DOMENICI, Mr. MCCONNELL, Mrs. HUTCHISON of Texas, Mr. CAMPBELL, Mr. COCHRAN, Mr. HOLLINGS, Mr. INOUYE, Mr. LAUTENBERG, Ms. MIKULSKI, and Mr. BYRD conferees on the part of the Senate.

(The text of S. 1217 is printed in the RECORD of July 27, 1999)

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

THE COMPREHENSIVE NUCLEAR TEST BAN TREATY

Mr. DORGAN. Mr. President, on October 6, 7, and 8, there will be a meeting in Vienna, Austria. It will be among countries that have ratified something called the Comprehensive Nuclear Test Ban Treaty. That treaty is embodied in this document I hold in my hand.

Now, what is the Comprehensive Nuclear Test Ban Treaty? It is a treaty negotiated by a number of countries around the world; 152 countries, in fact, have signed the treaty and 44 countries have ratified the treaty. It is a treaty designed to prohibit any further explosive testing of nuclear weapons anywhere in the world, at any time, under any condition.

This treaty ought to be an easy treaty for this country and this Senate to ratify. But we have not done so. At a time when India and Pakistan explode nuclear weapons literally under each other's chins—these are two countries that don't like each other—at a time when we have evidence of more proliferation of nuclear weapons into the hands of countries that want access to nuclear weapons with which to, in some cases, defend themselves, perhaps in other cases to terrorize the rest of the world, this country ought to be exhibiting leadership. It is our moral responsibility to provide leadership in the world on these issues. This country ought to provide leadership on the issue of the Comprehensive Nuclear Test Ban Treaty.

We have not ratified this treaty. At the meeting in Vienna, countries that have ratified it will participate in discussing the implementation of this treaty, and this country will not be an active participant. Great Britain, Belgium, Germany, Canada, Italy, Norway, Poland, and France will be but we will not. We are the largest nuclear superpower on Earth and we have not ratified this treaty.

What about nuclear weapons and nuclear war? I was in the presence of a nuclear weapon recently at a military installation. If you stand a foot or two away from a nuclear weapon and look at it, it is a relatively small canister-looking device that, upon explosion, will devastate portions of our Earth.

Going back nearly 40 years to an address by John F. Kennedy, he said something about nuclear weapons. In fact, he quoted Nikita Khrushchev:

> Since the beginning of history, war has been mankind's constant companion. It has been the rule, not the exception. Even a nation as young and as peace-loving as our own has fought through eight wars. A war today or tomorrow, if it led to nuclear war, would not be like any war in history. A full-scale nuclear exchange, lasting less than 60 minutes, with the weapons now in existence, could wipe out more than 300 million Americans, Europeans, and Russians, as well as untold numbers elsewhere. And the survivors, as Chairman Khrushchev warned the Communist Chinese, ''the survivors would envy the dead.'' For they would inherit a world so devastated by explosions and poison and fire that today we cannot even conceive of its horrors.

This country and Russia have 30,000 nuclear weapons between them. Other countries want nuclear weapons, and they want them badly. To the extent that any other country cannot test nuclear weapons, no one will know whether they have a nuclear weapon that works. No one will have certainty that they have access to nuclear weaponry. That is why the Comprehensive Test Ban Treaty is so critical.

Now, where is it? Well, it is here in the Senate. It has been here 716 days, with not even 1 day of hearings. Not one. Virtually every other treaty sent to the Senate has been given a hearing and has been brought to the Senate floor and debated and voted upon. The issue of the proliferation of nuclear

weapons and the stopping of explosive testing of nuclear weapons is not important enough to be brought to the Senate floor for a debate. It has been over 700 days. Not 1 day of hearings.

In October, this country, which ought to be the moral leader on this issue, will not be present as a ratified member at the implementing meetings for this treaty. Shame on us. We have a responsibility to do this. There are big issues and small issues in this Congress. This is a big issue and cannot be avoided.

Now, I am not here to cast aspersions on any Member of the Senate. But I waited here this morning to have the majority leader come to the floor—and he was not able to come to the floor—to describe the agenda this week. When he comes to the floor, I intend to come to the floor and ask him when he intends to bring this treaty to the floor. If he and others decide it will not come to the floor, I intend to plant myself on the floor like a potted plant and object. I intend to object to other routine business of the Senate until this country decides to accept the moral leadership that is its obligation and bring this treaty to the floor for a debate and a vote.

In a world as difficult as this world is, when countries such as India and Pakistan are detonating nuclear weapons, it is inexcusable, when so many other countries are trying to gain access to nuclear weapons for themselves, that this Senate, for over 2 years, has not been willing or able to allow a debate on a treaty as important as is this treaty. The banning of nuclear explosive testing all around the world at any time, anyplace, anywhere is critically important for our future, for our children, and for their children.

Now, my colleagues know—at least I hope some know—that I am fairly easy to work with. I enjoy the Senate. I enjoy working with my colleagues. I think some of the best men and women I have had the privilege of working with in my life are here on both sides of the aisle. I have great respect for this body. But this body, in some ways, is very frustrating as well because often one or two people can hold up something very important. In this circumstance, I must ask the majority leader—and I will today when given the opportunity when he is on the floor—when will we have the opportunity to debate this Comprehensive Test Ban Treaty.

That meeting in October should not proceed without this country providing a leadership role. The only way that can happen is for us to have ratified the treaty. China and Russia have not ratified the treaty; that is true. They are waiting on this country. India and Pakistan are now talking about detonating more nuclear weapons; that is true. They are asking others to implore one or the other to ratify this treaty. Both countries are waiting for this country's leadership. What kind of credibility does this country have to go to India and Pakistan and say to them, ''You must ratify this treaty,'' and when they turn to us to say, ''Have you?'' we would say no? Somehow, the Senate could not, in 700 days, even hold 1 day of hearings on the Comprehensive Nuclear Test Ban Treaty.

We have to do better than that. I am sorry if I am going to cause some problems around here with the schedule. But frankly, as I said, there are big issues and there are small issues. This is a big issue. And I am flat tired of seeing small issues around this Chamber every day in every way, when the big issues are bottled up in some committee and the key is held by one or two people. Then we are told: If you do not like it, tough luck; you don't run this place. It is true, I don't run this place, but those who do should know this is going to be a tough place to run if you do not decide to bring this issue to the floor of the Senate and give us the opportunity to debate a Comprehensive Nuclear Test Ban Treaty. This will not be an easy road ahead for the Senate if you decide that this country shall not exercise the moral leadership that is our responsibility on these matters.

If I might with the remaining minute or so mention an editorial in the Washington Post from yesterday, I ask unanimous consent that it be printed in the RECORD.

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

WHY A TEST BAN TREATY?

The proposed nuclear test ban treaty has been around so long—for 50 years—and has been so shrouded in political foliage that many people have forgotten just what it entails. The current debate about it centers on the Clinton administration's differences with the Russians on the one hand and with the Republicans on the other. But in fact the appeal of the treaty is a good deal simpler and more powerful than the debate indicates. This treaty would put an end to underground nuclear tests everywhere; tests above ground already are proscribed either by treaty or by political calculation. Its merits shine through.

Testing is the principal engine of nuclear proliferation. Without tests, a would-be nuclear power cannot be sure enough the thing would work to employ it as a reliable military and political instrument. Leaving open the testing option means leaving open the proliferation option—the very definition of instability. The United states, which enjoys immense global nuclear advantage, can only be the loser as additional countries go nuclear or extend their nuclear reach. The aspiring nuclear powers, whether they are anti-American rogue states or friendly-to-America parties to regional disputes, sow danger and uncertainty across a global landscape. No nation possibly can gain more than we do from universal acceptance of a test ban that helps close off others' options.

At the moment, the treaty is hung up in the Senate by Republicans desiring to use it as a hostage for a national missile defense of their particular design. This is curious. The obstructionists pride themselves in believing American power to be the core of American security. Why then do they support a test ban holdup that multiplies the mischief and menace of proliferators and directly erodes American power? The idea has spread that Americans must choose between a test ban treaty and a missile defense. The idea is false. These are two aspects of a single American security program, the one being a first resort to restrain others' nuclear ambitions and the other a last resort to limit the damage if all else fails. No reasonable person would want to cast one of these away, least of all over details of missile program design. Those in the Senate who are forcing an either-or choice owe it to the country to explain why we cannot employ them both.

The old bugaboo of verification has arisen in the current debate. There is no harm in conceding that verification of low-yield tests might not be 100 percent. But the reasonable measure of these things always has been whether the evasion would make a difference. The answer has to be that cheating so slight as to be undetectable by one or another American intelligence means would not make much difference at all.

The trump card of those who believe the United States should maintain a testing option is that computer calculations alone cannot provide the degree of certitude about the reliability of weapons in the American stockpile that would prudently allow us to forgo tests. This is a matter of continuing contention among the specialists. But what seems to us much less in contention is the proposition that, given American technological prowess, the risk of weapons rotting in the American stockpile has got to be a good deal less than the risk that other countries will test their way to nuclear status.

The core question of proliferation remains what will induce would-be proliferators to get off the nuclear track. Certainly a ''mere'' signature on a piece of paper would not stay the hand of a country driven by extreme nuclear fear or ambition. Two things, however, could make a difference. One is if the nuclear powers showed themselves ready to accept some increasing part of the discipline they are calling on non-nuclear others to accept, so that the treaty could not be dismissed as punitive and discriminatory. The other is that when you embrace the test ban and related restraints on chemical and biological weapons, you are joining a global order in which those who play by the agreed rules enjoy ever-widening benefits and privileges and those who do not are left out and behind.

President Clinton signed the test ban treaty, and achieving Senate ratification is one of his prime foreign policy goals. More important, ratification would make the world a safer place for the United States. Much still has to be worked out with the Republicans and the Russians, but that is detail work. The larger gain is now within American reach.

The editorial says the following:

The core question of proliferation remains what will induce would-be proliferators to get off the nuclear track. Certainly a ''mere'' signature on a piece of paper would not stay the hand of a country driven by extreme nuclear fear or ambition. Two things, however, could make a difference. One is if the nuclear powers showed themselves ready to accept some increasing part of the discipline they are calling on non-nuclear others to accept, so that the treaty could not be dismissed as punitive and discriminatory. The other is that when you embrace the test ban and related restraints on chemical and biological

weapons, you are joining a global order in which those who play by the agreed rules enjoy ever-widening benefits and privileges and those who do not are left out and behind.

The point is that this country must demonstrate moral leadership on this issue and must do it now.

Seventy to eighty percent of the American people support the ratification of this treaty. Most American people understand that this issue is about who is going to have access to nuclear weapons in the future. And, incidentally, on the issue of nonproliferation of nuclear weapons, which is about as important an issue as there is for us, this is a baby step. If we can't take the baby step of ratifying this treaty, what on Earth will be the result of tougher, more difficult things we are called upon to do?

This isn't Republican or Democrat. It is a responsibility for all Members of the Senate to say it is outrageous that after 700 days, a treaty that has been signed and sent to the Senate has not been ratified or had one day of hearings. We have an obligation and a responsibility. We, in my judgment, have a right to expect this be brought to the floor for a debate and a vote.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Wyoming is recognized.

ORDER OF PROCEDURE

Mr. THOMAS. Mr. President, I think we have 30 minutes assigned in morning business. I want to begin to talk about what I think is a very big issue; that is, the appropriations discussions that will take place on the Interior and related agencies which will start after morning business.

I would like to yield to my friend, the Senator from Arizona.

The PRESIDING OFFICER. We have time reserved for the Senator from Wisconsin. The Chair was alternating back and forth.

Mr. THOMAS. It was my understanding that we had an hour of time and half was ours and half of it was already used.

The PRESIDING OFFICER. They have time remaining. The Senate had a late start.

Mr. FEINGOLD. Mr. President, if I could be of help, it is my understanding they have 30 minutes and, subsequent to that, Senator REID and I will each have 10 minutes. That is my understanding of the unanimous consent agreement.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Thank you, Mr. President. I thank the Senator from Wisconsin and I thank Senator THOMAS from Wyoming.

THE NUCLEAR TEST BAN TREATY

Mr. KYL. Mr. President, I just want to talk for a brief bit of time on the Interior appropriations bill and on some matters that are very important to people throughout this country, particularly in the West. But let me begin by making a comment about what the Senator from North Dakota has just said. In fact, he has said that he is going to threaten to bring the business of the Senate to a halt unless he gets his way, and what he wants to do is have a debate on the Comprehensive Test Ban Treaty.

There are a lot of important things facing this country. But to quote from the President of the United States, who very recently gave a talk about putting first things first, it seems to me that most of the American people would like to put first things first, and that would include matters such as the continuation of the running of the Government for the next year which would require us to pass appropriations bills to fund the various Departments of the Government, not the least of which is the Department of the Interior which is what we are going to be talking about next. There will be plenty of time to debate the Comprehensive Test Ban Treaty.

But in terms of the priority of this country, I think our colleagues need to understand that treaty can't even go into effect until 100 percent of the major countries of the world sign it. There are many countries that haven't signed it. It is going to be years before that treaty goes into effect. There is no rush for the United States to have to take up that treaty.

To be threatened with stopping all business of the Senate until it can debate the Comprehensive Test Ban Treaty, I hope my colleague will reconsider his position on that. We talk about what I consider to be first things first, and that would be to finish our business here, which is, first of all, to get the appropriations bills passed and sent to the President for his consideration.

INTERIOR AND RELATED AGENCIES APPROPRIATIONS

Mr. KYL. Mr. President, one of the appropriations bills we have yet to act upon is the Interior appropriations bill, as Senator THOMAS pointed out. He comes from the State of Wyoming. I come from the State of Arizona. Practically every State west of the Mississippi is significantly impacted by this bill because, as I am sure you are well aware, Mr. President, coming from the State of Montana, more than a third of this Nation's lands are owned by the Federal Government. Most of those are in the western United States. Many of those lands are under the jurisdiction of the Department of the Interior.

This is an extraordinarily important bill for the people of our States. I just want to discuss one aspect of it that is very important for my State of Arizona and other States in the western United States.

We have a very difficult condition in our national forests now. They have been probably—I think it is not too strong a term—''mismanaged'' over the years. It has been a combination of things. It has been the combination of the Forest Service, the Department of Agriculture, the Department of the Interior, the grazing on public lands, the way that fire suppression has taken off, and some other things which have resulted in the condition where, instead of healthy forests of large trees that have great environmental value and value to the other flora and fauna in the forest and which present a relatively safe situation in terms of forest fires, we now have a situation in the West where our forests are literally becoming overgrown.

They are becoming so thick and dense with small-growth trees that:

(A) They are very fire prone.

(B) They are not resistant at all to disease and to insects.

(C) They are not environmentally pleasing at all.

(D) None of the trees grow up to be very large because they are all competing for the moisture and the nutrients in the soil.

The net result is a situation that is very different from that which pertained at the turn of the century when we had very healthy forests of very large trees that were spaced quite a distance apart, with meadows in between, with a lot of good grass that livestock and wild animals could graze on, and which were not prone to forest fire because the fire would work along the ground when it occurred. It would reduce the fuel load on the ground, but it would never get to be the kind of crown fire we have just seen on television that has been experienced in several States in the West, not the least of which is in California.

You get the crown fires when you have a lot of brush on the ground. You have these small, dense trees and many come under the boughs of the great big trees. The fire starts on the ground and goes right up to the crown of the other trees. We have all seen from those television pictures the explosive power of the fires. It is a horrendous situation. It threatens life and limb as well as the destruction of the forest and all that is within it.

We have to find a way to better manage our forests. We have been for some time urging the Department of Agriculture and the Department of the Interior to work on a management program which essentially involves the thinning of these small-diameter trees, leaving the large-diameter trees—leaving the old growth but thinning out the small-diameter trees, and then doing controlled burns to get rid of the fuel load, and after that letting nature take its course.

We have found from experimentation—primarily through Northern Arizona University, Dr. Walley Covington, and others who have done the research and demonstration projects we have funded—that the trees become more healthy. The pitch content of the trees increases significantly. So they are less susceptible to bark beetles and other kinds of insect damage. The grasses grow up underneath the trees as they didn't do before. The protein content of the grasses is significantly higher. So it is much better grazing for the forest animals. In every respect, from an environmental point of view, it is a better situation than that which pertains today.

This takes money because you have to pay to go in and do the thinning. Each one of these projects requires a substantial amount of money.

So far, the research has been done on small plots of land. But according to the General Accounting Office, we have about 25 to 30 years maximum to treat all of our forests or we are going to be into a contagion situation with very little hope of saving these forests. In fact, we have about 39 million acres of national forest lands in the interior West that are at high risk of catastrophic fire, and only this brief period of maybe 25 years to effectively manage these forests.

There are two major impediments to solving the problem. One is agency inertia. It has taken a long time to get the agencies up and running. Secretary Babbitt has been supportive of this concept. There are extremists in the environmental community who want to prevent any management of the forest. Many fine environmental groups are supportive of participation in this program, but there are extremists who file lawsuits to try to prevent any management.

I have asked Forest Service Chief Dombeck to support a dramatic increase in forest restoration. In fact, the Forest Service plans to implement three to four large-scale projects of 100,000 to 300,000-acre size during fiscal year 2000. The fiscal year 2000 budget for the Forest Service called for reducing fuels on only 1.3 million acres, down from 1.5 million planned for 1999.

The GAO estimates a very substantial increase in funding will be necessary, probably up to $725 million annually, in order to adequately address this problem. I strongly support increased restoration funding for this fuels reduction program, including the Forest Service new line-item request for the forest ecosystem restoration improvement fund. This will be used to support forest restoration projects where current funding is not available or feasible, particularly in a situation where the materials are available to be cut have no commercial value.

I plan to continue my efforts to support this. I know the Senator from Wyoming is strongly supportive of managing our national forests—both the forests under the jurisdiction of the Department of Agriculture and the Department of Interior—in a very sensible fashion. We are just now starting this. It has taken a few years to get consent on the right way to do this. We have a lot more funding to provide. We need much more agency support for this forest restoration if we are going to save the national forests of this great country.

I think this is very important not only for the people in the West but throughout the country. I think it deserves our attention and our priority.

I appreciate the opportunity for discussion this morning, and I thank the Senator from Wyoming for reserving time to talk about these important issues.

Mr. THOMAS. Mr. President, I take this time to talk about the uniqueness of the public lands of the West. It is very clear there are great differences among the States in terms of land management, the kinds of land ownership that exist, and the delivery of health care.

Wyoming is a large State. I think we are the eighth largest State in the United States yet the smallest in population. We have small towns. There are twice as many people in Fairfax County as there are in the State of Wyoming. The point I make is ''one size fits all'' in many areas of operation does not work effectively in delivering services. I think that is especially true when we start talking about the management of resources and the management of lands.

This chart shows the Federal land holdings by State. The color brown represents almost all New England States with less than 1 percent of their total land surface held by the Federal Government. Blue represents States with 1 percent to 5 percent, including much of the South and the Midwest. Five to 10 percent are the purple-colored States. In the West, the yellow-colored States have up to 65 percent of the State's surface belonging to the Federal Government. It is a unique proposition. Furthermore, there are States in green that go beyond that. This map shows almost 83 percent of Nevada—actually I think it is probably 87 percent of Nevada's surface—belonging to the Federal Government. The same is true in Alaska.

There is a great deal of difference in how we do this. The lands belong to everyone. The economy of the States depends on Federal decisions that are made, including the jobs for everyone who lives there. Local county governments take care of all services transpiring on Federal lands.

Let me show you an enlarged map of Wyoming. This map gives you an idea of the amount of land in Wyoming belonging to the Federal Government or public lands. This is an Indian reservation. Purple represents national parks. We are very proud of them. The green represents U.S. forest reserves. The interspersed yellow represents land managed by the Bureau of Land Management. Where the railroads went through in the early years are checkerboard lands, with every other section being owned by the Federal Government. There are control and access problems for all of these areas.

We depend highly upon the dollars made available through the Interior appropriations. We have had much involvement with the decisions made by the land management agencies in these areas, whether it be BLM or others. I want to emphasize how important it is to talk about some of these important issues.

For example, these lands are basic lands. BLM lands were largely residual that remained after the Homestead Act expired. They generally are lands in the plains of our State. The homesteaders came in along the rivers and creeks, taking the most productive lands. The other lands remain managed by the BLM. To remain an agricultural unit it is always necessary to have the productive lands and the other lands for grazing. We use them for multiple use.

Everyone in Wyoming wants to use the lands for wildlife, for the preservation of wildlife, hunting, hiking. Indeed, they can be used together. It is sometimes difficult to find agreement. Multiple use, whether for mineral production or not—all the lands yield minerals; mostly oil, trona, soda ash or coal; Wyoming is the largest producer of coal in the country which most people don't realize—is income for the State and the Federal Government with their royalties.

We have currently and in this bill we will talk about funding for the Fish and Wildlife Service which manages the Endangered Species Act. This is a very difficult area. Everyone wants to preserve critters, animals, and plants that are endangered. At the same time, there are some questions when we have an animal in some danger. First, the grizzly bears or wolves; now we have the Preble's Meadow jumping mouse listed as endangered. It becomes almost a threat to the private land owners who are restricted from using their lands as they desire because of the potential threat of endangerment.

These are the issues we deal with. We deal with PILT payments, payments in lieu of taxes. Fifty percent of the State belongs to the Federal Government. There are no taxes as in private lands. In this bill, there is funding for PILT payments. We will have an amendment to raise it.

The counties provide hospital service, the counties provide policing, the counties provide all the services to these lands but have received no revenue as the case would be if they had

been private lands. These are the things with which we deal.

Much of this supports grazing. Ranchers in Wyoming have permits. They pay so much per animal unit for grazing. We have a problem now because the Forest Service or the BLM has not done a NEPA study for permit renewal. Unfortunately, they have not been able to complete the NEPA studies. Now we are faced with the question: Does the grazing lease expire because there has not been a study?

There will be an amendment that says you can go ahead and extend the grazing lease and let the BLM go ahead and make the study; it doesn't preclude the study. The study will still be made, but it allows the grazing to continue because it is no fault of the grazer the study has not been made.

The Senator from Arizona talked about forests and forest management. Obviously, in many cases there is some kind of harvesting of mature timber. If it is not harvested and managed in the way you take it out, then it burns.

I just came back from spending several days in Yellowstone Park where we had a gigantic fire in the late eighties. It is discouraging to see how long it takes to reforest an area of that kind.

We are dealing again in this bill with financing what is called the clean water action plan which has to do with nonpoint source water controls. One hundred eleven ideas, put forth by EPA to do some things like that, frankly, are going to be extremely difficult and will have much to do with the utilization and multiple use of these lands because you have to have the water to do that.

We talk about droughts in the East. Frankly, this kind of area does not get as much rainfall in a normal year as we did in a drought. This is 14 inches per year. The water, the runoff, and the irrigation are a very real part of it.

We are going to move into this area this afternoon. I am very pleased with what has been done. The Senator from Washington has put together a bill which I think has great merit. We are trying to do some things that will make it more workable in terms of oil royalties, grazing fees, and some of the other things that do become controversial.

I urge people to take a look at the situation, even though they do not live here, and try to understand why some of these things need to be handled a little bit differently because of the situation we have in the West.

I thank the Chair for the opportunity to talk about this bill. I believe we have used our time, or very close to it. I yield back the time if we have not.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I thank the Chair.

(The remarks of Mr. FEINGOLD and Mr. REED pertaining to the introduction of S. 1568 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

There being no objection, the Senate, at 1:19 p.m. recessed until 2:16 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ENZI).

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the hour of 2:15 p.m. having arrived, the Senate will now go into executive session to consider Executive Calendar orders numbered 173 and 175.

The nominations will be stated.

THE JUDICIARY

The legislative clerk read the nominations of Adalberto Jose Jordan, of Florida, to be United States District Judge for the Southern District of Florida, and Marsha J. Pechman, of Washington, to be United States District Judge for the Western District of Washington.

The Senate proceeded to consider the nominations.

The PRESIDING OFFICER. Under the previous order, there will be 5 minutes of debate equally divided.

Who seeks time?

The Chair recognizes the Senator from Washington.

Mr. GORTON. Mr. President, I would like to express my enthusiastic support for the nomination of Judge Marsha J. Pechman to serve on the United States District Court for the Western District of Washington.

Ms. Pechman was chosen by a selection committee jointly appointed by my colleague, Senator MURRAY, and myself, and was jointly recommended by the two Senators from the State of Washington to President Clinton. The President has therefore engaged fully in the normal advice and consent process for choosing Federal judges for this vitally important lifetime position.

Judge Pechman has significant judicial experience. She has served as a superior court judge in King County, Washington, for a period of 11 years, handling a wide range of cases, taking an active role in improving the administration of justice, and instructing and teaching other judges and lawyers. Before becoming a judge, Marsha Pechman worked as a deputy prosecuting attorney in King County and was later made a partner in a significant, major law firm in the city of Seattle.

I ask my colleagues to join with my colleague from the State of Washington and myself in approving a first-rate nomination on the part of the President, Judge Marsha Pechman, to serve as United States District Court Judge for the Western District of Washington.

The PRESIDING OFFICER. The Chair recognizes the Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the Republican leadership for allowing the Senate to consider and confirm two more outstanding judicial nominations today. Marsha Pechman and Adalberto Jose Jordan had confirmation hearings on July 13. They were favorably reported by the Judiciary Committee long before the August recess.

I regret that they were not confirmed at that time along with the other 11 judicial nominees on the Senate calendar who are still awaiting Senate action. With these confirmations today—and I predict they will be confirmed—the Senate will finally have confirmed more than a dozen judges this year. By comparison, last year at this time the Senate had confirmed 39 judges, not just 13; by this time in 1994, the Senate had confirmed 58 judges, not just 13.

In the past I have challenged the Senate to try to keep up with Sammy Sosa's home run pace. He has 58 home runs so far this year. We are behind not just his home run pace but the home run pace set by National League pitchers.

The Senate has ready for action the nominations of Marsha Berzon to the Ninth Circuit, Justice Ronnie White to the District Court in Missouri, and many other qualified nominees.

The current nomination delayed the longest is that of Judge Richard Paez. He has been held up for over 3½ years, yet can anybody on this floor state with confidence that if he were allowed to have a rollcall vote, he would not be confirmed. The Judiciary Committee twice reported the nomination favorably. If we were honest and decent enough in the Senate to allow this man to come to a vote after 3½ years, he would be confirmed. It is a scandal, a shame on the Senate that we do not confirm this nominee.

His treatment recalls the criticism the Chief Justice of the United States, William Rehnquist, has made of the Senate. He pointed out that after a period for review nominations should be voted up or voted down. He pointed out that too many nominations were being held up too long. The nomination of Judge Richard Paez is currently Exhibit A.

We are not doing our job. We are not being responsible. We are being dishonest, condescending, and arrogant toward the judiciary. It deserves better and the American people deserve better.

We have less than 8 weeks in which the Senate is scheduled to be in session the remainder of the year. We have our

work cut out for us if we are to consider the 49 judicial nominations pending at the start of this week and others who are being nominated over the next few weeks.

In spite of our efforts last year in the aftermath of strong criticism from the Chief Justice of the United States, the vacancies facing the Federal judiciary are, again, approximately 70 and the vacancies gap is not being closed. We have more Federal judicial vacancies extending longer and affecting more people. Judicial vacancies now stands at over 8 percent of the Federal judiciary. If one considers the additional judges recommended by the Judicial Conference, the vacancies rate would be over 15 percent.

Nominees deserve to be treated with dignity and dispatch—not delayed for two and three years. We are seeing outstanding nominees nitpicked and delayed to the point that good women and men are being deterred from seeking to serve as federal judges. Nominees practicing law see their work put on hold while they await the outcome of their nominations. Their families cannot plan.

The President spoke about the vacancies crisis again last month. Certainly no President has consulted more closely with Senators of the other party on judicial nominations. The Senate should get about the business of voting on the confirmation of the scores of judicial nominations that have been delayed without justification for too long. We must redouble our efforts to work with the President to end the longstanding vacancies that plague the federal courts and disadvantage all Americans. That is our constitutional responsibility.

The PRESIDING OFFICER. If all time is yielded back, the Senate will now proceed to vote. The question is, Will the Senate advise and consent to the nomination of Adalberto Jose Jordan, of Florida, to be a United States District Judge for the Southern District of Florida? The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Ohio (Mr. VOINOVICH) are necessarily absent.

I further announce that, if present and voting, the Senator from Utah (Mr. HATCH) would vote ''yes.''

Mr. REID. I announce that the Senator from Maryland (Mr. SARBANES) and the Senator from Maryland (Ms. MIKULSKI) are absent because of attending a funeral.

The result was announced—yeas 93, nays 1, as follows:

[Rollcall Vote No. 262 Ex.]

YEAS—93

Abraham	Durbin	Levin
Akaka	Edwards	Lieberman
Allard	Enzi	Lincoln
Ashcroft	Feingold	Lott
Baucus	Feinstein	Lugar
Bayh	Fitzgerald	Mack
Bennett	Frist	McConnell
Biden	Gorton	Moynihan
Bingaman	Graham	Murray
Bond	Gramm	Nickles
Boxer	Grams	Reed
Breaux	Grassley	Reid
Brownback	Gregg	Robb
Bryan	Hagel	Roberts
Bunning	Harkin	Rockefeller
Burns	Helms	Roth
Byrd	Hollings	Santorum
Campbell	Hutchinson	Schumer
Chafee	Hutchison	Sessions
Cleland	Inhofe	Shelby
Cochran	Inouye	Smith (OR)
Collins	Jeffords	Snowe
Conrad	Johnson	Specter
Coverdell	Kennedy	Stevens
Craig	Kerrey	Thomas
Crapo	Kerry	Thompson
Daschle	Kohl	Thurmond
DeWine	Kyl	Torricelli
Dodd	Landrieu	Warner
Domenici	Lautenberg	Wellstone
Dorgan	Leahy	Wyden

NAYS—1

Smith (NH)

NOT VOTING—6

Hatch	Mikulski	Sarbanes
McCain	Murkowski	Voinovich

The nomination was confirmed.

The PRESIDING OFFICER. The motions to reconsider are laid on the table.

The Senate will now proceed to vote on Executive Calendar No. 175. The question is, Will the Senate advise and consent to the nomination of Marsha J. Pechman to be United States District Judge for the Western District of Washington? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Mr. MURKOWSKI), and the Senator from Ohio (Mr. VOINOVICH) are necessarily absent.

I further announce that, if present and voting, the Senator from Utah (Mr. HATCH) would vote ''yes.''

Mr. REID. I announce that the Senator from Maryland (Mr. SARBANES) and the Senator from Maryland (Ms. MIKULSKI) are absent because of attending a funeral.

The PRESIDING OFFICER (Mr. CRAPO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 1, as follows:

[Rollcall Vote No. 263 Ex.]

YEAS—93

Abraham	Bingaman	Byrd
Akaka	Bond	Campbell
Allard	Boxer	Chafee
Ashcroft	Breaux	Cleland
Baucus	Brownback	Cochran
Bayh	Bryan	Collins
Bennett	Bunning	Conrad
Biden	Burns	Coverdell
Craig	Hollings	Murray
Crapo	Hutchinson	Nickles
Daschle	Hutchison	Reed
DeWine	Inhofe	Reid
Dodd	Inouye	Robb
Domenici	Jeffords	Roberts
Dorgan	Johnson	Rockefeller
Durbin	Kennedy	Roth
Edwards	Kerrey	Santorum
Enzi	Kerry	Schumer
Feingold	Kohl	Sessions
Feinstein	Kyl	Shelby
Fitzgerald	Landrieu	Smith (OR)
Frist	Lautenberg	Snowe
Gorton	Leahy	Specter
Graham	Levin	Stevens
Gramm	Lieberman	Thomas
Grams	Lincoln	Thompson
Grassley	Lott	Thurmond
Gregg	Lugar	Torricelli
Hagel	Mack	Warner
Harkin	McConnell	Wellstone
Helms	Moynihan	Wyden

NAYS—1

Smith (NH)

NOT VOTING—6

Hatch	Mikulski	Sarbanes
McCain	Murkowski	Voinovich

The nomination was confirmed.

The PRESIDING OFFICER. The motions to reconsider are laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin, Mr. FEINGOLD, is recognized to speak for up to 30 minutes as in morning business.

THE SENATE WILDERNESS AND PUBLIC LANDS CAUCUS

Mr. FEINGOLD. Mr. President, I rise to commemorate the 35th anniversary of the Wilderness Act of 1964, which was signed into law on September 3, 1964 by President Lyndon B. Johnson, and to announce the formation of a Senate Wilderness and Public Lands Caucus. The Wilderness Act became law seven years after the first wilderness bill was introduced by Senator Hubert H. Humphrey of Minnesota. The final bill, sponsored by Senator Clinton Anderson of New Mexico, passed the Senate by a vote of 73–12 on April 9, 1963, and passed the House of Representatives by a vote of 373–1 on July 30, 1964. The Wilderness Act of 1964 established a National Wilderness Preservation System ''to secure for the American people of present and future generations the benefits of an enduring resource of wilderness.''

The law reserves to Congress the authority to designate wilderness areas, and directs the federal land management agencies to review the lands under their responsibility for their wilderness potential.

The original Wilderness Act established 9.1 million acres of Forest Service land in 54 wilderness areas. Now, after passage of 102 pieces of legislation

the wilderness system is comprised of over 104 million acres in 625 wilderness areas, across 44 States, and administered by four federal agencies: the Forest Service in the U.S. Department of Agriculture, and the Bureau of Land Management, the Fish and Wildlife Service, and the National Park Service in the Department of the Interior.

As we in this body know well, the passage and enactment of legislation of this type is a remarkable accomplishment. It requires steady, bipartisan commitment, institutional support, and direct leadership. The United States Senate was instrumental in shaping this very important law, and this anniversary gives us the opportunity to recognize this role. I am honored today to be joined on the floor by one of the three Senators remaining in this body who have the distinguished honor of having voted for this legislation, the Senior Senator from West Virginia (Mr. BYRD). I look forward to his remarks at the conclusion of my own. The Senior Senator from Massachusetts (Mr. KENNEDY) and the Senior Senator from Hawaii (Mr. INOUYE), who also voted for this legislation, have asked that their remarks regarding this anniversary be included in the RECORD. Their remarks will also appear in the RECORD together with my remarks on the Wilderness Act anniversary.

In addition, I understand that the Ranking Member of the Energy Committee (Mr. BINGAMAN) has a statement on the anniversary.

Under the Wilderness Act, wilderness is defined as ''an area of undeveloped federal land retaining its primeval character and influence which generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable.'' The concept of the creation of a national wilderness system marked an innovation in the American conservation movement—wilderness would be a place where our ''management strategy'' would be to leave lands essentially undeveloped.

Congress lavished more time and effort on the wilderness bill than almost any other measure in conservation history. The original bill established 9.1 million acres of federally protected wilderness in national forests. From June 1957 until May 1964 there were nine separate hearings on the proposal, collecting over six thousand pages of testimony. The bill itself was modified and rewritten sixty-six different times. Twenty different Senators made statements on the legislation. Much of the delay in reaching a final version stemmed from the conflicts between the scope of the bill's restrictions on mining, grazing, oil and other extractive activities on designated wilderness areas and the need for the law to be flexible in the light of pre-existing activities. The bill's supporters argued that the measure gave legal sanction to the areas already being managed by the Forest Service as primitive areas. More importantly, they successfully argued that Congressional action was necessary because the wilderness that exists is its own finite resource.

More than a century of development had brought greatly changed conditions to both public and private lands throughout the country. ''If the year were 1857 instead of 1957,'' one supporter of the bill wrote in the Living Wilderness, the Wilderness Society's newsletter, ''I'd say definitely no [to a wilderness bill]. But given the almost total dominance of developed civilization, I am compelled to work for saving the remnants of undeveloped land.'' I think those remarks apply just as well to the state of our federal lands today, more than thirty-five years later.

My interest in this law stems from the fact that Wisconsin has produced great wilderness thinkers and leaders in the wilderness movement such as Aldo Leopold, Sigurd Olsen, John Muir and former Senator Gaylord Nelson. Senator Nelson was a co-sponsor of the Wilderness Act of 1964, along with former Wisconsin Senator William Proxmire. I am proud to now hold the Senate seat that Senator Nelson held with distinction from 1963 to 1981. As a Senator from Wisconsin, I have a special depth of feeling about this issue.

The testimony at Congressional hearings and the treatment of the bill in the press of the day reveals Wisconsin's crucial role in the long and continuing American debate about our wild places, and the development of the Wilderness Act. The names and ideas of John Muir, Sigurd Olson, and Aldo Leopold, especially Leopold, appear time and time again in the legislative history.

Senator Clinton Anderson of New Mexico, chairman of what was then called the Committee on Interior and Insular Affairs, stated that his support of the wilderness system was the direct result of discussions he had held almost forty years before with Leopold, who was then in the Southwest with the Forest Service. It was Leopold who advocated, while with the Forest Service, the creation of a primitive area in the Gila National Forest in New Mexico in 1923. The Gila Primitive Area formally became part of the wilderness system when the Wilderness Act became law. In a statement in favor of the Wilderness Act in the New York Times, then Secretary of the Interior Stewart Udall discussed ecology and what he called ''a land ethic'' and referred to Leopold as the instigator of the modern wilderness movement. At a Senate hearing in 1961, David Brower of the Sierra Club went so far as to allege that ''no man who reads Leopold with an open mind will ever again, with a clear conscience, be able to step up and testify against the wilderness bill.''

For others, the ideas of Olson and Muir provided a justification for the wilderness system, particularly that the country's strength depends upon blending contact with the primitive into a civilized existence because the frontier played such a central role in the our history.

Passage of the Wilderness Act of 1964 has not terminated the American debate over the meaning, value and need to protect wild country. As I mentioned, the wilderness system has dramatically expanded under both Republican and Democratic leadership. The number of wildernesses established and acres designated by each Congress has varied greatly from year to year. There have been only nine individual years since passage of the Wilderness Act when no wildernesses were designated, and 1965 to 1967 was the only period of three consecutive years in which no wilderness legislation was passed by Congress. In 1984, during the Reagan Administration, 175 wildernesses were established, more than double any other year's addition. Despite the record number of new wildernesses in 1984, the largest number of wilderness acres was designated in 1980 with passage of the Alaska National Interest Lands Conservation Act, which added over 56 million acres to the National Wilderness Preservation System. Combined with other wilderness laws passed that year, nearly 61 million acres of wilderness were designated in 1980, more than 6 times the number of acres passed in any other year.

Significant additions to the system continued up until 1994, when Congress passed the California Desert Protection Act. Despite this accomplishment, Congress has gotten out of the habit of passing wilderness bills which protect our remaining wilderness-quality federal lands. In the 105th Congress, the Senate's actions were much more modest—we added about 160 acres to the Eagles Nest Wilderness in Colorado.

However, Congress has much bolder bills before it, with bipartisan support, such as the bills to designate 9.1 million acres in Utah and the coastal plain of the Arctic National Wildlife Refuge as wilderness. In addition, President Clinton proposed a new omnibus National Parks wilderness bill in his State of the Union. We need to address these measures, and to revitalize the tradition of statewide and state delegation led wilderness bills.

In order to get the Senate in a position to act on wilderness issues, I hope to raise awareness of the importance of wilderness in the Senate. I have been working to organize a Wilderness and Public Lands Caucus that will help the Senate to renew its bipartisan commitment to the active protection of wilderness and public lands. Today I am delighted to announce that Senator MCCAIN, Senator DURBIN, Senator FEINSTEIN, Senator MURRAY, and Senator BAYH will be joining me in this effort. I encourage any member of the

Senate interested in learning about and working on these issues to join our caucus, and I am grateful to these members who are willing to lend their time and leadership.

I feel it is time to promote and re-develop expertise on these issues in the Senate. In the early days of the Wilderness Act many Senators had expertise on these issues, and ad hoc coalitions formed to pass large bills with provisions for a number of states. However, now that the Senate has lost its zeal for the continuing work of identifying and designating wilderness areas this expertise has dwindled. Without a new dedication to re-building this expertise, wilderness and public lands issues will remain increasingly divisive, despite a resurgent public interest in our wilderness and an increased public desire for Congress to extend additional protection to federal lands of wilderness quality.

I intend for the caucus to meet as necessary during each Senate session in pursuit of several objectives:

To assist members in defending existing wilderness areas, and other federal land resources already protected in the public trust, from activities that have the potential to significantly affect the qualities for which they were designated.

To support and provide advice to members seeking opportunities to designate new wilderness areas.

To provide members with a bipartisan forum in which to discuss wilderness and other public land protection and management issues and learn from others' expertise.

To educate members about the Wilderness Act and other federal land management statutes, and to improve understanding of the appropriate uses of various federal land management designations and the federal financial and management requirements needed to implement them.

Mr. President, many would agree that more must be done to protect our wild places. One of the things that needs to be done, particularly on the cusp of the Millennium, is to examine and improve the ability of this body to understand and grapple with these issues in the public interest. This is a great institution, with a strong conservation history, which has produced the Wilderness Act, one of the gems of conservation law. I am actively committing to working on wilderness issues because I believe it to be in the Wisconsin tradition, and, as a Senator, I am trying to use the tools I have been given by the people of Wisconsin to build the leadership needed to defend these places.

In conclusion, I would like to remind colleagues of the words of Aldo Leopold in his 1949 book, A Sand County Almanac. He said, ''The outstanding scientific discovery of the Twentieth Century is not the television, or radio, but rather the complexity of the land organism. Only those who know the most about it can appreciate how little is known about it.'' We still have much to learn, but this anniversary of the Wilderness Act reminds us how far we have come and how powerful a collegial commitment to public lands can be in the Senate.

I am very pleased and honored to be able to yield the remainder of my time to one of the three Senators who is here to vote for this legislation, the senior Senator from West Virginia, Mr. BYRD.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair.

Mr. President, I thank the Senator from Wisconsin, Senator FEINGOLD, for bringing us together today to celebrate the passage of the Wilderness Act of 1964. Too often, the pressing events of the day prevent us from remembering so many important pieces of legislation. I am happy that we are able to take a moment to recognize a historic piece of legislation.

Let me begin with a look backward over the well-traveled road of history. It is only fitting that we turn our faces backward so that we might be better informed and prepared to deal with future events. On a whole range of important issues, the Senate has always been blessed with Senators who were able to rise above political parties, and consider first and foremost the national interest. There are many worthy examples throughout the Senate's history.

My friend and former colleague, Senator Mike Mansfield, and other distinguished Members of the Senate understood this point well. Political polarization, a simple zero-sum strategy by one party to achieve a short-lived victory which demonizing the other party, is not now, and has never been, a good thing for the Senate. I know that Americans have always loved a good debate. I believe that this is one of the lessons that we can take from the passage of the Wilderness Act of 1964. Members on both sides of the issue focused on the more substantive and stimulating policy challenges rather than allowing pure politics and imagery to enter into the fray.

The debate on the Wilderness Act of 1964 serves as a great example of the Senate's charge in taking a leadership role and working over the long term to pass historic pieces of legislation. I believe the bill's chief sponsor, Senator Clinton Anderson from New Mexico, understood this point well when he said, upon consideration of the conference report, on August 20, 1964:

> What we have done we have done not only to meet the urgency of the moment, but for the future. In no area has this Congress more decisively served the future well-being of the Nation that in passing legislation to conserve natural resources and to provide the means by which our people could enjoy them. One of the brightest stars in the constellation of conservation measures is the wilderness bill * * *. The path of the wilderness legislation through Congress has sometimes been as rugged as the forests and mountains embraced by the wilderness system.

The Senate understood there was a need to protect America's unique places, and Members worked to craft a proposal over a number of years that could achieve that end. Senator George McGovern, another key supporter of the Wilderness Act, observed:

> I think each of us has been enriched at one time or another through our experiences with natural undisturbed areas of the country * * * its comparatively uncluttered open spaces, its lakes and woods, have special appreciation for the purpose of the wilderness preservation system. As the population of our country grows and as our city areas become more contested, it is all the more imperative that we look to the preservation of great primitive outdoor areas where people can go for recreational and inspirational experience.

The U.S. population has since grown by more than 70 percent since the Wilderness Act of 1964 was enacted. In addition to land preservation, the act has encouraged the discovery of America's history, promoted recreation, provided for its diverse wildlife and ecosystems, and satisfied people's urge for solace and a return to wild places. The definition of wilderness according to the act is ''an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.'' Initially endowed with 9.1 million acres of public lands, the wilderness system today encompasses more than 104 million acres in forty-four States.

My home state of West Virginia remains wild and wonderful because of Congress' actions. Covered from end to end by the ancient Appalachian Mountains, West Virginia remains, to me, one of the most beautiful one of the most unique of all places and I have seen lot of places throughout the world in my time. It is the most southern of the northern States and the most northern of the Southern states; the most eastern of the Western States and the most western of the eastern States; where the east says good morning to the west, and where Yankee Doodle and Dixie kiss each other good night. The luscious mountains gently roll across that land, providing an elegant sense of mystery to the landscape. The wilderness of my State has given West Virginians a freedom to explore. This freedom has been secured and protected so that future generations—like my baby granddaughter, her children, and her children's children—will be able to say Montani Semper Liberi, Mountaineers are always free!

Four wilderness areas have been designated in West Virginia since the 1964 act. Each area captures and preserves uniquely a beautiful aspect of a State that has, I believe, more than its fair

share of native loveliness. God must have been in a spendthrift mood when he made West Virginia!

In the Otter Creek Wilderness Area, consisting of 20,000 acres so designated in 1975, you can follow the same twisting trails that early settlers to the area wove through the dense forest. Amid the stands of towering White Oaks, dark hickory, and ghostly poplar trees, you may discover stunted groves of apple trees, remnants of an early settler's orchard. Maybe Johnny Appleseed came that way.

Also designated in 1975, the Dolly Sods Wilderness Area preserves 10,000 acres of Canada that somehow migrated south and chose to settle in West Virginia. Heath thickets, bogs, and low-growing evergreens combine to establish a wide open feeling akin to more northerly climes such as those of Minnesota. Offering scenic vistas, Dolly Sods is a famed spot in which to enjoy hiking, camping, fishing, and nature watching.

The Cranberry Wilderness Area proves the regenerative power of nature. Its 35,864 acres were logged in the early part of this century, with the valuable timber shipped by steam locomotives to a mill in Richwood. It also suffered severe wildfires which raged over much of the area. In order to restore it to its natural condition, the Forest Service purchased the land in 1934—the year I graduated from high school. Now grown into a mature forest, the Cranberry Wilderness Area received its official designation in 1983.

Consisting of more than 12,000 acres, Laurel Fork Wilderness Area was once a profitable source of lumber at the beginning of the century. Laurel Fork has since been preserved and is a source of the Cheat River. Designated in 1983, Laurel Fork Wilderness has a wide blend of wildlife and foliage special to Appalachia. Among the Birch, Beech, and Maple trees which grow in the area, live the native species of West Virginia such as white-tail deer, wild turkey, bobcat, and even black bear.

I might note that perhaps one of the most majestic of wildlife species protected by these wilderness areas throughout the U.S. is the bald eagle. Symbolizing America's freedom and strength, the bald eagle, in fact, has been recently removed from the endangered species list, and will continue to soar for future generations of Americans.

The Wilderness Act of 1964 enabled West Virginians to preserve the natural beauty of their State for themselves and for the nation * * * now and forever. I believe that Senator Anderson summarized it best when he said:

> Deep down inside of most Americans is a love of the out-of-doors. * * * It is an effort to protect and preserve, unspoiled, just a little bit of the vast wilderness which stretched ocean to ocean on this continent less than 300 years ago, so that this love of the great, unspoiled, out-of-doors which is a part of us can be gratified.

I would like to take a moment to recognize a number of former colleagues who took a leadership role in passing the Wilderness Act of 1964. Many of them were fairly close friends of mine. There was Senator Anderson, whose name I have spoken earlier, Thomas Kuchel, Hubert Humphrey, Henry Jackson, Frank Church, Frank Lausche, Paul Douglas, Harrison Williams, Jennings Randolph—my former colleague from West Virginia—Joseph Clark, William Proxmire, Maurine Neuberger, Lee Metcalf, George McGovern, David Nelson—they took a leadership role in guiding this piece of legislation through the Senate. The Senate has considered many thousands of pieces of legislation on a myriad of topics over the last several years. I am proud to stand here today and say that this piece of legislation, the Wilderness Act of 1964, stands as a great example of what this body can accomplish when it sets its collective mind to it. These were the sponsors of the Wilderness Act in the 88th Congress.

In closing, I want to welcome my colleagues back from the prairies and the plains, the mountains and the hollows and the hills, the broad valleys. We have much work to do in these coming weeks and we can learn much from the Wilderness Act of 1964 and the dedication and commitment of those Senators who worked to fulfill their vision by enacting that great piece of legislation, their vision of a future continent which would be preserved for the men and women who would come after them.

Far too often these days, we get caught up in the partisan wranglings of tax cuts, educational needs, national security demands, Social Security changes, health care reform, and much, much more—all of which subjects are extremely important. The public has become concerned about what it is that we actually do in this Chamber. In reflecting upon the Wilderness Act of 1964, I find a great example of what this body can achieve when it puts its whole mind and its whole spirit into it. Again I thank my colleague for his kindness in inviting me to participate here this afternoon in recalling our footsteps down the long hall of memories.

In closing, I am reminded of the words of one of America's foremost conservationists and outdoorsman, John Muir—

> Oh, these vast, calm, measureless mountain days, inciting at once to work and rest! Days in whose light everything seems equally divine, opening a thousand windows to show us God. Nevermore, however weary, should one faint by the way who gains the blessing of one mountain day: whatever his fate, long life, short life, stormy or calm, he is rich forever. . . . I only went out for a walk, and finally concluded to stay out till sundown, for going out, I found, was going in. One touch of nature . . . makes all the world kin.

I yield the floor.

Mr. KENNEDY. Mr. President, it is an honor to join my colleagues in commemorating this impressive anniversary of the Wilderness Act of 1964. Thirty-five years ago, Congress passed this benchmark legislation, which has opened the door for extensive new protections of wilderness areas throughout the nation.

In 1924, the U.S. Forest Service named the Gila National Forest in New Mexico as the first wilderness area. As years passed, it became increasingly clear that a more comprehensive strategy of protection for these priceless areas was needed. Between 1957 and 1964, nine congressional hearings were held, resulting in sixty-six rewrites of the original bill. This enormous amount of attention can be credited to the strong grassroots support for preserving these magnificent resources. As a result, Congress passed the Wilderness Act. It was signed into law by President Lyndon Johnson on September 3, 1964, and established over nine million acres of wilderness areas throughout the country.

The act defined wilderness as ''an area where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.'' Although sharply restricting human activities in these areas, the Act also paid tribute to a piece of our national identity. To Americans, the wilderness is a place to rediscover what it means to be American. As Supreme Court Justice William O. Douglas once noted, ''Roadless areas are one pledge of freedom.'' From the time of the first settlers, the nation's wilderness areas have been symbols of freedom and human ingenuity that characterize the American dream.

In his classic work, *Wilderness and the American Mind*, Roderick Nash observed the close relationship between our citizens and such areas, stating ''Take away wilderness and you take away the opportunity to be American.'' The Wilderness Act has protected these priceless undeveloped areas, and it has preserved these magnificent resources for our time and for all time.

Since this law was enacted, Congress has created over six hundred wilderness areas, totaling more than one hundred million acres in states across our nation. These are areas that cannot be developed or destroyed, but will retain the original splendor of their natural beauty.

It was a special privilege for me to support the Wilderness Act in 1964, as one of the most far-reaching actions by Congress to preserve our environmental heritage. All of us take pride in the many beautiful areas designated under the Act.

Finally, I commend all those who have done so much to uphold the great

tradition of the Wilderness Act, by working in the agencies that are committed to protecting the nation's wilderness. As the act itself so eloquently states, they continue to ''secure for the American people of present and future generations the benefits of an enduring resource of wilderness.''

Mr. INOUYE. Mr President, it is a pleasure to have this opportunity to speak on the 35th anniversary of the Wilderness Act of 1964 and on the establishment of the National Wilderness Preservation System.

When the Wilderness Act was being debated on the Senate floor in 1963, I was a freshman Senator. Following Hawaii's admission to the union in 1959, I served one partial and one full term in the House of Representatives and then was elected to the Senate in 1962. So, in early April of 1963, I was a 39-year-old freshman Senator in the first year of my first term in the Senate.

The Wilderness Act, however, was not new to the Senate when it came to the floor in April 1963. The first wilderness proposal was introduced late in the 84th Congress in 1956. Following extensive hearings, testimony, debate and revisions, a wilderness bill was passed by a wide margin in the Senate on September 6, 1961. However, it was not until my freshman year in the Senate that we passed a wilderness bill that ultimately went on to become law the next year in 1964.

Just prior to the vote in the Senate on April 9, 1963, one of the floor managers of the bill, the Honorable Frank Church of Idaho, said, ''the Senate is about to vote on the question of the passage of a bill which, if enacted into law, will be regarded as one of the great landmarks in the history of conservation.'' You can imagine the effect of such far reaching and nationally significant discourse on a young man from a new state in the middle of the Pacific.

I have been around for a while. Yesterday was my 75th birthday. But I am not so jaded as to have lost sight of the important principles upon which the Wilderness Act was founded.

The bill was ultimately signed into law on September 3, 1964. To me, it seems like just yesterday, but a lot has happened since then. The Wilderness system was originally endowed with 9.1 million acres of national forest lands. In 35 years, that has grown to more than 104 million acres managed by four federal land management agencies.

Hawaii, obviously a very small State, has just 142,370 acres of federally designated wilderness area. This is about 1/10 of 1% of the total designated wilderness area in the country. However, let me tell you about Hawaii's wilderness and other natural areas.

Hawaii is the only State with bona fide tropical rain forest. Although over half of Hawaii's original native rain forest has been lost or replaced by introduced species, planted landscapes, or development, a great deal remains. Perhaps 3/4 of a million acres of rain forest is left in Hawaii.

Rain forest is just the start, however. There are actually about 150 distinct ecosystem types in Hawaii. These ecosystems are so distinctive that the Hawaiian Islands constitute a unique global bio-region. These ecosystems range from 14,000-foot snowy alpine deserts, to subterranean lava tube systems with eyeless creatures, to windswept coastal dunes.

All told, perhaps half of the 150 ecosystem types in Hawaii are considered in trouble, imperilled by human-related changes in the landscape. Most of the loss has occurred along the coasts and in the lowlands, where the majority of human habitation exists today.

Hawaii is also considered to be the extinction capital of the United States. About 90% of Hawaii's native plants and animals occur nowhere else in the world, and nearly 1000 different kinds of Hawaiian plants and animals are threatened by extinction. Approximately 75% of the recorded extinctions in the United States are from Hawaii. Also, about 40% of the birds and 30% of the plants presently on the U.S. endangered species list are native to Hawaii.

One of Hawaii's federal wilderness areas is the 19,270-acre Haleakala Wilderness Area on the Island of Maui, which was designated in 1976. This area is part of the 28,655-acre Haleakala National Park. During the August recess, I participated in the dedication of 1,500 acres of pristine tropical habitat, which was added to Haleakala National Park thanks to the support of my Congressional colleagues who approved funds last year for its acquisition. So, Haleakala continues to grow.

The major feature of this park is the dormant, though not extinct, Mount Haleakala and its volcanic crater within. Stretching from an elevation of 10,000 feet to the sea, the park also includes unrivaled native forest and stream habitat, and abundant Native Hawaiian historical and cultural features.

The other Federal wilderness area is the 123,100-acre Hawaii Volcanoes Wilderness Area, which is part of the larger 230,000-acre Hawaii Volcanoes National Park on the Big Island of Hawaii. This park, established in 1916, displays the results of 70 million years of volcanism and rises from sea level to the summit of the earth's most massive volcano, Mauna Loa at 13,677 feet.

Within the park is the world's most active volcano, Kilauea, which offers scientists insights into the birth of our planet and visitors views of dramatic volcanic landscapes. Molten lava from the Puù Òò vent, on the flank of Kilauea volcano, flows seven miles through a lava tube to the coast where it enters the ocean, causing the sea to actually boil. Volume of flow averages about 400,000 cubic meters per day continuously adding new land to the island. 1999 is 16th year of this ongoing eruption of Kilauea.

More than just these designated federal wilderness areas, Hawaii has a total of 270,000 acres in the national park system; 35,000 acres in federal fish and wildlife refuges; and 109,000 acres in state natural area reserves. Added to this are other areas managed privately for conservation purposes, including approximately 25,000 acres managed by The Nature Conservancy of Hawaii.

Wilderness is defined in the law as areas ''where the earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain.'' With all of the unique and imperilled species and habitat in Hawaii, I certainly understand the value of protecting our wild and natural areas, whatever the definition might be.

The message that I would like to leave with my colleagues as we think about the 35th anniversary of the Wilderness Act is that we all wish to be environmentalists. We often differ on the details of environmentalism; sometimes greatly. Some of the most impassioned discussions in this body have to do with environmental issues. Some of us do not receive the highest score from the League of Conservation Voters. However, I do not think any of my colleagues would say that environmental conservation is a frivolous pursuit. It is merely a question of degree.

So where does that leave us? I know we will continue to debate so-called anti-environmental riders, the future of the Endangered Species Act, and maybe even reforms to the 35-year-old Wilderness Act. But let us not close our minds to our perceived adversaries, nor lose sight of what I believe we all agree upon.

Our natural environment is a finite resource that needs to be protected and nurtured for generations to come. There are no simple solutions, but with this common goal in mind, we will make progress.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I ask unanimous consent I be permitted to speak up to 15 minutes as in morning business.

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

EAST TIMOR

Mr. HARKIN. Mr. President, I thank Senator GORTON for permitting me at this time to speak as in morning business before they get on with the important business of the Interior appropriations bill. I want to take this time because I was unable to be here earlier when Senator FEINGOLD, Senator REED, I think, and Senator BOXER spoke on the issue of East Timor. I want to take

a few minutes to share with my colleagues what I saw during my recent trip to East Timor with a delegation that included Senator REED of Rhode Island and Congressman MCGOVERN of Massachusetts. We were in East Timor on August 20 and 21, just a little over 2 weeks ago. The purpose of our trip was to assess the conditions in East Timor leading up to the August 30 referendum.

It was a trip that in some ways was uplifting but at the end—I could smell it in the air—I had a foreboding of things to come. On the first day we traveled to the capital of East Timor, Dili and spent the night there. The next day, under the auspices of the United Nations, we took a helicopter to Maliana, and then from Maliana to Suai before returning to Jakarta. What was so uplifting about it was to see so many people willing to risk their lives to be able to vote; people whose homes were burned down, their lives threatened, families threatened, and yet they were going to vote.

When the vote was taken, over 98 percent of those registered came out to vote. Mr. President, 78 percent of the people of East Timor voted for independence and not to stay with Indonesia, a clear-cut victory for independence and, I can say from firsthand meetings with U.N. and U.S. officials as well as with people on the ground in East Timor, that had it not been for the open assaults by the militias and intimidation and threats, that 78 percent probably would have been about 90 percent for independence.

When I left East Timor, Senator REED and Congressman MCGOVERN and I all called on the United Nations to send a peacekeeping force immediately to East Timor, either on the day of the vote or the day after the vote. We all had a sense of what might come if there was not a stable force on the ground to prevent the violence from happening in the first place.

Upon returning to Jakarta, we met an hour and a half with President Habibie of Indonesia, and I will have more to say about that in a minute. We conveyed to him our concerns with the security situation in East Timor. He assured us time and time again in the hour-and-a-half meeting that Indonesia would maintain order in East Timor. I was there with Congressman MCGOVERN and with U.S. Ambassador Roy. President Habibie assured us the Indonesian Army would maintain peace, harmony and law and order after the vote was taken.

My fears of what would happen have been confirmed in the most horrific manner. As we have all witnessed on CNN and in the newspapers over the past several days, the militias have gone on a killing rampage acting on the orders and with the assistance of the Indonesian military and the Indonesian police forces.

I must tell my colleagues, when we were in Maliana, for example, a couple days before we were there, the militias had put on street demonstrations right in front of the U.N. compound armed to the teeth with guns. Amongst these militias were the Indonesian military and the Indonesian police in clear violation of the agreement they had signed with Portugal and the United Nations on May 5, 1999. Every U.N. observer with whom I spoke, every single one without exception, said the militias were backed by and armed by the Indonesian military and that the military and the civilian police were supporting the militias openly.

Now that these militias have gone on a rampage, one must ask, where is the Indonesian military and where is the Indonesian police? The Indonesian military had 10,000 to 15,000 military people there. They could have stopped it. They either chose not to or they are actively supporting this murderous rampage. Either is unacceptable.

They are attacking unarmed civilians. They are rounding up refugees, putting them in trucks, and trucking them to unknown destinations. They are tearing families apart. Just as we saw in Kosovo, the same thing is happening in East Timor. Husbands are separated from wives, parents separated from their children and carted off in trucks into the back country, and no one knows what is happening to them. The same thing is happening as happened in Kosovo.

When we were in East Timor, we spent an evening with Bishop Belo, the Catholic bishop of East Timor. I will point out a bit of history.

East Timor for the last I think it was 400-some years was under Portuguese domination. About 200 years ago, Portugal formally annexed East Timor. It was a colony of Portugal up to 1975 when Portugal left. Indonesia brutally invaded East Timor in 1975 and annexed it the next year. The United Nations has never recognized Indonesia's annexation of East Timor.

Through the years since then, the East Timorese have suffered mightily. Over 200,000 East Timorese, it is estimated, were brutally slaughtered by the Indonesian military over these years. But they persisted. They persisted in wanting their independence. In 1991, sadly, East Timor got worldwide attention when Indonesian troops opened fire on mourners who were at a funeral for an independence supporter in Dili. It was a big funeral. There were 200 men, women, and children slaughtered by the Indonesian military in 1991.

Through all of this, Bishop Belo, East Timorese by birth and upbringing, ordained a Catholic priest in Portugal, came back to East Timor, elevated by Pope John Paul II to be a bishop.

Two years ago on June 18, Bishop Belo was in Washington and said a mass of peace and reconciliation at St. Peter's Church. A number of us were there that morning. That was the first time I had the occasion to meet Bishop Belo.

Of course, the year before that, in 1996, Bishop Belo and Jose Ramos Horta jointly won the Nobel Peace Prize for their peaceful resistance through the years to the Indonesian takeover of East Timor. A year after that, Bishop Belo was here and said mass at St. Peter's, as I said, and we were there.

It was for me a very touching moment, to spend an evening in Bishop Belo's home in Dili with Senator REED and Congressman MCGOVERN, to have dinner in his home and talk with him about what was happening in East Timor and to hear him pour out his heart about how many people had died and the suffering of the East Timorese people and his hopes and his prayers. We held hands around the table and he led us in a prayer that, regardless of what the outcome of the vote would be, East Timorese would not kill each other and that the Indonesian military would quietly leave.

I am saddened to say that 3 days ago the militias entered the compound of Bishop Belo and burned his house down, the very house in which we had dinner not more than two weeks ago. He was able to escape and is now in Australia.

We sat in Bishop Belo's dining room and saw all the mementos he had. He had a picture of himself shaking hands and being greeted by President Clinton, a bust of President Kennedy that was given to him by Representative PATRICK KENNEDY who visited there a few years ago, a signed picture from President Bush who had met with him, and, of course, his Nobel Peace Prize. Now that house has been reduced to ashes.

There were several thousand East Timorese in his compound being protected by the church. Eyewitnesses saw the militias killing people and some were being put on trucks—this is where the families were separated—and taken out into the countryside.

On Monday, I spoke with Jose Ramos Horta, his corecipient of the Nobel Peace Prize. He said in the 500-year history of East Timor, the church has never been attacked. There have been wars and there has been fighting, but the church has never been attacked. He even said that when the Japanese took over East Timor during World War II they never attacked the church.

As bad as that is, I have an even sadder story to tell.

We went to the community of Suai, which is in the southwestern part of East Timor, because we had heard there were about 1,500 people who had taken up refuge in a church compound. This was now 9 days before the vote. We wanted to go there and see for ourselves. So Senator REED, Congressman MCGOVERN, and I went there.

Truly, there were 1,500 people in this compound.

The buhpati, as he is called, the mayor, the person who runs the city, had cut off the water. It was very hot, and he had cut off the water to these people. Who were these people? These were people who had been driven from their homes because the militias feared that they were going to vote for independence. Men, women, children, families, all gathered in this churchyard, had their water cut off.

Then the U.N. tried to get through a truckload of food. They wouldn't even let the food get through. The two priests who were protecting these people were Father Hilario and Father Francisco. This is a picture I had taken with them at the church compound. Father Hilario and Father Francisco, two of the nicest individuals you ever want to meet, both Catholic priests, only doing their job protecting people. They weren't speaking out for independence or anything like that. They were simply doing their job as the parish priests.

I learned this morning that yesterday the militias entered their house, took these two priests out and killed them, 2 weeks after we saw them. Unarmed, they were. Militias took them out and brutally killed them. That is what is happening in East Timor today.

We have a responsibility that goes back 23 years. When Indonesia first invaded East Timor in 1975, the United States took the position that we supported Indonesia. I was at that time a Member of the House of Representatives and, with other Members of the House, introduced a resolution condemning Indonesia for their brutal invasion of East Timor at that time. In the years that followed, hundreds of thousands, almost 200,000 East Timorese lost their lives to the brutality of the Indonesian military. Through it all, they maintained their cohesion. They maintained their peaceful resistance. On August 30, 98 percent of the registered voters came out to vote in the face of machetes and bullets and threats. Despite being driven from their homes and having their homes burned down; they voted 78 percent for independence.

If we stand for anything, we should stand for the right of self-determination and independence when people exercise their right to vote. That is what we stand for as Americans. That is our philosophical foundation.

It was a free and fair vote, even though the militias were intimidating people.

I ask unanimous consent for 5 more minutes.

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

Mr. HARKIN. It seems to me that for the bastion of democracy, those of us in this country who believe so deeply in the right of the secret ballot, the right of people to be able to vote for their futures, to see this happen and for us to stand back and do nothing is shameful. We ought to be on the front lines of asking the United Nations to go in there with a peacekeeping force now.

I had asked the United Nations and the Clinton administration to put pressure on the U.N. to send a peacekeeping force to East Timor on the day of the vote or the day after the vote. If we had done that, we wouldn't have had these killings that have gone on. We could have had a little bit of preventive action. But, no, we didn't do it. We said we had to wait until the Indonesians asked us to come in. It is clear that the Government of Indonesia is not going to keep law and order there. It is clear from every eyewitness account we have that the Indonesian military is behind the militias and their brutal attacks on innocent civilians. So now it is incumbent upon the world community to answer the call to go to East Timor to restore peace and stability.

I will shortly be introducing a resolution to that effect that basically congratulates the East Timorese on their vote, condemns the violence, and calls upon our U.N. Ambassador to seek the United Nations Security Council's immediate authorization to deploy an international force to East Timor to restore peace and stability.

Already Australia, New Zealand, Bangladesh, Thailand, Pakistan, Malaysia, and the Philippines have all said they will contribute forces. Today, we learned that China has basically said they are open minded on this issue. Well, now is the time for the United States to take some leadership.

I call upon President Clinton to be forceful in calling upon the United Nations to send an international force immediately to East Timor, and we should contribute to this force. We should not shirk our responsibilities in this matter either.

To do nothing now would be to fly in the face of everything for which this great country stands for. We were one of those actively encouraging the Indonesians, the Portuguese, the United Nations, and the East Timorese to reach this agreement to allow this vote. We supplied funding and observers for the vote. The Carter Center was actively involved in East Timor, ensuring it would be a free and fair vote and counting the ballots. If we now walk away, if we now say, well, we can't do anything unless Indonesia invites us in to a place that they annexed with brutal force 23 years ago then we are less of an America than we have been in the past.

I am deeply saddened by the death of these two priests. I didn't know them well, but I spent some time with them, spoke with them, asked them about what they were doing, asked them about the conditions in their parishes. They were gentle souls just doing their job as shepherds of their flocks, yet taken out and brutally murdered.

Lastly, I understand that by tomorrow, the United Nations will remove the 212 people they have there now. I am again asking the President to call upon Kofi Annan, Secretary General of the United Nations, to not pull out our U.N. people who are there. If we do, we will have no eyes and no ears; we will have no presence at all in East Timor, and the killing rampages we have witnessed over the last several days will only mushroom.

I hope the U.N. will keep its people there. I hope the United States will put every ounce of our leadership behind the United Nations to send an international force there within the next 48 hours. If we do, we can save thousands of lives. And we can restore peace and stability. We can tell the rest of the world that when you have a free and fair and open election under U.N. auspices, we are not going to let thugs and murderers take it away from you. That is the kind of America I think we ought to be.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Washington.

Mr. GORTON. Mr. President, what is the business before the Senate?

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000—Resumed

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative assistant read as follows:

A bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Pending:

Gorton amendment No. 1359, of a technical nature.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, debate on the Interior appropriations bill took place on two separate occasions before the August recess. Two significant amendments have already been voted upon. We now have a unanimous consent agreement for listing all of the amendments that are in order, and they are 66 in number.

A substantial share, perhaps 20 or more of those amendments, will either be accepted or will be a part of one omnibus managers' amendment at the end of this debate. I suspect several others will not actually be brought up for discussion in the Senate, but it seems apparent to this Senator, as manager of the bill, that as many as a dozen may require some amount of debate and very likely a vote.

Up to four of those amendments are amendments that were included as a

part of the bill as it was reported by the Subcommittee on Interior appropriations and by the full Appropriations Committee, which fell under the revised rule XVI. One of those is an amendment originally drafted by the Senator from Missouri. He will bring it up at this point.

I have asked the Democratic manager, Senator BYRD, to get me a list of amendments that Members of his party wish to bring up. He is in the process of doing that at the moment. But this is an announcement that we are now open and ready for business. It may be that we will, from time to time, set amendments aside so we can hear debate on others. The majority leader may decide to stack votes on some of these amendments. But this is a very short week. We are starting this at 4 o'clock on Wednesday afternoon. We have all day and into the evening tomorrow for these debates. The majority leader has announced, due to the Jewish holiday, that there will be no votes on Friday. I hope we will have made substantial progress on the bill by the end of tomorrow's session of the Senate. That is possible, of course, only if Members on both sides—both Republicans and Democrats—are willing to bring their amendments to the floor.

The one other amendment I have discussed seriously at this point is one by the Senator from Wyoming, Mr. ENZI, and the Senator from Florida, Mr. GRAHAM, on gambling. That amendment is ready to be accepted. Now I see two Members on the floor. If the Senator from Florida—who was told he could go first—would like to bring his amendment up now and submit the rest of the various statements on it, I understand the amendment will be accepted in relatively short order. Is my understanding correct?

Mr. GRAHAM. That is my understanding, and we are prepared to proceed with our amendment.

Mr. GORTON. Then I yield the floor and suggest the Senator from Florida seek to be recognized.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER (Mr. SESSIONS). The Senator from Florida is recognized.

PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent that Kasey Gillette of our staff have floor privileges for the duration of the consideration of the Interior appropriations bill.

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

Mr. GRAHAM. Mr. President, I ask unanimous consent that the pending amendment be temporarily laid aside.

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

AMENDMENT NO. 1577

(Purpose: To prohibit the Secretary of the Interior from implementing class III gaming procedures without State approval)

Mr. GRAHAM. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Florida [Mr. GRAHAM], for himself, Mr. ENZI, Mr. BRYAN, Mr. REID, Mr. VOINOVICH, Mr. GRAMS, Mr. LUGAR, Mr. SESSIONS, and Mr. BAYH, proposes an amendment numbered 1577.

At the appropriate place, insert the following:

SEC. . PROHIBITION ON CLASS III GAMING PROCEDURES.

No funds made available under this Act may be expended to implement the final rule published on April 12, 1999, at 64 Fed. Reg. 17535.

Mr. GRAHAM. Mr. President, this amendment, which has been cosponsored by Senators ENZI, BRYAN, REID, VOINOVICH, GRAMS of Minnesota, LUGAR, SESSIONS, and BAYH, has been before the Senate on several previous occasions. It essentially goes to the issue of what will be the process to determine whether on Indian properties there shall be allowed class III gambling. Class III gambling is the type of gambling that occurs in Las Vegas and Atlantic City. It is what we would characterize as casino gambling. Currently, for that gambling to occur, there has to be a compact entered into between the representatives of the Indian tribe and the Governor of the State in which the proposed casino would be located. This is all part of the Indian Gaming Act passed by the Congress in the past.

The Secretary of the Interior, earlier this year, on April 12, issued a regulation that essentially said if he determined the States were not negotiating on these compacts in good faith, then he could remove that power from the States, and the Secretary of the Interior would decide whether there should be class III gambling under the aegis of Indian tribes.

I personally think that is a very bad idea. It disrupts the basic principle of federalism, the responsibility which this Congress has placed with the States and the tribes to reach an agreement.

In my own State of Florida, we have a prohibition in our constitution against casino gambling. Three times since 1978 there have been attempts to amend the constitution and change that provision, and each time they have been overwhelmingly defeated. This would have the effect of overturning three constitutional expressions of opinion by the people of Florida, and similar expressions of opinion by citizens of other States, to have the Secretary of the Department of the Interior insert his or her will as to casino gambling within that State.

At this time, unless there is further debate, I will yield my time. We will not necessarily ask for a rollcall vote on this matter if it can, as in the past, be resolved by a voice vote.

I thank the Chair.

Mr. ENZI. Mr. President, I rise in support of the amendment introduced by the Senator from Florida, Mr. GRAHAM. This amendment has one very simple purpose: To ensure that the rights of Congress and all fifty states are not trampled on by an unelected cabinet official.

This amendment is very straightforward: it prohibits Secretary Babbitt from expending any funds from this act to implement the final regulations he published on April 12 of this year. The regulations at issue would allow Secretary Babbitt to circumvent the rights of individual states by approving casino-style gambling on Indian Tribal lands. This amendment would prohibit this power grab.

Mr. President, this is the fifth time in two years that I have been involved in amendments of this nature. I myself have offered four previous amendments to stop this power grab by the Secretary of the Interior, and four times this Senate has approved these amendments by voice votes. I think this body has spoken with a clear voice that it does not believe an unelected cabinet official should bypass Congress and all fifty states in a decision as great as whether or not casino gambling should allowed within the state borders.

Mr. President, recently I was invited to testify before the Indian Affairs committee on a bill Senator CAMPBELL has introduced to amend the statute that governs gambling on Indian Tribal lands, the Indian Gaming Regulatory Act. While I do not agree with all the changes Senator CAMPBELL has proposed to IGRA, I applaud the Chairman for taking the initiative to attempt to make changes the proper way—by proposing a bill, holding hearings, receiving public input from all the stakeholders, and moving the legislation through both houses of Congress. I have a few ideas on how I believe the bill could be improved, and I welcome the invitation of Senator CAMPBELL to offer some suggestions to his bill.

In contrast to this legislative process—the proper way to make changes to substantive law—Secretary Babbitt wants to make changes by administrative fiat. His regulations are a slap in the face to the governments of all fifty states, to Congress, and to all the Indian Tribes that have negotiated Tribal-State compacts with the States in which they are located. The Secretary's rules effectively punish those tribes which have played by the rules. The Secretary's action will open the floodgates to an approval process based more on political influence than on proper negotiations between the states and the tribes. Who will be the winners

under Secretary Babbitt's new regime? Will it be the Tribes that donate enough money to the right political party? In contrast to the Secretary's rules, the Graham-Enzi amendment would ensure that an unelected Secretary of the Interior won't single-handedly change current law. This amendment will ensure that any change to IGRA is done the right way—legislatively.

I have already had occasion on this floor to remark on the painful irony of the timing of Secretary Babbitt's power grab. In March of last year, Attorney General Janet Reno requested an independent counsel to investigate Secretary Babbitt's involvement in denying a tribal-state gambling license to an Indian Tribe in Wisconsin. Although we will have to wait for Independent Counsel Carol Elder Bruce to complete her investigation before any final conclusions can be drawn, it is evident that serious questions have been raised about Secretary Babbitt's judgment and objectivity in approving Indian gambling compacts. We should not turn over sole discretion of casino gambling on Indian Tribal lands to an individual who has shown such carelessness in administering his trust responsibilities to all the Indian Tribes within his jurisdiction.

The very fact that Attorney General Reno believed there was specific and credible evidence to warrant an investigation should be sufficient to make this Congress hesitant to allow Secretary Babbitt to grant himself new trust powers that are designed to bypass the states in the area of Tribal-State gambling compacts. Moreover, this investigation should have taught us an important lesson: we in Congress should not allow Secretary Babbitt, or any other Secretary of the Interior, to usurp the rightful role of Congress and the states in addressing the difficult question of casino gambling on Indian Tribal lands.

Mr. President, the Secretary has not given any indication in the 16 months since the independent counsel was appointed that he should be trusted with new, self-appointed trust responsibilities over Indian Tribes. On February 22nd of this year, United States District Judge Royce Lamberth issued a contempt citation against Secretary Bruce Babbitt and Assistant Secretary of the Interior for Indian Affairs, Kevin Gover, for disobeying the Court's orders in a trial in which the Interior Department and the Bureau of Indian Affairs were sued for mismanagement of American Indian trust funds.

In his contempt citation, Judge Lamberth stated, and I quote,

> The court is deeply disappointed that any litigant would fail to obey orders for production of documents, and then conceal and cover up that disobedience with outright false statements that the court then relied upon. But when that litigant is the federal government, the misconduct is even more troubling. I have never seen more egregious misconduct by the federal government.

This conduct has raised such concern that both the Chairman of the Senate Indian Affairs Committee and the Chairman of Senate the Energy and Natural Resources Committee have held hearings and proposed legislation to call Secretary Babbitt to task for his mismanagement of these funds and his disregard for the rulings of a federal court. The Secretary's continued violation of his trust obligations to Indian Tribes should serve as a wake-up call to all of us in the Senate. This is not the time to allow the Secretary to delegate to himself new, unauthorized, powers.

I want to point out that this amendment does not affect any existing Tribal-State compacts. The amendment does not, in any way, prevent states and Tribes from entering into compacts where both parties are willing to agree on class III gambling on Tribal lands within a State's borders. This amendment does ensure that all stakeholders must be involved in the process—Congress, the Tribes, the States, and the Administration.

Mr. President, a few short years ago, the big casinos thought Wyoming would be a good place to gamble. The casinos gambled on it. They spent a lot of money. The even got an initiative on the ballot. They spent a lot more money trying to get the initiative passed. I became the spokesman for the opposition. When we first got our meager organization together, the polls showed over 60 percent of the people were in favor of gambling. When the election was held casino gambling lost by over 62 percent—and it lost in every single county of our state. The 40 point swing in public opinion happened as people came to understand the issue and implications of casino gambling in Wyoming. That's a pretty solid message. We don't want casino gambling in Wyoming. The people who vote in my state have debated it and made their choice. Any federal bureaucracy that tries to force casino gambling on us will only inject animosity.

Why did we have that decisive of a vote? We used a couple of our neighboring states to review the effects of their limited casino gambling. We found that a few people make an awful lot of money at the expense of everyone else. When casino gambling comes into a state, communities are changed forever. And everyone agrees there are costs to the state. There are material costs, with a need for new law enforcement and public services. Worse yet, there are social costs. And, not only is gambling addictive to some folks, but once it is instituted, the revenues can be addictive too. But I'm not here to debate the pros and cons of gambling. I am just trying to maintain the status quo so we can develop a legislative solution, rather than have a bureaucratic mandate.

Mr. President, the rationale behind this amendment is simple. Society as a whole bears the burden of the effects of gambling. A state's law enforcement, social services, communities, and families are seriously impacted by the expansion of casino gambling on Indian Tribal lands. Therefore, a state's popularly elected representatives should have a say in the decision about whether or not to allow casino gambling on Indian lands. This decision should not be made unilaterally by an unelected cabinet official. Passing the Graham-Enzi amendment will keep all the interested parties at the bargaining table. By keeping all the parties at the table, the Indian Affairs Committee will have the time it needs to hear all the sides and work on legislation to fix any problems that exist in the current system. I urge my colleagues to stand up for the constitutional role of Congress—and for the rights of all fifty states—by supporting this amendment.

I thank the chair and yield the floor.

Mr. GORTON. Mr. President, I understand that the Senator from Hawaii, Mr. INOUYE, may wish the opportunity to speak, and perhaps more likely will wish the opportunity to put a statement in the RECORD. I don't believe that affects the proposition that the amendment will be accepted by voice vote. But I ask that we not take that voice vote at this time, until we are apprised of the desires of the Senator from Hawaii.

Under the circumstances, the Senator from Missouri being here, I ask unanimous consent that he be recognized and that we set this amendment aside to deal with another.

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

The Senator from Missouri is recognized.

AMENDMENT NO. 1621

Mr. BOND. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND], for Mr. LOTT, proposes an amendment numbered 1621.

Mr. BOND. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 62, line 10, add the following before the period ":*Provided*, That within the funds available, $250,000 shall be used to assess the potential hydrologic and biological impact of lead and zinc mining in the Mark Twain National Forest of Southern Missouri: *Provided further*, That none of the funds in this Act may be used by the Secretary of the Interior to issue a prospecting permit for hardrock mineral exploration on Mark Twain National land in the Current River/Jack's Fork River—Eleven Point Watershed (not including Mark Twain National Forest land in

Townships 31N and 32N, Range 2 and Range 3 West, on which mining activities are taking place as of the date of enactment of this Act): *Provided further*, That none of the funds in this Act may be used by the Secretary of the Interior to segregate or withdraw land in the Mark Twain National Forest Missouri under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714)''

Mr. BOND. Mr. President, this amendment, as the manager has already stated, deals with a matter that was approved in the committee and was taken out by a procedural move. The amendment requires a study of mining in the Mark Twain National Forest in south-central and southeast Missouri. It requires that it be conducted to address the scientific gaps identified by scientists in the Departments of the Interior, Agriculture, and others.

While the relevant information is collected, the amendment delays any prospecting or withdrawal decisions for the fiscal year.

This amendment is a commonsense amendment. It is a modern amendment. It enables the full-blown process to go forward before any decisions are made.

This amendment does not permit mining. It does not permit exploration. It does not amend, weaken, or touch environmental standards.

It prohibits exploration and withdrawal. It requires a scientific study of the scientific gaps identified by the agencies. It maintains the NEPA requirement for full-blown environmental impact statements which any withdrawal by the Secretary would preclude.

This amendment preserves, as I said, the requirement of the full-blown NEPA process. And a full-blown impact statement will ultimately dictate whether any mining should or should not take place if an application is made, if there are deposits of lead discovered.

By the time any mining could take place, Senator THURMOND might be the only Senator remaining in this Chamber.

The amendment does not give miners their way who want clearance for prospecting now.

It does not give the zero-growth opponents their way. Contrary to precedent and current law, they want no economic activity on these public lands which are multiple-use lands in the State of Missouri.

Anyone who understands this issue understands that bulldozers are not ready to roll, nor should they be. They don't even know yet what lead might be available. There are too many unanswered questions to make a final decision. Regrettably, some on the extreme want to preclude an opportunity to answer those questions.

The fundamental question that this amendment addresses is whether someday, if we were to find lead in those areas, additional lead could be mined safely in the State of Missouri. That is a critical question and that is one that should be answered by the scientists.

We are not here to legislate a decision and it should not be hijacked by administrative decree.

Some suggest that we know enough already to make what would be a permanent decision for the 1,800 miners who are under the gun for the 10 counties in south Missouri that depend upon this mining. They say we know enough already to prevent any further mining in an area which has 90 percent of the domestic lead deposits. So we would export lead production overseas.

This past month I met with the bipartisan county commissioners, Democrats and Republicans, who are elected by and responsible to the people in the counties they serve. They make up the Scenic Rivers Watershed Partnership. They are closest to the issue. They have the most at stake. They are the ones who represent the recreational interests. They are the ones who represent the timber interests. They represent the forest interests. They represent the interests of schools and roads which depend upon the royalties that come from mining. And they support this amendment. They said we must have a full-blown study.

There is a technical team that has been set up.

A multiagency technical team was established in 1988. It has the USDA Forest Service, the National Park Service, EPA, U.S. Geological Survey Water Resources Division and the Geologic Division, the Mineral Resources Division, the Mapping Division, the Missouri Department of Natural Resources, and the Department of Conservation. It has the private companies involved; it has the University of Missouri, Rolla; and it has the U.S. Fish and Wildlife Service.

What do these scientists and engineers who have begun the study say?

First, they say:

> The technical team believes that there is insufficient scientific information available to determine the potential environmental impact of lead mining in the Mark Twain National Forest area. This is a consensus opinion that the technical team has held from the beginning through the present. Due to the lack of scientific information available to assess the potential impacts of lead mining, the technical team proposed that a comprehensive study be conducted.

That is contained in a letter to me dated July 30, 1999, from Charles G. Groat, Director of the U.S. Geological Survey, the Office of the Director, the U.S. Department of the Interior in Reston, VA.

I ask unanimous consent that a copy of this letter be printed in the RECORD.

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

U.S. DEPARTMENT OF THE INTERIOR,
U.S. GEOLOGICAL SURVEY,
Reston, Virginia, July 30, 1999.

Hon. CHRISTOPHER S. BOND,
U.S. Senate, Washington, DC.

DEAR SENATOR BOND: This is in response to your letter of July 20, 1999, to Mr. Jim Barks, related to mining in the Mark Twain National Forest (MTNF) area. In your letter, you ask that we provide a brief and clear assessment as to the quality of information that was compiled by the interagency technical team charged with building a ''relevant database to assess mining impacts and base future decisions.'' You ask that we, ''specifically address the question as to the adequacy and relevance of information currently available to provide a solid scientific foundation for any decision to justify either withdrawal or mining in the region.''

In 1988, an interagency technical team was assembled to guide the identification, collection, and dissemination of scientific information needed to assess the potential environmental impact of lead mining in the MTNF area. Since 1989, the team has been chaired by Bob Willis of the Forest Service. The U.S. Geological Survey (USGS) has actively participated on the team from the beginning, with Mr. James H. Barks, USGS Missouri State Representative, serving as our representative.

The technical team believes that there is insufficient scientific information available to determine the potential environmental impact of lead mining in the MTNF area. This is a consensus opinion that the technical team has held from the beginning through the present. Due to the lack of scientific information available to assess the potential impacts of lead mining, the technical team proposed that a comprehensive study be conducted.

In January 1998 at the request of the technical team, the USGS prepared a proposal for a multi-component scientific study to address the primary questions about the potential environmental impacts of lead mining in the MTNF area. Mr. Barks provided a copy of the proposed study to Brian Klippenstein of your staff at his request on July 9, 1999. Neither a requirement for full environmental review to support a Secretarial decision nor a source of funding has been established. For these reasons the proposed study has not been initiated.

Please let us know if we can provide additional information or assistance.

Sincerely,

CHARLES G. GROAT,
Director.

Mr. BOND. Mr. President, there is further backup and supportive information that I can provide. But, in summary, my amendment provides the money for the research that the technical team says it needs, and it preserves the current rigorous environmental process which will take years to complete. If lead is discovered, if it is economically viable, and if the company decides to develop a mining plan and apply for mineral production, then the whole process will have to start.

To vote for this amendment is to vote to let the scientists get what they say is necessary to make an informed decision, and it is a consensus of all of those agencies I outlined that they don't have the information. I think it is also a strong consensus of all the agencies that we must protect the environmental resources of the region.

As one who has floated and fished on the streams in the Mark Twain National Forest, I can tell you that it is a real gem. I flew over much of the area and I visited on foot much of the area in the last month. I can tell you that it is a beautiful wilderness. But it is a multiple-use area. It is used for recreation; it is used for timber; it is used for mining. We flew over some 160 exploratory drilling sites. But you don't see them because they grow back. As a matter of fact, I had my picture taken in one of the exploratory sites.

There is an exploratory site 2 years after the exploration stopped. It is growing back. In another few years you won't even be able to tell it is there.

That is why the scientists said that exploratory drilling has no impact. So it is not even an issue. It has no environmental impact. That is not a problem.

There are those who do not live in the area who say that no economic use can be made. But I believe that for the good of the country, for the good of the area, to satisfy our needs, to provide the work for 1,800 miners in the area, to provide the support for the schools, for the communities, for the roads and infrastructure in the area, we must follow the long established, rigorous evaluation process designed to allow environmentally acceptable activities and prohibit those that would be adverse to the environment.

If you listen to the scientists, as we have, you know that it takes more information than is currently available to make that determination. These questions deserve to be answered before we mine, or before we slam the door in the face of the regions' residents and force our country to become exclusively reliant on foreign sources of this vital mineral.

I urge my colleagues to support this measure. It is a commonsense amendment.

Mr. CAMPBELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 1577

Mr. CAMPBELL. Mr. President, I was off the floor. What is the pending business? Are we going back to the Graham amendment now?

The PRESIDING OFFICER. We are now on Senator BOND's amendment. We left the Graham amendment.

Mr. CAMPBELL. I ask unanimous consent to return to the Graham amendment so that I may speak in opposition to it for a minute.

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

The Senator from Colorado is recognized.

Mr. CAMPBELL. Thank you, Mr. President.

I don't think anyone has more disagreement with Secretary Babbitt than I do as chairman of the Indian Affairs Committee. Certainly Indian trust funds have been an issue on which we have been at odds for literally months with the Secretary. In addition to that, as a member of the Energy Committee, I have had my disagreements with him on grazing, water, and many other things, too. But there are at least four reasons to oppose this amendment.

I hope my friend, the Senator from Florida, will consider withdrawing it.

First, after the Supreme Court decided in Seminole v. Florida that Indian tribes cannot sue States for unwillingness to negotiate Indian gaming agreements, it created a terrific problem, as many Members know. We have spent a considerable amount of time in our committee, with me as the chairman of that Committee on Indian Affairs, looking for ways that States and tribes can come to some consensus.

We have a pending bill, S. 985. We have worked on it very hard. We want the legislative process to proceed. The Indian Gaming Regulatory Act requires tribes to have compacts before they can operate class III gaming. Right now, unfortunately, the States hold all the cards since the court decided the States do not have to negotiate in good faith.

The Secretary of the Interior is now in Federal court over his ability to issue the kind of procedures that this amendment seeks to stop. As the Senator from Florida probably knows, these procedures can only be put into effect if they are published in the Federal Register. The States of Alabama and Florida have sued the Secretary of the Interior if this case moves ahead in the courts. It is in the interest of all parties, States and tribes, for the United States to allow the courts to decide once and for all if the Secretary has this authority.

I point out, the House has already rejected a similar amendment. I have a letter dated August 2 from the Secretary of the Interior. I ask unanimous consent that the letter be printed in the RECORD.

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

THE SECRETARY OF THE INTERIOR,
Washington, DC, August 2, 1999.

Hon. BEN NIGHTHORSE CAMPBELL,
U.S. Senate, Washington, DC.

DEAR SENATOR CAMPBELL: As you know, a floor amendment has been submitted for intended action on the FY 2000 Interior appropriations bill which would preclude the Department from expending any funds to implement the Indian gaming regulation published in the Federal Register on April 12, 1999. The question of our authority to promulgate that regulation is in litigation in the Northern District of Florida in a case brought by the States of Florida and Alabama. I urge you to oppose the amendments in recognition of the fact that the matter is now in the courts, and we have agreed to refrain from implementing the regulation in any specific case until the federal district court has an opportunity to rule on the merits of the legal issues. We believe that this matter is best dealt with by the courts and we are eager for a judicial resolution.

The regulation will have narrow application. It applies, by its terms, only (1) when an Indian Tribe and a State have failed to reach voluntary agreement on a tribal-state gaming compact; and (2) when a State successfully asserts its Eleventh Amendment immunity from a tribal lawsuit and thus avoids the mediation process expressly provided in the Indian Gaming Regulatory Act. The regulation will be implemented on a case-by-case basis, controlled by the facts and law applicable to each situation. As noted above, we are already in litigation in federal court in Florida over the lawfulness of the regulation.

In a letter dated May 11, 1999, I explained our concern that we do not think a legal challenge to the regulation is ''ripe'' for adjudication until the Department had actually issued ''procedures'' under it. Since that time, we have sought to dismiss a legal challenge on ripeness grounds. We intend to go forward with processing tribal applications under our regulation and to issue ''procedures'' if they are warranted. It is important to note that any such ''procedures'' become affective only when published in the Federal Register. As noted above, we have agreed to refrain from publishing any procedures until the federal district court has an opportunity to rule on the merits of the legal issues.

The House of Representatives rejected an amendment that would have precluded implementation of the rule and I hope that the full Senate will do the same. As you know, in the past, I have recommended that the President veto legislation containing similar provisions.

Thank you for your assistance on this important matter.

Sincerely,

BRUCE BABBITT.

Mr. CAMPBELL. In that letter, the Secretary indicates the final rule will not be implemented and no tribal agreements will be authorized until the courts decide the real issue of whether he has authority to issue these procedures. That may take several years.

I ask the legislative process proceed and we not short circuit it with this amendment. I ask the Senator from Florida to withdraw that amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. BRYAN. Mr. President, I rise today in support of the amendment offered by the distinguished Senators from Florida and Wyoming, Mr. GRAHAM and Mr. ENZI. This is an amendment that prevents the Interior Department from implementing new regulations that seriously threaten the rights of States to regulate gaming activities within their borders.

This amendment reinstates the prohibition on the Secretary of the Interior, which expired on March 31, from approving casino gaming on Indian land in the absence of a tribal-State compact. A similar provision was adopted unanimously by the Senate as part of the fiscal year 1998 Interior appropriations bill as well as the fiscal year 1999 omnibus appropriations bill.

As many of my colleagues are aware, the Indian Gaming Regulatory Act enacted in 1988 divides Indian gaming

into three categories. The amendment offered for consideration on the Senate floor today addresses the conduct of class III gaming; that is, casino gaming, slot machines, video poker, and other casino-type games.

Under IGRA, the Congress very clearly intended to authorize Indian tribes to enjoy and to participate in gaming activities within their respective States to the same extent as a matter of public policy that the State confers gaming opportunities generally to the State.

There are two clear extremes. In one case, we have the States of Utah and Hawaii. Those are the only two of the 50 States that I am aware of that permit no form of Indian gaming. It is very clear that because those two States as a matter of public policy confer no gaming opportunities upon its citizenry, Indian tribes in Utah and Hawaii have no ability to conduct gaming activities within the class III description, the so-called casino-type games.

Equally clear at the other end of the spectrum is my home State of Nevada. Nevada has embraced casino gaming since 1931. It is equally clear in Nevada law that the Indian tribes in my own State are entitled to a full range of casino gaming. Indeed, compacts have been introduced to accomplish that purpose.

Under IGRA, the class III gaming activity is lawful on Indian lands only if three conditions are made:

No. 1, there is an authorized ordinance adopted by the governing body of a tribe and approved by the Chairman of the National Gaming Indian Commission;

No. 2, located in a State that permits such gaming for any purpose by any person, organization, or entity—I want to return to that because that is the key here—located in a State that permits such gaming for any purpose by any person, organization, or entity.

No. 3, are conducted in conformance with a tribal-State compact.

As I know the distinguished occupant of the Chair fully understands, the implementation of IGRA requires that compact be negotiated and entered into between the Governor of the State and the tribe within that State that is seeking to conduct class III activity. When IGRA was enacted in 1988, Congress was careful to create a balance between State and tribal interests. One of the fundamental precepts of IGRA is that States and tribes must negotiate agreements or compacts that delineate the scope of permissible gaming activities available to the tribes. Again, the intent of IGRA is clear and I support its concept. Very simply stated: To the extent that a State authorizes certain gaming activity as a matter of public policy within the boundaries of that State, Indian tribes located within that State should have the same opportunity. There is no fundamental disagreement about that.

However, a situation has arisen in a number of States in which Indian tribes have tried to force Governors to negotiate extended gaming activities that are not authorized or permitted by law within that State; for example, a State that may authorize only a lottery might be pressed by a tribe to permit slot machines—clearly something that IGRA did not contemplate. It is in that area that we have had some very serious disagreements.

The new Interior Department regulations destroy the compromise that is reflected in IGRA. It is in my view a blatant attempt by the Secretary to rewrite the law without congressional approval. The rule that has been promulgated allows the Secretary to prescribe ''procedures'' which the Interior Department characterizes as a legal substitute for a tribal-State compact, in the event a State asserts an 11th amendment sovereign immunity defense to a suit brought by a tribe claiming a State has not negotiated in good faith.

The effect of this rule for all intents and purposes nullifies the State's constitutionally guaranteed sovereign immunity by allowing the Secretary of the Interior to become a substitute Federal court that can hear the dispute brought by the tribe against the State. Ironically, the new rule permits a tribe to sue based on any stalemate brought about by its own unreasonable demands on the State, such as insisting on gaming activities that violate that State's law.

I support this amendment because I believe, as do the Governors and the States Attorney General, that the Secretary does not possess the legal authority he has sought to grant to himself under this rule, and that statutory modifications to IGRA are necessary in order to resolve a State's sovereign immunity claim.

In a letter to the majority leader and the Democratic leader, the Nation's Governors stated they strongly believe that no statute or court decision provides the Secretary of the U.S. Department of Interior with the authority to intervene in disputes over compacts between Indian tribes and States about casino gambling on Indian lands. In light of this strongly held view, the States of Florida and Alabama have already filed suit against the Secretary to declare the new rule ultra vires.

The most troubling aspect of the new rule is that the Secretary of the Interior grants himself the sole authority to provide for casino gaming on Indian lands in the absence of the tribal-State compact.

As a former Governor, I appreciate the States' concern with the inherent conflict of interest of the Secretary in resolving a major public policy issue between a State and Indian tribe while also maintaining his overall trust responsibility to the tribe.

I ask my colleagues to consider the Secretary of the Interior would in effect be the arbiter where a dispute arose between the tribe and the Governor in which the tribe was asserting a claim to have more gaming activity than is lawfully permitted in the State. The Secretary of the Interior, who holds a trust responsibility to the tribe, would in effect be making the determination in that State as to what kind of gaming activity would be permitted. I cannot imagine something that is a more flagrant violation of a State's sovereignty and its ability, as a matter of public policy, to circumscribe the type of gaming activity permitted. The States have asserted a wide variety of these. Some States, as I indicated earlier, provide for no gaming activity at all. Others provide for a full range of casino gaming, as does my own State. Other States permit lotteries. Still others authorize certain types of card games. Others permit a variation of horse or dogtrack racing, both on- and off-track.

So a State faces the real possibility, under this rule, if it is not invalidated—and I believe legally it has no force and effect, but we want to make sure this amendment prohibits the attempt of the Secretary to implement it—in effect, the Secretary of the Interior would have the ability to set public policy among the respective States as to what type of gaming activities could occur on Indian reservations within those States. We are talking now about class III casino gaming. Even though a State Governor and the legislature and the people of that State may have determined, as a matter of public policy, that they want a very limited form of gaming—a lottery or racetrack betting at the track as opposed to off-track—the Secretary would have the ability, when a tribe asserted more than the State's law permitted, to, in effect, resolve that. I cannot think of anything that is more violative of a fundamental States rights issue in terms of its sovereignty and its ability as a matter of public policy to make that determination.

I agree with many of my colleagues that statutory changes to IGRA are in order, in light of recent court decisions. I am hopeful that Congress will see fit to reassert its lawmaking authority in this area by reexamining IGRA, rather than sitting on the sidelines while the Secretary of the Interior performs that task.

But, in the meantime, it is imperative that the Congress prohibit the Secretary from approving class III gaming procedures without State approval. For that reason, I urge my colleagues to support the carefully crafted amendment by my colleague from Florida, Senator GRAHAM, and Senator ENZI from Wyoming—an amendment to preserve the role for States in the conduct of gaming on Indian lands.

It is fair, it is balanced, and it is reasonable. It is consistent with the overall intent of IGRA, which was adopted in 1988 by the Congress, to permit class III gaming activities when the three conditions which I have enumerated are met, ultimately with a compact negotiated by the Governor and the tribe within that State. In the absence of such an agreement, the Secretary of the Interior must not be allowed to determine that State's public policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, it is still the opinion of the managers that this amendment is likely to be accepted by voice vote. We still haven't directly heard from the Senator from Hawaii, however, who may be nearby. I hope when he finishes we can cast such a vote.

We have heard, on the other hand, the senior Senator from Illinois wishes to speak against the Lott amendment proposed for him by Senator BOND and will ask for a vote on that. So we will await his presence and his speech on that subject before there is any attempt to bring that amendment to a vote. But for all other Members with the other 64 amendments, now that we have started to deal with two of them, we would certainly appreciate their coming to the floor and showing a willingness to debate. The Democratic manager, Senator BYRD, and I are certainly going to be happy to grant unanimous consent to move off of one amendment and onto another, I am sure, to keep the debate going with the hope of making progress on the bill.

With that, however, I yield the floor.

Mr. BYRD. Mr. President, I join with my distinguished colleague, the manager of the bill, in urging Senators to come to the floor and debate these amendments. It is my understanding, as it is his, that the distinguished Senator from Illinois, Mr. DURBIN, wishes to speak against the amendment by the distinguished Senator from Missouri, Mr. BOND, and he will certainly have that opportunity.

I trust the offices of Senators—I am sure they are watching and listening—will pass on to the respective Senators this urgent message that we are trying to state here, that we are here, we are here to discuss amendments, debate them, agree to them, vote them down, vote them up, amend them further, or whatever. But Senators need to come to the floor and make their wishes known so that this valuable time will not be lost. So I urge our Senators to act accordingly.

Now I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. INOUYE. Mr. President, may I be recognized?

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. INOUYE. Mr. President, with the greatest respect for my friend from Florida, I rise in opposition to the amendments he proposes to the Interior appropriations bill.

As similar amendments have done in prior years, this amendment seeks to prevent Indian tribal governments from engaging in activities that have been authorized by the U.S. Congress and sanctioned by the Supreme Court of the United States.

My colleagues know well that there has been a serious impasse in the operation of federal law, the Indian Gaming Regulatory Act—IGRA—since 1996.

In that year, the Supreme Court concluded that the means by which tribal governments could have recourse to the Federal courts if a State refused to negotiate for a tribal-State compact violated the states' eleventh amendment immunity to suit.

Thus, while there are presently over 128 tribal-State compacts as many as 24 States, in those States where tribal-State compact negotiations had not been brought to fruition by 1996, the Court's ruling gave those States a trump card in the negotiations.

Those States—and there are only a few—now had a means of avoiding compliance with the Federal law altogether. They could refuse to negotiate any further, or refuse to negotiate at all, with the knowledge that tribal governments had no remedy at law and no recourse to the Federal courts.

We have tried to address this matter through legislation, and indeed, the chairman of the Indian Affairs Committee, Senator BEN NIGHTHORSE CAMPBELL, currently has a bill pending in the Senate which specifically addresses this matter and establishes a process for resolving this impasse.

In the interim, the Secretary of the Interior has stepped into the breach—first by soliciting public comment on his authority to promulgate regulations for an alternative process if tribal-State compact negotiations should fail, and then by following the administrative procedures to assure that everyone with an interest had an opportunity to participate in the rulemaking process.

That was the open and public and well above-board process that was followed, and it seems to me only fair that if a State refuses to negotiate with a tribal government,—that there be some other means by which an indian government can secure its right under Federal law to conduct gaming activities.

Mr. President, if there were a proponent of this amendment that could tell us what equitable alternative they would propose for those tribal governments that will be directly affected by this amendment, I would give that alternative my earnest consideration.

But all that I see going on here is an effort to assure that the windfall enjoyed by those States that had not entered into compacts by 1996, never have to do so.

I suggest that if what we are about here is to render the Indian Gaming Regulatory Act a nullity, then let's be direct and forthright about it.

Let's repeal the Federal law.

Let's have the Supreme Court's ruling in Cabazon be the order of the day and of every day to come.

I, for one, will not be party to this obvious effort on the part of some States to evade the mandates of the Federal law.

There is nothing constructive being advanced today. There is no effort to assure some balance in the positions of the respective sovereigns, tribal and State governments, and as such, I must strongly and respectfully oppose the adoption of this amendment.

I thank the Chair. I yield the floor.

At the request of Mr. GORTON, the following statement was ordered printed in the RECORD:

Mr. SESSIONS. Mr. President, I rise today to join with my distinguished colleagues, Senator ENZI and Senator GRAHAM, in offering this important amendment to the fiscal year 2000 Interior appropriations legislation. This is an amendment that should be supported by anyone who is concerned about the issue of gambling, and who also believes that the Federal Government often goes too far in exerting its will on the individual States. I think that the amendment we offer today, which will prohibit taxpayers money from being expended to implement the final rule published on April 12, 1999 at 64 Federal Register 17535, is an important amendment because if it passes it will prohibit the Secretary of the Interior from unilaterally approving the expansion of casino gambling on Tribal land throughout this country, including States, like Alabama, in which a Class III gambling compact has not previously been negotiated.

Allow me to briefly share some of my thoughts on the importance of this amendment. As Attorney General of Alabama, I cosigned a letter with 25 other Attorneys General that was sent to the Secretary of the Interior in regards to his promulgation of the rule we seek to block today. Every Attorney General who signed that letter shared the opinion that the Secretary of the Interior did not have the legal authority to take action to promulgate regulations which gave him the authority to allow casino gambling in this manner. In fact, I previously warned

the Secretary that if he attempted to implement this rule, he would immediately be sued by States throughout this country in direct challenge to these regulations, resulting in a terrible waste of resources on both the State and Federal level. Unfortunately, my prediction has come true, as the States of Florida and Alabama have filed suit to block the implementation of this rule.

This is an important issue for my State, which has a federally recognized tribe and which has not entered into a tribal-State gambling compact. Alabama's citizens have repeatedly rejected attempts to allow casino gambling to occur within our State. However, under the rules that the Secretary of the Interior has promulgated, he has given himself the authority to unilaterally decide whether tribes within the State will be allowed to open casinos, regardless of the opinion of the State itself, despite his obvious conflict of interest, and even in the absence of any bad faith on the part of the States. I fail to see how the Secretary of the Interior can cede himself the authority to make this determination for the people of Alabama. Allow me to quote two points from the legal analysis prepared by the States of Florida and Alabama which highlight these issues:

The States of Florida and Alabama point out in their lawsuit that ''under IGRA, an Indian tribe is entitled to nothing other than the expectation that a State will negotiate in good faith. If an impasse is reached in good faith under the statute, the Tribe has no alternative but to go back to the negotiating table and work out a deal. The rules significantly change this by removing any necessity for a finding that a State has failed to negotiate in good faith. The trigger in the rule would allow secretarial procedures in the case where no compact is reached within 180 days and the State imposes its Eleventh Amendment immunity.''

Additionally the States' challenge points out the problems associated with the Secretary of Interior's conflict of interest. In their argument the States point out that ''the rules at issue here arrogate to the Secretary the power to decide factual and legal disputes between States and Indian Tribes related to those rights. Pursuant to 25 USC Section 2 and Section 9, the Secretary of the Interior stands in a trust relationship to the Indian tribes of this nation. The rules set up the Secretary, who is the Tribes' trustee and therefore has an irreconcilable conflict of interest as the judge of these disputes. Therefore, the rules, on their face, deny the States due process and are invalid.''

Both of these points help to illustrate just how badly flawed the regulation proposed by the Secretary of the Interior is, and help underscore why Congress should be vigilant in ensuring it cannot be utilized.

Why is this issue so important to my State? Because in giving himself the ability to decide whether to allow tribal Class III gambling in a State, the Secretary of Interior has given himself the ability to impose great social and economic burdens on local communities throughout Alabama. Let me share with you a letter that the mayor of Wetumpka, Jo Glenn, whose community is home to property owned by a tribe, wrote me in reference to the undue burdens her town would face if the Secretary were to step in and authorize casino gambling. Mayor Glenn writes:

> Our infrastructure and police and fire departments could not cope with the burdens this type of activity would bring. The demand for greater social services that comes to areas around gambling facilities could not be adequately funded. Please once again convey to Secretary Babbitt our city's strong and adamant opposition to the establishment of an Indian Gambling facility here.

Mayor Glenn's concerns have been seconded by other communities. Let me share with you an editorial that appeared in the Montgomery Advertiser in regards to regulations being discussed today. The Advertiser wrote:

> Direct Federal negotiations with tribes without State involvement would be an unjustifiably heavy handed imposition of authority on Alabama. The decision whether to allow gambling here is too significant a decision economically, politically, socially to be made in the absence of extensive State involvement. A casino in Wetumpka—not to mention the others that would undoubtedly follow in other parts of the State—has implications far too great to allow the critical decisions to be reached in Washington. Alabama has to have a hand in this high stakes game.

Mr. President, the States of Alabama and Florida were correct to challenge this regulatory proposal, and the writers of the above quoted letter and editorial were correct when they voiced their objections to it. We should not allow the Secretary of the Interior to promulgate rules giving himself the authority to impose drastic economic, political and social costs on our local communities, and we should take steps now to ensure that he is unable to do so. I urge my colleagues' support for the Graham-Enzi amendment.

Mr. GRAHAM. Mr. President, on April 12, 1999, Thomas Jefferson must have turned over in his grave. That Monday, the Secretary of the Interior promulgated a regulation which had the potential to unilaterally strip the duly elected Governors of America of their decision-making authority on the issue of casino gambling.

That day, the Secretary published regulations that would circumvent the State-tribal compact negotiation process by allowing tribes to apply directly to the Department of Interior for the approval of Class III gaming. If the Secretary determines that the State and tribe have not been able to reach an agreement, he, alone, can grant the tribes the authority to engage in Class III gaming.

Class III gaming is the sort of gambling you might find in Atlantic City or Las Vegas—blackjack, slot machines, craps, roulette.

It's an old story, Mr. President: Washington knows best. But in an era when we have correctly determined that political decisions are best made at the State and local level, this complete abrogation of States' rights is particularly outrageous. Today, Senator ENZI and I are taking steps to reverse the Interior Department's power grab. Our amendment to the Interior Appropriations bill would preserve the fundamental right of every State to decide whether or not it wants Class III Indian gaming within its borders. It would block these efforts to unilaterally approve tribal casino-style gambling applications by prohibiting the use of Department of Interior funds for the implementation of the Secretary's final rule.

The final rule publication on April 12 is fraught with long-term consequences. If we allow the long-standing tribal-State negotiation process to be bypassed, we will undermine a dialogue which has promoted greater understanding between both parties in the negotiation of gaming compacts.

This amendment does not limit the ability of tribes to obtain Class III casino-style gambling provided that tribes and States enter into valid compacts pursuant to existing law.

But even more importantly, Department of Interior's action calls into question the basic right of States to make decisions that are in the best interest of their residents. In the State of Florida, our Constitution prohibits this sort of gambling, and in 1978, 1986, and 1994, Floridians overwhelmingly rejected casino gambling in three separate statewide referendums. State and local law enforcement officials are equally vehement in their opposition.

Mr. President, our amendment has the support of the National Governors Association, National Association of Attorneys General, National League of Cities, and the National Conference of State Legislatures.

Four times in the past three years, an amendment similar to this one has been offered in the Senate, and all four times it has been accepted. Should it fail this time, the Interior Department will have unfettered power to grant Class III gaming compacts over State objections, even in State where casino gambling is against State law, including in States like Florida, where casino gambling is prohibited by the State constitution.

This amendment neither affects existing tribal-State compacts nor amends the Indian Gaming Regulatory Act. It does protect States' rights and

ensures that elected State leaders—not unelected Federal officials—have the right to negotiate gaming compacts based on public sentiment.

I hope that my colleagues will join Senator ENZI, our cosponsors, and myself in supporting this amendment.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, as far as I know, that concludes debate on the Graham-Enzi amendment. As far as I know, Members are willing to accept a voice vote on the amendment. So unless someone else rises, I suggest the President put the question.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1577.

The amendment (No. 1577) was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 1603

(Purpose: To prohibit the use of funds for the purpose of issuing a notice of rulemaking with respect to the valuation of crude oil for royalty purposes until September 30, 2000)

Mrs. HUTCHISON. Mr. President, I call up amendment No. 1603.

The PRESIDING OFFICER. Without objection, the pending amendments will be set aside.

The clerk will report.

The bill clerk read as follows:

The Senator from Texas (Mrs. HUTCHISON), for herself, Mr. DOMENICI, Mr. LOTT, Mr. NICKLES, Mr. BREAUX, Mr. MURKOWSKI, Ms. LANDRIEU, and Mr. SHELBY, proposes an amendment numbered 1603.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 62, between lines 3 and 4, insert the following:

SEC. 1 . VALUATION OF CRUDE OIL FOR ROYALTY PURPOSES.

None of the funds made available by this Act shall be used to issue a notice of final rulemaking with respect to the valuation of crude oil for royalty purposes (including a rulemaking derived from proposed rules published at 62 Fed. Reg. 3742 (January 24, 1997), 62 Fed. Reg. 36030 (July 3, 1997), and 63 Fed. Reg. 6113 (1998)) until September 30, 2000.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Senator SHELBY be added as a cosponsor to this amendment.

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

Mrs. HUTCHISON. Mr. President, I offer this amendment on my behalf, and in addition to Senator SHELBY, Senators DOMENICI, LOTT, NICKLES, BREAUX, MURKOWSKI, and LANDRIEU.

This amendment will continue an existing provision that will prevent the Interior Department's Minerals Management Service, MMS, from implementing an overreaching and unwise new oil royalty valuation system. This moratorium was adopted by the Senate Appropriations Committee and continues the same restrictions that have been passed by the Senate and the House and signed by the President three times previously.

I add that it has been bipartisan, and the initial moratorium and its subsequent extensions have been supported by Senators on both sides of the aisle, and the same is true on the House side. This will be the fourth time that Congress will have to act to stop this action by the Minerals Management Service. I regret that, and I wish there did not have to be a first time. But this moratorium is absolutely necessary in order to stop the MMS from overriding its regulatory authority by imposing a backdoor tax on the production of oil from Federal leases.

We have heard about judges legislating from the bench. This is, I think, legislating from the cubicle. This new rule violates both the language and the intent of Federal law governing the assessment and collection of Federal royalties from oil and gas drawn from Federal lands in the Outer Continental Shelf.

Everyone agrees the existing rules are too complex and burdensome, and Congress and the industry groups had welcomed a revision of the rules. But the proposed rule 3 years ago which MMS announced without prior notice to Congress could impose even more costly regulations on oil producers and effectively enact a royalty rate hike or tax increase which the agency simply does not have the authority to do. While the larger oil companies might be able to absorb these costs, hundreds of small independent producers probably will not. This new rule hits them at a time when they are still reeling from the historically low oil prices we have seen lately.

Anyone who has any kind of oil production in their States knows that hundreds of thousands of oil-related jobs in our country have gone out of existence in the last 6 months. We all know that oil prices went down to $10 a barrel. We have not seen that in this country for 40 years. We know that small independent producers had to go out of business, thus throwing hundreds of thousands of people off the payroll.

In addition, there are two recent developments that justify more than ever before the extension of the moratorium. First, the MMS itself says it needs more time to review its rule; second, a serious ethical and legal question has recently been raised about the rulemaking process.

Earlier this year, the Minerals Management Service did reopen the comment period for their rule for 30 days. During that period of time, they received extensive comments dealing with the many facets of this issue, and they have not yet finished reviewing and considering those comments.

Because they have held workshops and various oil industry representatives and others interested in this issue have been able to meet together, it is going to take time for the agency to digest the input they have. I hope there is a window in which the Minerals Management Service will be able to sit down and come up with something that is fair and will not put more of our oil industry jobs off the books and into foreign countries.

Remember, today we import more than 50 percent of the oil needs of our country. We are certainly not doing anything to help our own oil industry keep oil jobs in America, and it is a security risk to any country that cannot produce 50 percent of its energy needs.

I think everything we can do to keep this industry strong is a security issue for our country, and it is certainly a jobs issue.

Unfortunately, extending the moratorium through the next fiscal year is the only way we are going to be able to get this agency to produce a workable rule that stays within the bounds of the law. That is what we are trying to do.

In fact, I want our oil industry to pay its fair share of royalties to the people of our country. Our taxpayers deserve that. That is exactly what we are trying to do with the MMS. But the MMS has been very heavy handed, and they act as if businesses going out of existence is preferable to having a fair royalty rate in which the industry would pay its fair share and we would keep jobs in America.

Several of my colleagues and I strongly urged MMS to sit down with Members of Congress and industry representatives to discuss these issues. It did so last year. Some progress was made, and I thought we were coming toward a compromise. Unfortunately, the Department of the Interior brought the progress to an abrupt halt. The only way we will be able to sit down with the agency is if there is a moratorium until there is a satisfactory resolution of this issue by the MMS and the Members of Congress who are interested in keeping oil jobs in America.

In addition, I and other Members of Congress only recently became aware of a situation that, frankly, calls the entire rulemaking process into serious question. This spring it was revealed that a self-proclaimed government watchdog group called Project on Government Oversight, or POGO, gave $350,000 each to two Federal officials: One at the Department of the Interior and the other at the Department of Energy, apparently in connection with their work on the royalty valuation issue.

This matter is presently under criminal investigation at the Department of Justice, and it is the subject of an investigation by the Department of the Interior's inspector general. Until these investigations are complete, the prudent course would be for the Interior Department to take a voluntary action to suspend its plan to finalize the new royalty valuation rule. Unfortunately, the Department has indicated it is not willing to do this. I can't imagine an agency that has admitted or at least acknowledged that one of its employees in this rulemaking process took $350,000 as part of a payment in a lawsuit from this government watchdog organization, and the agency is not even willing to say we should call a moratorium on this whole process until we get to the bottom of this. That is why, when things such as this happen, people don't trust their Government.

I can't imagine the Interior Department not volunteering to take this action and sit down with us and make sure that this rulemaking process has integrity.

The Interior Department's proposed rule defies the law and the intent of Congress. This disregard for the law is what is at the heart of our objection to the proposed new rule, not the $11 million the Congressional Budget Office estimates the proposed rule will generate in new income for the agency.

Federal law requires for purposes of royalty payments the value of oil drawn from Federal land is to be assessed at the wellhead; that is, when the oil is drawn from the ground. The MMS, however, continues to try to assess the value of the oil away from the wellhead, after the oil has been transported, processed, and marketed, each of which must occur before the oil can be sold. In effect, the MMS is trying to get a free ride on these costs rather than allowing companies to deduct them from the price they ultimately receive for the oil. So you are asking people to pay a tax on their cost of doing business. That does not make economic sense. It certainly doesn't pass the fairness question.

There isn't any question that the existing system of computing Federal oil royalties is overly complex. No one disputes that. Under the current system, oil producers are often unclear as to what their royalty payments are supposed to be, and even the MMS is often at a loss as to what they are owed. But rather than propose a simpler method of ascertaining royalty payments, the MMS has proposed an even more complex and protracted litigation over just what the new rule requires.

While the proposed rule could bring in increased Federal revenues, the increased payments could also be eaten up by the need to hire an army of new Federal auditors to ensure compliance with the complex new system. Furthermore, if companies decide not to go forward with their drilling because they can't make any kind of profit, there will be no revenue to the schoolchildren in our country because there will be no oil royalty extracted from those companies. So the new rule is going to be a regulatory thicket that really is not going to help the situation, which is the problem of a too complex regulation today.

Let me also emphasize this amendment has nothing to do with the entirely separate issue of whether or not any particular oil company has paid the royalties it owes under the existing system.

I have heard a lot of rhetoric on this issue. I have heard my colleagues talk about the lawsuits and the settlements and companies that haven't paid their fair share. If any oil company has not paid its fair share under the existing regulation, I want it to be prosecuted. I want it to have to pay. That is not an issue in this regulation. The only issue before us today is what is going to be the oil royalty valuation process and is Congress going to have the right to raise taxes or is an unelected bureaucrat who is not accountable going to have that right.

Federal land and the mineral resources within that land belong to us all. Proper royalties must be paid for the right to extract those resources. Since 1953, those payments have totaled over $58 billion. That is what we have collected in oil royalties. But enforcement of the law and writing the law are two separate things. The MMS seems to have forgotten that it is the responsibility of Congress, not the government bureaucrats, to determine what the royalty is. That is why we must continue this moratorium until Congress says this is the right approach.

The new rule imposes upon Federal lease producers a duty to market their oil without allowing the cost to be deducted. Oil does not sell itself. There are overhead costs associated with listing the oil for sale, locating buyers, facilitating the sale, and then ensuring that the oil is delivered to that buyer. Federal law and existing regulations only require that the lessee place the oil in marketable condition; that is, that the oil is ready to be sold by removing water and other impurities from it. But lessees are allowed, under current law, to deduct the costs associated with transporting and marketing the oil.

The new rule, as contained in the MMS' own explanation, states that the producers must market the oil for the mutual benefit of the lessee and the lessor. This, then, would mean producers would no longer be allowed to deduct these costs in order to arrive at true wellhead value, as called for by Federal law. There is no other way to slice it. This constitutes a backdoor royalty rate hike; in effect, a tax increase on Federal lands producers.

Secondly, the MMS rule would not allow for the proper deduction of transportation costs. Oil producers typically have to bear the cost of transporting the oil to the buyer, either by pipeline or truck. Presently, those costs are determined by using a methodology recognized by the Federal Energy Regulatory Commission, which has regulatory authority over interstate oil pipelines. So the new MMS rule would actually reject the Federal Government's own cost guidelines and impose a new, untested system for determining transportation costs.

So it comes down to a simple decision: Do we want unelected bureaucrats enacting policy with regard to our Federal lands, or do we want Congress to establish these policies? There have been other bills introduced that would deal with this issue. I hope we can come to an agreement. But I don't think we can forget what has happened to the oil industry over the last 2 years. In fact, this is coming at a time when oil and gas production in our country is at an all-time low. In March of this year, we saw oil prices in parts of our country going down to even $7 or $8 a barrel.

While the price of oil has since begun to come back up—and today stands at about $20 a barrel—the impacts of a year and a half price crash are reverberating throughout the United States. Since the price of oil first fell in late 1997, over 200,000 oil and gas wells have been shut down. Most of these, of course, were the low-yield marginal or ''stripper'' wells that will never again be opened because it is not economically feasible to do it.

In March of this year, crude oil production in the lower 48 States fell to 4.8 million barrels per day, the lowest level in 50 years. The number of oil rigs in service in the United States fell to just over 100 for the last week in July, the lowest number in service since records have ever been kept.

During this time, foreign oil imports rose steadily and now account for 57 percent of consumption, well above the 36 percent import level we saw during the 1974 oil embargo that nearly shut down the American economy.

The oil crisis has also had a devastating impact on American jobs. Since November 1997, we have lost over 67,000 jobs just in the exploration and production sectors of this industry, which represents 20 percent of the total number of jobs in this field. In January 1999 alone, 11,500 oil and gas jobs were lost. If one looks back to 1981, the numbers are even more alarming: Over half a million good-paying American jobs have been lost in the oil and gas industry.

There are those who would say this is going to hurt our schoolchildren, that they are not going to get the revenues

from our public lands. This is very important in my home State. There are dozens of school districts that rely heavily on oil production; property taxes fall with the price of oil. Statewide school districts will collect an estimated $154 million less in revenues this year than last. That is $154 million worth of teachers' salaries, books, computers, you name it. That is what we are talking about in Texas when we talk about the impact of oil on education.

So if we are going to hit the oil business again, what is it going to do to the schoolchildren of our country? Is it going to take another $154 million hit in my State? Do you know that they had to let teachers off in midyear in many counties in Texas because they didn't have the money because of oil companies going out of business and having no income whatsoever? So when my colleagues say the schoolchildren are going to lose $60 million, perhaps, in California alone, I point my colleagues' attention to the fact that we have lost $154 million this year in Texas, and we are cutting teachers off in midyear and shutting down schools because our oil industry is on its knees.

During 1998, while the average yield for stocks in the Dow Jones Industrial Average was a positive 18 percent, the yield for oil and gas stocks was a negative 36 percent. So what does that do to the elderly investor, or the person who is investing in mutual funds? What does that do to an industry that is very important for the retirement security of millions of our citizens?

For companies inclined toward exploration and production, earnings and stock values have fared even worse. The yield on independent refiner stocks, down 40 percent. The yield on exploration and production stocks, down 63 percent. The yield on drilling stock, down 64 percent. These stock values reflect huge losses by oil companies over the past year and a half. Corporate earnings of the 17 major U.S. petroleum companies fell 41 percent between the first quarter of 1998 and the first quarter of 1999. Fourth quarter losses for 1998 and the first quarter of 1999 were some of the largest witnessed in industry history. Some companies have lost over $1 billion during each of these quarters.

So we are not just talking about the loss of revenue to our schoolchildren. We are not just talking about the stability of the retirement pension plans of millions of Americans. We are talking about flat bad policy. We are talking about cutting off an industry that is essential to our security, essential to the retirement security of individuals in this country, essential to job security for thousands of workers; and we are talking about blithely saying let the bureaucrats who aren't accountable increase the taxes without congressional responsibility.

Congress didn't say that last year, they didn't say it the year before, and they didn't say it the year before that. They said: No, you will be accountable because we do care about the schoolchildren of this country, we do care about the people living on retirement incomes in this country, and we do care about those who have mutual funds that include oil industry stocks; we want them to be stable, we want them to pay their fair share, and we believe their fair share includes not paying taxes on their expenses. It is economics 101.

So I am asking my colleagues, for the fourth straight time, to come forward and vote to keep this moratorium so Congress can exercise its full responsibility, so that we will not put people out of business because the margins are so low and because they have been hit so hard over the last year and a half.

We are joined by many groups who care about the economic viability of our country: Frontiers of Freedom, the National Taxpayers Union, Americans for Tax Reform, Citizens Against Government Waste, Citizens for a Sound Economy, the Alliance for America, People for the USA, Sixty-Plus, the Blue Ribbon Coalition, the American Land Rights Association, the Competitive Enterprise Institute, the National Center for Public Policy Research, Rio Grande Valley Partnership.

The moratorium that I am proposing to extend will force the Department to take the time to craft a rule that works and accurately reflects the will of Congress—a rule that will be fair to the schoolchildren of our country, a rule that will be fair to the taxpayers of our country, a rule that will make the oil industry pay its fair share, but a rule that will not make the oil industry pay an increased tax on their expenses. That is unheard of in economics in our country, nor good business sense. It is confiscatory taxation, and we will not stand for our retirees having their investments obliterated by taxes that are unfair. The buck stops here. It does not stop on the bureaucrat's desk; it stops here, because we are responsible for keeping the jobs in this country. We are responsible for fair taxation policy. We are responsible for the schoolchildren of our country. And the way to keep these companies paying their fair share, creating the jobs, and creating safe retirement systems for the people of our country is to keep the moratorium on and force the Department of the Interior to do the will of Congress, which is what it is supposed to do. If we don't stand up for our responsibility, who will? Who will stand up for Congress' responsibility if the Senate doesn't?

I urge the adoption of the amendment which has been adopted three times before, and which I hope will be adopted again, so that we will keep the oil jobs in our country, so that we will keep the retirement security of the mutual funds that depend on oil companies being stable, so that we will keep the schoolchildren of our country having the ability to get revenue that is fair, and to make the oil industry pay its fair share. That is what this amendment does.

I yield the floor.

The PRESIDING OFFICER (Mr. HAGEL). The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I know there are Senators who are waiting to speak on other measures. I am only going to speak for 2 minutes.

I congratulate Senator HUTCHISON on the argument she offered today. She indicated that the last three times we have done this, I have either been the sponsor and she the cosponsor, or vice versa.

I am here today to again indicate that whoever follows us and talks about the fact that we ought to stick big oil, or we ought to make sure there are no longer any slick deals, as I see some of these comments that are going to be made here on the floor, let me suggest that if you are taxing anything in the United States and you are doing it wrongly or unfairly or without justification under the law, then it doesn't matter whether somebody is going to lose money if in fact Congress says you have to stop doing that.

That is what we have here. We are going to have Senators argue that there are certain oil companies that are not going to have to pay. There have been settlements where they have paid. But the truth of the matter is, the intention of this law is, if you are going to change it materially, Congress is supposed to be involved.

We have tried to get involved. In fact, for 6 months we have mutually attended hearings with the MMS and the oil producers and talked about what was wrong with these regulations and rules. Everybody on both sides was saying, let's fix them; let's modify them; let's change them. Frankly, I think the oil people who were at those meetings who have talked with us and have gone to hearings in the Energy Committee are more than willing to listen to realistic, reasonable changes.

But essentially what has happened is, the MMS decided to change the rule which historically based royalties on prices at the wellhead. They decided they would go downstream from that wellhead, and they invented a new concept called ''duty to market.'' They decided that they are going to decide what expenses are allowed in moving that gas downstream to where the marketing occurs. They are deciding what the values are at that point. And we could go through a litany of situations where the oil industry believes the decisions are not fair, not market oriented, or not consistent with business practices. Frankly, I think some—because it is oil, or big oil—think it just doesn't matter, stick them.

Frankly, as I indicated before, we want to stand here and say: Why don't you get serious about fixing those regulations? And we will get off your back.

That is what is going to happen. Until they do it realistically and we get some word that they have been fair and reasonable in the way they are setting these royalty costs and prices that yield dollars in taxes to the oil industry, until we find out there are some changes made, we are going to be here on the floor saying this is a new add-on tax to an industry that maybe 15 years ago we could talk about as if what you taxed them didn't matter. But we know that we have a falling production market in the United States. It is more and more difficult to produce these products. It is more and more expensive and cheaper overseas. Some of us don't want to see the American industry taxed any more than is absolutely reasonable and fair.

These regulations are not right. They are not fair; they are not based on marketplace concepts, or we wouldn't be here.

I know some are going to want to debate this for a very long time. Maybe we will even have to ask for the debate to be closed. But we are not going to give up very easily.

We ask Senators who pay close attention. It is not a matter of what we could get out of this industry or what somebody alleges they would have paid in the settlement. It is a question of whether the new rules and regulations are right and consistent with fair market concepts or not. As you figure the royalty, are you inventing costs and prices and disallowing deductions and the like that have no relationship to reality? We think that is what these are.

We would be happy to come back again and debate. I will be glad to be here. But for now I yield the floor. I thank Senator HUTCHISON.

Mrs. HUTCHISON. Mr. President, if I may say so, I appreciate that this is the Hutchison-Domenici amendment. Sometimes it is Domenici-Hutchison because we both have worked so hard on this issue over the last 3 years. I appreciate the leadership of my colleague from New Mexico who feels the loss of oil jobs just as my State of Texas does. It is a team effort.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, I ask unanimous consent to lay aside the pending amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ROBB. Thank you, Mr. President.

AMENDMENT NO. 1583

(Purpose: To strike Section 329 from a bill making appropriations for the Department of Interior and related agencies for the fiscal year ending September 30, 2000)

Mr. ROBB. Mr. President, I call up an amendment that has been filed at the desk on behalf of myself and Senators BINGAMAN, BOXER, CLELAND, CHAFEE, and TORRICELLI.

The PRESIDING OFFICER. The clerk will report.

The legislative assistant read as follows:

The Senator from Virginia (Mr. ROBB), for himself, Mr. BINGAMAN, Mrs. BOXER, Mr. CLELAND, Mr. CHAFEE, and Mr. TORRICELLI, proposes an amendment numbered 1583.

Beginning on page 116, strike line 8 and all that follows through line 21.

Mr. ROBB. Mr. President, I did not ask that the reading of the amendment be dispensed with because it was so short and to the point.

The amendment simply strikes section 329 from the Interior appropriations bill we are now considering. Section 329 is a rider that is intended to overturn recent decisions handed down by the Eleventh Circuit Court of Appeals and the Federal District Court in Washington State dealing with national forests.

These courts were asked to examine the activities of the Forest Service and BLM to determine whether, in allowing certain timber sales from public lands, they complied with their own regulations and resource management plans that were developed under the National Forest Management Act. The courts found that they did not comply and disallowed the sales until they did.

The forest plans guide the Federal decision-making, so that one activity in the national forests such as logging does not occur in detriment to other uses. These plans apply only to national forest land—Federal land—not private land. This is land held in trust for all people and all uses, and the Forest Service and BLM are charged with ensuring that decisions involving these public treasures are made wisely.

We in Congress continually insist that Federal regulators operate using good science. But there is no good science without good data.

Section 329, which my amendment would strike, would relieve the Forest Service from the obligation to develop any new data. And we cannot have good decisions without good science and good data.

After decades of managing our forests primarily for the production of logs, we are now managing forests for a variety of uses. But we cannot do that without baseline data on threatened and endangered species.

We are changing the way we manage forests and the way we look at forest uses. Preserving habitat and providing recreation also have become increasingly important.

These changes are not easy. Proponents of this section, that my amendment would strike, fear that the requirements that we make sound decisions based on sound science and good data will lead to less logging. This is simply not true. Managing forests for their various uses, which include harvesting timber, requires an understanding of the entire system, including the plants, animals, even the pests that sometimes inhibit or damage growth.

To improve forest management, in December of 1997 the Chief of the Forest Service appointed an independent committee of scientists to advise him on ways to bring better science into forest planning. The panel's findings strongly recommended the use of scientific evidence in managing forests. The panel repeatedly advised that monitoring is critical to sustaining forest health.

In the cases that section 329 seeks to overturn, the courts simply require the Federal Government to undertake the monitoring that their own forest plans and rules require. Supporters of section 329 argue that the courts in these two cases have deviated from rulings by other courts where challenged timber sales were allowed to proceed. In other cases—and here is the important difference—the courts had enough data to rule in favor of the Forest Service. There was evidence to show that while the data gathered may not have been exhaustive, at least it was adequate.

In the most recent cases that section 329 seeks to overturn, the courts, after noting deference to the Forest Service, recognized the job simply had not been done adequately or at all. The courts didn't rule that each and every species had to be monitored. They simply said to the Federal Government: You have to follow your own rules. You have to gather the data in which a sound decision can be based.

For example, the Eleventh Circuit decision delayed seven timber sales in the southern Appalachian forest in Georgia until the Forest Service completed an evaluation of the impact the sales would have on the forest environment.

The purpose of the information gathering is to ensure that the Forest Service makes an informed decision before it allows the removal of expanses of timber that could be crucial to survival of endangered or threatened species or that could affect overall forest health.

In a similar action, a Federal judge in Washington State has delayed over 25 timber sales until the Forest Service completes the survey work required by the Northwest Forest Plan.

In the case involving the southern Appalachian forest, the Forest Service failed to develop the required baseline data on a number of species in both the

endangered and the threatened category and in a category known as ''indicator'' species. For example, the Forest Service had no population inventory information at all for 32 of 37 species in one category. The court of appeals ruled that in proffering the tracts of timber for sale, the Forest Service failed to comply with its own regulations. The court didn't just determine that the data was inadequate; the court determined that the data was nonexistent.

Under most forest plans, the Forest Service develops lists of indicator species to provide a basis for monitoring. These lists have species such as deer, bear, bass, and trout. These species are representative of all the other species in the forest. The list is short and it is designed to be easy to monitor.

In the Eleventh Circuit case, the Forest Service developed such a list but then failed to gather any information on most of the species on the list. In the Northwest, the court found that the Forest Service sidestepped similar requirements of the forest plan.

The Northwest Forest Plan is the legal and scientific framework that allows timber sales to go forward in the old growth forests of the Northwest. As our colleagues will recall, lawsuits in the early 1990s brought logging in that region to a complete halt. The Northwest Forest Plan, which was the result of lengthy and often painful negotiations, allowed timber sales to go forward, provided that there was an adequate basis to make an informed decision. The agreement provides the best hope of sustained yield and multiple use. This latest ruling by the Western District Court of Washington is a reminder that the agreement is the operating plan for the forests, and that guidance memorandum cannot exempt the Forest Service from its duty. This ruling will delay timber sales but only until the Forest Service completes the work laid out in the plan.

Of the 80 surveys in question, all but 13 have protocols developed that will allow survey work to move forward. These decisions are not a result of overstepping by the courts. They are a result of the courts examining the rules the Forest Service laid out for itself and merely requiring the Forest Service to operate by the rules it adopted.

Let me quote from the Eleventh Circuit decision:

> While the Forest Service's interpretation of its Forest Plan should receive great deference from reviewing courts, courts must overturn agency actions which do not scrupulously follow the regulations and procedures promulgated by the agency itself.

I suggest to our colleagues who support section 329 that we should not as a result of one court decision turn our backs on the necessity of developing good information on plant and animal populations in our national forests. This data is the basis of the good science we keep talking about. It will add to our knowledge. In fact, most forest districts already have a substantial amount of data and continue to develop more. The majority of sales are moving forward under the existing rules and plans. It would be a mistake to let delays in a few timber sales negate all of the important work that is now being done. Section 329 effectively stops data gathering for the coming fiscal year.

In addition, section 329 establishes a new standard to be applied by the Forest Service and the Bureau of Land Management for determining when to approve timber sales. However, according to the agencies that are required to implement the change, rather than speed timber sales up, it would slow them down. To understand the effect of this change, we ought to hear from those who will be responsible for implementing the change.

In a statement issued jointly by the Secretaries of Agriculture and Interior they say:

> [I]f this rider were adopted, tens of thousands of individual management activities and planning efforts would be subject to a new legal standard.
>
> This would have the unintended effect of increasing project costs and increasing delays in order to conduct time-consuming reviews of administrative records to document compliance with the new standard.
>
> Increased litigation and delay could also be expected as plaintiffs seek to define the new standard in court.
>
> In an effort to free up a limited number of timber sales in Georgia and the Pacific Northwest, the Senate would unnecessarily override the Federal Court ruling, agency regulations, and resource management plans requiring the Forest Service and Bureau of Land Management to obtain and use current and appropriate information for wildlife and other resources before conducting planning and management activities.
>
> Moreover, the bill language applies not just to timber sales decisions and required surveys in the forests of the Southeast and Pacific Northwest, but to all activities for which authorization is required on all lands managed by the Bureau of Land Management and the Forest Service.
>
> As such, it could result in far-reaching, unintended negative consequences.

In short, the Secretaries who would be required to implement the new standard write that:

> Section 329 is unnecessary, confusing, difficult to interpret, and wasteful.
>
> If enacted, it will likely result in costly delays, conflicts, and lawsuits with no clear benefit to the public or the health of public lands.

The Forest Service, which is charged with implementing the court's ruling, is acting. In the southern Appalachian forests, they are modifying the forest plan and have developed guidance to help meet the court's directives. In the Northwest, they are completing a supplemental environmental impact statement that will respond to the court's concerns.

Incidentally, the SEIS was in process before the court ruled because the Forest Service had already recognized that the plan needed adjusting, and the plan has mechanisms in it to accommodate change.

The Forest Service does not believe this rider is necessary in order to approve timber sales. In fact, they believe it will interfere with timber sales.

I want to emphasize an additional problem with section 329. It does not just apply to timber sales. Again, according to the Secretaries of Agriculture and the Interior:

> The provision which applies for one year would apply to all of the nearly 450 million acres of land managed by the two agencies and would apply to all management activities undertaken by the bureaus, not just timber sales.

We should not be putting a rider on an appropriations bill to lower the standard for government agencies in the hope that it might pass unnoticed. One of the reasons people get cynical about their government is that it does not always do what it says it will do. In this case, we would lower the bar for agencies that do not want the bar lowered. The Forest Service believes that it can do the job right. We would do a disservice to this body and to the people who expect us to protect our national treasure by not demanding that Federal agencies make informed decisions with adequate data.

What section 329 proposes to do is lower the standard the first time that agency fails to meet it. I believe this is the wrong approach. I believe we should strike section 329 from this appropriations bill and that the Federal Government should comply with the laws we have passed and the rules it has established and the plans it has adopted.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 1603

Mrs. BOXER. Mr. President, I thank the Senator from Virginia for his very important comments. I rise in very strong opposition to the Hutchison amendment that was laid aside and about which, as I understand it, probably we will have to vote on a cloture motion. I await the word of the chairman on that.

I want to tell my colleagues that this is a very serious matter. I hope they will listen very carefully as to why the arguments against the Hutchison amendment are so important. I am going to say some very strong things on the floor. But everything I say will be backed up by fact, backed up by quotes, backed up by court cases, backed up by recent history on oil royalty payments.

What the Hutchison amendment will do for the fourth time is to stop American taxpayers from receiving the amount of oil royalties they are owed

by the oil companies. Let me repeat that. The Hutchison amendment will stop the American taxpayers from receiving the fair share of oil royalties that they deserve. If it does pass, and I hope it does not, it will sanction that. It will say to the oil companies: It's OK, you continue, big oil companies, underpaying your oil royalties. We know they have a plan to underpay. We know that. We have heard it from people who have blown the whistle on the oil companies.

If we go with the Hutchison amendment, our fingerprints are on this defrauding of the taxpayers. This is very serious business. I ask my colleagues to pay attention, because when this issue was last before us, we did not have a whistleblower who worked for the oil companies in court, saying that the oil companies, in essence, defrauded the taxpayers and they planned to do so. We have that information. I will lay it before the Senate.

What is an oil royalty payment? Right here you see what a royalty payment is. The oil companies sign an agreement with the Federal Government that when they drill on Federal lands in any State of the Union, be it onshore or offshore, they must pay a fair percentage, 12.5 percent, of the value of that oil over to the Federal Government. It is like paying rent. It is not a tax; it is a royalty payment.

If you do not own the place in which you live, you pay rent. Imagine if you decided on a daily basis what that rent ought to be. No, no, no—you would go to jail or you would be evicted because you have signed a contract to pay a certain amount of rent. The oil companies have signed a contract to pay a certain amount of rent based on the oil they extract from Federal lands. Here it is. It ''shall never be less than the fair market value of the production.'' Keep that in mind, ''fair market value of the production.'' They have to base their royalty payment on the fair market value of the oil.

Senator DOMENICI was on the floor and he said beware of colleagues who start talking about Congress' slick deal with the oil companies. He said beware.

I am not saying it; USA Today said it. USA Today said it is ''time to clean up Big Oil's slick deal with Congress.'' They say, in their view, ''industry's effort to avoid paying full fees hurts taxpayers [and] others.''

Here is what USA Today says on the subject in this article. They knew the Hutchison amendment was coming and this is what they said.

> Imagine being able to compute your own rent payments and grocery bills, giving yourself a 3 percent to 10 percent discount off the marketplace. Over time, that would add up to really big bucks. And imagine having the political clout to make sure nothing threatened to change that cozy arrangement.

They go on to say the fact that ''big oil has contributed more than $35 million to national political committees and congressional candidates.'' They say that is ''a modest investment in protecting the royalty-pricing arrangement which has enabled the industry to pocket an extra $2 billion.''

This is a very bad situation. If you vote for the Hutchison amendment, you are aligning yourselves with a planned effort to defraud taxpayers. I do not know how many of my friends want to go home and face their constituents and make that argument. This is what USA Today continues saying:

> That's millions of dollars missing in action from the battle to reduce the Federal deficit and from accounts for land and water conservation, historic preservation, and several Native American tribes. In addition, public schools in 24 States have been shortchanged: States use their share of Federal royalties for education funding.

They conclude by saying:

> . . . the taxpayers have been getting the unfair end of this deal for far too long.

We have a chance to stand up for the consumer, for the taxpayers, against cheaters, against people who would knowingly defraud taxpayers, if we do not support the Hutchison amendment, if we oppose it.

We heard the Senator from Texas say: Oh, my God, things are terrible for oil. We are suffering in the oil industry.

What she does not tell you is something very important: 95 percent of the oil companies are not affected by the rule the Interior Department wants to put into place which will fix this problem. The Hutchison amendment stops them in their tracks and prohibits them from fixing this perpetual underpayment of royalties. That is what the Hutchison amendment does.

She says big oil and oil across the board is hurting. Ninety-five percent of the oil companies are not affected. They are decent. They are paying their fair share of royalties. It is the 5 percent that are doing this slick thing that are, instead of paying their royalty based on a market price, they are paying it based on a posted price which they post. They decide what the price is, and we know they are cheating us. How do we know that? That is a tough thing for a Senator to say, but I want to prove it to you.

First of all, we know this for sure: Seven States have already won battles in court against oil companies. The seven States have said that the oil companies are underpaying their royalty payments to the Federal Government and the States' share of those royalty payments, therefore, are lower. The oil companies have settled with these States.

If they were doing the right thing, do you think they would be settling for $5 billion so far? I doubt it. If they were so innocent, do you think they would be shelling out—''shelling'' is a good word—$5 billion to seven States? By the way, the Federal Government is suing as well. We do not want to have to keep these battles in court. The Interior Department wants to fix these problems so nobody will have to sue anymore. There will be a fair payment. So one reason we know they are cheating us is they are settling these cases all over the country.

There is another reason we know. This one is very direct and this one is new. I urge my colleagues at their peril to pay attention to this matter, please:

> A retired Atlantic Richfield employee has admitted in court that while he was Secretary of ARCO's crude pricing committee, the major's posted prices were far below fair market value.

He goes on to say—Anderson is his name:

> He admitted he was not being fully truthful 5 years ago when he testified in a deposition that ARCO's posted prices represented fair market value. He said: ''I was an ARCO employee. Some of the issues being discussed were still being litigated. My plan was to get to retirement. We had seen numerous occasions, the nail that stood up getting beat down.'' Said Anderson, ''The senior executives of ARCO had the judgment that they would take the money, accrue for the day of judgment, and that's what we did.''

Here is a retired former employee of one of the oil companies that has been ripping off the taxpayers admitting it in a court of law—he could go to jail if he lies—swearing on a Bible, an oil company man, that they sat around and agreed to understate the value so they could get away with it and wait for the day of judgment. Talk about a smoking gun, here it is. This is new information, and yet Senator HUTCHISON is asking you to stand with those people, one of whom admitted they actually had a plan to defraud the taxpayers.

This is a very serious issue. It is not politics. It involves a plan to understate the market price. It is wrong.

Mr. DURBIN. Will the Senator from California yield for a question?

Mrs. BOXER. I will be happy to yield.

Mr. DURBIN. I want to ask my colleague, the Senator from California, if she will clarify several things so those following the debate understand the parameters of this issue. In every instance here are we talking about private oil companies drilling for oil on public lands?

Mrs. BOXER. That is correct, I say to my friend. These are private oil companies that have signed an agreement with the Federal Government to pay the royalty payment based on the fair market value when they drill on land that is owned by the people of the United States of America.

Mr. DURBIN. I further ask the Senator from California, it has been my experience in Illinois that coal mining companies and oil exploration companies will go out and buy private land, at least an easement or right to drill

on private land, and pay compensation to the landowner for that purpose. But in this situation, we are dealing with land owned by the people of America——

Mrs. BOXER. Correct.

Mr. DURBIN. That these companies are using to make a profit; is that correct?

Mrs. BOXER. That is absolutely correct.

Mr. DURBIN. And their payment to the taxpayers for the use of our land, the land owned by the taxpayers across America, is this royalty; is it not?

Mrs. BOXER. That is correct.

Mr. DURBIN. Can the Senator from California explain the impact, then, of the Hutchison amendment, how this will affect the royalty that is paid by the oil companies that want to drill for oil and make a profit from that oil off land owned by taxpayers?

Mrs. BOXER. What the Hutchison amendment does is it puts off for the fourth time any move by the Interior Department to fix the problem we are facing with this underpayment of the royalties that are due the taxpayers.

The Interior Department has held a series of 17 meetings across the country. They have met with the oil companies, they have met with Members of Congress, they have done everything, and they are ready to finalize a rule. Every time they are ready to promulgate a rule to fix this problem, up comes one of the Senators from the oil States who says: Oh, wait, wait, wait, it is too complicated; it isn't a good idea.

It isn't a good idea from the oil companies' perspective because as we just heard this one whistleblower say, they want to put off the day of judgment and use this float to make more and more money. But my friend is right in his questions.

Mr. DURBIN. I say to the Senator from California, let's consider two possibilities. If the royalty is based on the price of oil, there is a possibility that the royalty payments might go down if it is recalculated; there is a possibility that it might stay the same, or it might go up.

But I take it from this amendment that the oil companies that are pushing this amendment are so certain that their payments to the Federal Government are going to go up that they want to stop the Federal Government from recalculating the royalties.

The net impact of this, and the Senator from California can correct me, is that the oil companies are being protected from paying their fair share of rent or royalties for using public lands, and the taxpayers, because of this amendment, are the losers. We are the ones who do not get the royalties back from those who want to drill all the oil out of land that we own and not pay the taxpayers of this country for the right to do so.

Mrs. BOXER. I say to my friend, I can put it in specific dollars. Already the Hutchison amendment, since she first offered it and our colleagues backed her on it, has lost taxpayers $88 million, and if she succeeds in this, although Senator HUTCHISON has pared it back to a year, another delay of a year, it is another $66 million. That is a lot of millions of dollars. Taxpayers already have lost $88 million, and they are about to lose another $66 million unless we can stop this. The Interior Department is with us 100 percent.

Mr. DURBIN. If the Hutchison amendment prevails and is not defeated——

Mrs. HUTCHISON. Mr. President, I wonder if the Senator will yield on that point because I think there has been an error in the amount that we are talking about.

Mr. DURBIN. If I can say to my colleague, the Senator from Texas, I was only asking a question of the Senator from California who I believe has the floor.

Mrs. BOXER. And I will address this——

The PRESIDING OFFICER. The Senator from California has the floor.

Mrs. BOXER. I have a letter that backs up those numbers which I will put in the RECORD. I will continue to yield for a question.

Mr. DURBIN. The point I am getting to is, if the Hutchison amendment is adopted, then basically we are giving a discount to these oil companies from the amount they owe taxpayers for drilling oil out of public lands and selling it at a profit; is that the net impact of this amendment?

Mrs. BOXER. That is correct.

Mr. DURBIN. I know we are in an era of surpluses where we are trying to figure out ways to give away money, but I ask the Senator from California why would we decide to give money to oil companies at this point? Why adopt an amendment that would give them additional profits for drilling oil on lands owned by the taxpayers, the people of America?

Mrs. BOXER. Mr. President, I think this is a special interest rider. I have to say that, with all due respect. By the way, it doesn't give money to all the oil companies. It only gives it to the top 5 percent, the ones that are vertically integrated. Ninety-five percent of the oil companies are not affected, and they are paying the fair market value. They are paying the royalty based on the fair market value.

I ask unanimous consent, before yielding to the Senator for more questions, to have printed in the RECORD a letter from the Secretary of the Interior, which was based on the original Hutchison amendment, which addresses the question of the dollars lost. It is very clear what will be lost. In her additional amendment of 21 months, they calculate it at $120 million, and we are just paring it back to the 1-year number. We also have a letter from the Office of Management and Budget which clearly states that the rider, as it is before us now, will cost taxpayers about $60 million.

I ask unanimous consent to have those two documents printed in the RECORD when I complete my remarks.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. Mr. President, I object. I do want the Senator to be able to enter her documents in the RECORD, but I want to also have entered in the RECORD that the Congressional Budget Office has estimated it would be $11 million. That would be the cost to the taxpayers; that is, if the oil companies continue to drill. So she may——

Mrs. BOXER. Mr. President, may we have regular order.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I don't ever remember having one Senator object to another Senator putting a document in the RECORD. I am kind of shocked at that.

I ask, again, unanimous consent to have printed in the RECORD the two Federal agencies versus the one that back us up on our documentation. I ask unanimous consent that I be allowed to have those printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. I will not object, as long as the RECORD also shows the CBO has said $11 million and that assumes people are not going to go out of business.

Mrs. BOXER. Mr. President, I have no objection to the Senator entering into the RECORD anything she wants, but I can say very clearly that we know what this is costing.

The Senator herself admits it is $11 million taken out of taxpayer pockets. We believe it is $66 million.

I continue to yield to my friend.

Mr. DURBIN. Mr. President, it is my understanding that these payments, these royalties come through the Federal Government and back to many of the States. Is my understanding correct?

Mrs. BOXER. Absolutely. In other words, if there is oil being drilled in Texas, it is on Federal lands, but the Federal lands are within Texas. Texas gets 50 percent of the royalty payment. I know in California, it is 50 percent if it is onshore and about 25 percent if it is offshore. In many of the States, including California, these funds go directly into the classroom and to the schools.

Mr. DURBIN. So in some of the States, for example, Texas and California, if the Hutchison amendment passes, there will be fewer dollars from these royalty payments coming back to the States of the two Senators engaged in this debate.

Mrs. BOXER. That is correct, and into the classrooms.

Mr. DURBIN. I ask the Senator, it is my understanding from her previous statement that many of the States have sued the oil companies saying: You didn't pay enough. You owed us more in royalties. You underpaid the amount you were required to pay for drilling for oil on federally owned public lands for profit.

Mrs. BOXER. My friend is correct. To be very specific, I will tell the Senator, the oil companies that are being so defended here have agreed in court to pay up not $1 billion, not $2 billion, but $5 billion to these States; in essence, agreeing that they undervalued. Alaska got $3.7 billion, for example; California, $345 million. By the way, private owners are also complaining, and they have resolved some of the disputes for $194 million.

Mr. DURBIN. I ask the Senator from California, as a followup question, so I understand it completely, these private oil companies go on to public lands, drill for oil which they sell for a profit. They are charged a royalty based on the price of the oil. The impact of this amendment by the Senator from Texas would be to say to the Department of the Interior: You cannot recalculate the royalty to raise it. So we are protecting these oil companies from an increase in what they are going to pay taxpayers for drilling on public land, which means more money in their pocket. The losers are not only Federal taxpayers but States such as Texas and California and their taxpayers who lose the benefits of the money that might come back to them from these royalties?

Mrs. BOXER. My colleague is right. But it is even worse than that because a royalty payment is a contract. The oil companies have signed a contract. It says very clearly ''fair market value.'' It is not that the Interior Department wants to increase the percent, for example, that is paid; they just want to make sure the contract is carried out.

It says: The value of production for purposes of computing royalty on production from this lease ''shall never be less than the fair market value of the production.'' So all they are trying to do is correct a serious problem. And we know, because I can show my colleague another chart on posted prices versus the market prices of ARCO, I will show him what has happened. Right now the oil companies, these 5 percent of them that are cheating us, they base their royalty payment on what they call posted prices. They create the price. If we could show this to the Senator, look at the difference between the market price and the posted price. This is one oil company, but I could show my friend, every single one of these oil companies, by some kind of magic action, they have the same spread. And if you heard what the ARCO executive said, the former executive, they did this on purpose. They made the posted prices below the market price.

Mr. DURBIN. I only have three questions, and I will stop.

Mrs. BOXER. I appreciate my colleague asking as many questions as he wants.

Mr. DURBIN. The Senator made reference to a Wall Street Journal article where a former official from ARCO said—was this under oath or was it just a public statement in terms of their efforts to try to reduce the royalty payments to the Federal Government for this private company to drill oil on public land and make a profit?

Mrs. BOXER. The article that I quoted is Platt's Oilgram News—an oil industry newsletter. In fact, my colleague is right, they talk about a court case in which a retired Atlantic Richfield employee admitted in court——

Mr. DURBIN. Under oath.

Mrs. BOXER. Under oath, penalty of perjury, that while he was secretary of ARCO's crude pricing committee, the major's posted prices were far below the market value.

Mr. DURBIN. So this gentleman, no longer employed, conceded the point which you have been making during the course of this debate, that these oil companies are really cheating the Federal Government, the taxpayers of this country, because they are using our public lands and not paying a fair royalty payment for the oil they are extracting and selling at a profit.

Mrs. BOXER. That is absolutely right. They are basing their royalty payment on a price that is not reflective of the fair market value. It is a price they made up. It is as if one day you woke up and let's say you paid rent, which my friend probably does here in Washington, DC, and you just decided one day that the fair market value of the rent was lower than your lease.

Mr. DURBIN. My landlord wouldn't allow that.

Mrs. BOXER. He would not allow that. He would probably evict you. Yet what do we have here in this Senate. We have Senators standing up condoning this kind of behavior.

Mr. DURBIN. I ask the Senator from California, in my home State of Illinois, there are many small oil producers that are going through very difficult times. Some of them may not survive. There has been an argument made that we have to give this break, in the Hutchison amendment, to these oil companies to help these small producers and help the oil industry.

If I vote against the Hutchison amendment and go home to Illinois and face these small oil companies that are trying to survive in difficult times, will they be saying to me: You have just cut off the flow of money to us? What companies are affected by this Hutchison amendment?

Mrs. BOXER. First, let me say there are 777 companies that are not impacted at all by this Interior rule, but there are 44 companies that are impacted. Let me say to my colleague, I voted to help the small oil companies. I was proud to support the Domenici amendment. We took it up recently when we helped the steel companies. If we want to help the oil companies because they are having tough times, I will be right there. If there are reasons to help smaller companies, I am right there. And I have always been right there.

But it seems to me we can't stand on the floor of the Senate and help the largest oil companies—most of these are the largest; not all, but most—5 percent of the oil companies that are out-and-out cheating the taxpayers. We know it because it has been testified to in a court of law, and we know it because they have been settling these cases all over the country. My friend should feel very comfortable when he opposes the Hutchison amendment case that he is impacting only 5 percent.

(Mr. SMITH of Oregon assumed the Chair.)

Mr. DURBIN. Will the Senator yield for a question?

Mrs. BOXER. Yes.

Mr. DURBIN. Is the Senator aware of the fact that the Los Angeles Times, on July 20 of this year, in analyzing this debate, concluded by saying, ''not since the Teapot Dome scandal of the 1920s has the stench of oil money reeked as strongly in Washington as it is in this case''?

I ask the Senator from California, isn't it odd that on an appropriations bill we are considering a string of riders that are of such import and controversy, putting them on a spending bill instead of having a hearing so the oil companies could come in and try to defend, if they would like to, so the Department of the Interior can come in and basically explain why they think taxpayers across America are ripped off by this amendment? It seems to me to be an odd state of affairs that we have seven, eight, or nine different riders on this bill which really go to important, substantive issues that have not been addressed by this Congress during the course of this year. Does the Senator agree with me that this is an exceptional procedural issue to be taking up on a spending bill?

Mrs. BOXER. Well, I think it is not appropriate. I hope the Senator from Texas will not proceed with this. She knows if she does—and we are very open about this—we are going to be on our feet a long time. So we are going to have a cloture vote to see where this all comes out. I want to say this to my friend and then I will yield to my friend from Idaho.

Mr. CRAIG. I just have a question on procedure, not on the substance, if the Senator would not mind yielding.

Mrs. BOXER. I do mind yielding at this point. I don't want to lose my train of thought.

My friend is so right in his understanding of what this means. This is an example of legislating on an appropriations bill. This Hutchison amendment was put into the committee and stripped out because of the way it was put into the committee. It was stripped out. It has been defined and technically changed, and now it is being offered. But it is still the same thing. You know, you can put a dress on a hippopotamus and it still looks like a hippopotamus. That is what this is. This is a very ugly amendment.

I want to mention one thing in answering the question. I was very pleased that my friend read the Los Angeles Times editorial. It is a newspaper that now has Republican ownership. I think that is very important. I want to read a couple of other statements from it. I see my friend from Wisconsin is here. Is he going to ask me a question as well?

Mr. FEINGOLD. Yes.

Mrs. BOXER. This Los Angeles Times article says, ''The Great American Oil Ripoff.''

It says:

America's big oil companies have been ripping off Federal and State governments for decades by underpaying royalties for oil drilled on public lands. The Interior Department tried to stop the practice with new rules, but Congress has succeeded in blocking their implementation, and will again if the Senate bill calling for a moratorium on the new rules proposed by Senators Hutchison and Domenici comes up before the Senate.

It has and here we are.

The large integrated oil companies, not the small independent producers, have been cheating the State and Federal Treasuries by computing their royalties on the so-called ''posted rights'' rather than the fair market price.

That is what we are talking about, computing royalties on posted rights, rather than fair market price.

It could be as much as $4 or $5 a barrel lower. The Interior Department estimates this practice costs the taxpayers up to $66 million a year.

Senator HUTCHISON says it is $11 million, and that is a lot; but we think it is $66 million, and so does the OMB.

Two years ago, Interior drew up rules that would stop the underpayment but Congress has blocked implementation.

They go on to explain:

The bottom line is, Congress should not buckle to the pressure of the oil companies, and the Hutchison amendment should be defeated.

Mr. CRAIG. If the Senator will yield briefly, I will leave the Senators to debate this. We have the Robb amendment on the floor. Several of us came to debate that, expecting it would be stacked for a vote in the morning. Obviously, you are going to continue this debate into tomorrow. I wonder what your plan is for the evening because it is predicated upon a unanimous consent agreement that we want to craft. If you plan to debate late into the evening, we will not stay.

Mrs. BOXER. No, we don't.

Mr. CRAIG. There are four Senators, including the Presiding Officer, who came to the floor because the Senator from Virginia was on the floor with his amendment. We hoped to debate that within the next 35 to 40 minutes if the Senator will consider yielding the floor.

Mrs. BOXER. I don't have any intention of talking more than 40 minutes. I will be yielding for a question. I thought the Senator came because he was drawn into this debate.

Mr. CRAIG. No. I just say I think it is a rather baseless debate, with a lot of politics.

Mrs. BOXER. I was trying to——

Mr. CRAIG. I will stay out of the substance.

Mrs. BOXER. I was trying to use a little bit of humor.

Mr. CRAIG. I am more interested in the timing for this evening, on behalf of five Senators.

Mrs. BOXER. I told my friend the time. I don't intend to go over 40 minutes.

Mr. DURBIN. Will the Senator yield for a question?

Mrs. BOXER. I will be glad to yield for a question.

Mr. DURBIN. Not only do I not think this is baseless, I want to touch all the bases so the Senator from Idaho can understand why we think this is worthy of debate on the floor of the Senate.

I ask the Senator from California this: We had a big debate about welfare reform and welfare ''Cadillacs.'' We are talking about welfare ''tankers'' here—$11 million—or $66 million going to these major oil companies. I say to the Senator from California, how many times have we done this? How many times have we postponed this decision by the Department of the Interior to give to the taxpayers of this country the fair share they are entitled to for these oil companies to use our lands—the lands of people who live in Illinois, California, Idaho, and Texas—to drill oil. How many times has the industry come in and, with an amendment similar to the one before us, tried to stop this recalculation?

Mrs. BOXER. This is the fourth time this amendment has come before the body. I have to say to my friend, I don't think it has ever gotten the attention it needs. To come in and say it is a baseless debate, when we are talking about as much as $66 million on top of the $88 million we have already lost from the three other times this amendment came before us, is unbelievable to me. It is unbelievable that we close our eyes to this kind of purposeful rip off, and to call it a baseless debate, I find that amazing.

Mr. DURBIN. If the Senator from California will further yield, is not the fact that these States have come forward in court and sued the oil companies successfully evidence of the fact that the oil companies have been underpaying the Federal taxpayers, as well as the State taxpayers, and this amendment will continue that?

Mrs. BOXER. That is absolutely correct. Let me reiterate what I said. In cases all across this country, there have been settlements in seven different States, and $5 billion has been collected from the oil companies in these settlements. Now, if the oil companies had such clean hands and they were paying their fair amount of royalties, I assure my friend they would not part with $5 billion—I didn't say million, I said $5 billion. I don't even know what $5 billion looks like in a room. All I can say to my friend is, it is more than we spend on Head Start in a year.

Mr. FEINGOLD. Will the Senator from California yield for a question?

Mrs. BOXER. Yes.

Mr. FEINGOLD. I ask the Senator from California this because I share her strong opposition to this amendment, which would allow oil companies to continue to underpay the U.S. Government in royalties for drilling on public lands. It is my understanding this rider was modified by the managers' amendment. But, as originally drafted, the rider blocks the implementation of new Interior rules to stop these underpayments, just as their implementation was blocked in the last Congress; is that correct?

Mrs. BOXER. Yes. This is the fourth time that this Interior Department ''fix'' to ensure fair royalty payments has been stopped in its tracks, unless we defeat the Hutchison amendment.

Mr. FEINGOLD. I know the Senator from California is obviously concerned about big windfalls for the oil companies. The Interior Department estimates that underpayments by the oil companies cost the taxpayers up to $66 million a year. I am wondering if she is aware of some of the largest oil companies that benefit from it.

Mrs. BOXER. I would be very pleased if the Senator could put that into the RECORD because I haven't done that.

Mr. FEINGOLD. They are not small mom-and-pop, independent producers. They are companies like Exxon, Chevron, BP Oil, Atlantic Richfield, and Amoco. I ask the Senator if she is aware of some of the campaign contributions that entities such as this put forward in order to achieve this end.

Mrs. BOXER. I am very glad the Senator put out some of the names of the big oil companies that would be impacted by this Interior rule that Senator HUTCHISON is trying to get. Fully 95 percent of the oil companies are not impacted. Only 5 percent are impacted. The 95 percent of the others are paying

their fair share of royalty payments. That is something to be happy about. They are good corporate citizens paying their fair share of royalty payments based on fair market value just as they signed in their lease agreements with the United States of America. But it is the 5 percent of most of the large ones that are getting away with it.

I say to my friend that he is a champion of campaign finance reform. I am so proud to be associated with him on that issue.

I can only say to my friend that this issue was mentioned in the USA Today editorial, dated Wednesday, August 26, 1998, that big oil has contributed more than $35 million to national political committees and congressional candidates. They make the point. These are their words, not my words. They say that is a modest investment for protecting royalty pricing arrangements which enables the industry to pocket an extra $2 billion.

My friend is on a certain track. I think it is important.

Mr. FEINGOLD. I am grateful for the Senator's tremendous leadership on this.

She may be aware that from time to time I do something that I call ''calling of the bankroll''—interest in companies that contribute large sums of money in terms of campaign contributions.

I am wondering if the Senator is aware that during the 1997–1998 election cycle oil companies gave the following in political donations to the parties and to Federal candidates:

Exxon gave more than $230,000 in soft money and more than $480,000 in PAC money.

Chevron gave more than $425,000 in soft money and more than $330,000 in PAC money.

I wonder if the Senator is aware that Atlantic-Richfield gave more than $525,000 in soft money and $150,000 in PAC money.

BP Oil and Amoco, two oil companies which merged into the newly formed petroleum giant, BP Amoco, gave a combined total of $480,000 in soft money, and nearly $295,000 in PAC money.

This is just some of the information we have. I don't know if the Senator was aware of these figures.

Mrs. BOXER. I say to my friend that I was not aware of those specific figures. It is very rare that I feel that if Congress goes along with something it is really part of an ugly situation. I feel that way here. I feel that we have enough information now to take a stand with the Interior Department, with the consumers, and with over 70 groups that stand with us against the Hutchison amendment.

I hope my friend will listen to some of these groups because my colleague, my friend from Texas, listed groups that were with her. I think it is important that we compare these groups, who they stand for, and who they speak for. They are with us on our side trying to stop this oil company rip off, stop the Hutchison amendment: American Association of Educational Services Agencies, American Association of School Administrators, the American Lands Alliance, the Americans Ocean Campaign, the Better Government Association, Common Cause, Consumer Project on Technology, Council of State School Officers, Friends of Earth, Funds for Constitutional Government, Government Accountability Project, Green Peace, the Mineral Policy Standard, National Environmental Trust, National Parks and Conservation Association, the National Rural Education Association, the National Resources Defense Fund, the Navajo Nation, Ozone Action, Public Citizens, Congress Watch, Public Employees for Environmental Responsibility, Safe Energy Communication Council, the Surface Employees International Union, and the Taxpayers for Common Sense.

They are with us on this.

The United Electrical-Radio Machine Workers of America.

These are just some of the groups that are opposed to the Hutchison amendment, for one basic reason: They believe the big oil companies, the 5 percent of them, are cheating the taxpayers.

These are all public interest groups.

Mr. FEINGOLD. I finally ask the Senator to make the comparison between the list that she just read. By and large these are very important groups that represent the average people of this country. There is no way four of them could get together and give $2.9 million as these four corporations I just described did. Obviously these four corporations want this rider to be a part of the Interior appropriations bill. It is the powerful political donors. They may well get their way despite the credibility of groups and interests that the Senator just indicated.

I, again, very much thank the Senator from California for her leadership on this.

I rise today to share my concern about the number and content of legislative riders to address environmental matters contained in the FY 2000 Interior Appropriations Bill. I hope that all provisions which adversely effect the implementation of environmental law, or change federal environmental policy, will be removed from this legislation when it returns to the floor.

I believe that the Senate should not include provisions in spending bills that weaken environmental laws or prevent potentially environmentally beneficial regulations from being promulgated by the federal agencies that enforce federal environmental law.

I want to note, before I describe my concerns in detail, that this is not the first time that I have expressed concerns regarding legislative riders in appropriations legislation that would have a negative impact on our nation's environment.

For more than two decades, we have seen a remarkable bipartisan consensus to protect the environment through effective environmental legislation and regulation. I believe we have a responsibility to the American people to protect the quality of our public lands and resources. That responsibility requires the Senate to express its strong distaste for legislative efforts to include proposals in spending bills that weaken environmental laws or prevent potentially beneficial environmental regulations from being promulgated or enforced by the federal agencies that carry out federal law.

The people of Wisconsin have caught on to what's happening here. They continue to express their grave concern that, when riders are placed in spending bills, major decisions regarding environmental protection are being made without the benefit of an up or down vote.

Wisconsinites have a very strong belief that Congress has a responsibility to discuss and publicly debate matters effecting the environment. We should be on record with regard to our position on this matter of open government and environmental stewardship.

I have particular concerns regarding several riders contained in this bill. I will site three examples of provisions of concern to me. I am concerned that we failed to strip the rider on the mining millsite issue. This is the second rider of this type we have considered. In Section 3006 of Public Law 106–31, the 1999 Emergency Supplemental Appropriations Act, Congress exempted the Crown Jewel project in Washington State from the Solicitor's Opinion. This rider, in contrast to the previous rider, applies to all mines on public lands.

I am also concerned that we have chosen to again include a grazing policy rider as well. It requires the Bureau of Land Management to renew expiring grazing permits under the same terms and conditions contained in the old permit. This automatic renewal will remain in effect until such time as the Bureau complies with ''all applicable laws.'' There is no schedule imposed on the Agency, therefore necessary environmental improvements to the grazing program could be postponed indefinitely. This rider affects millions of acres of public rangelands that support endangered species, wildlife, recreation, and cultural resources. The rider's impact goes far beyond the language contained in the FY 1999 appropriations bill, in which Congress allowed a short-term extension of grazing permits which expired during the current fiscal year. As written, this section undercuts the application of

environmental law, derails administrative appeals, and hampers application of the conservation-oriented grazing Guidelines.

I also want to voice my opposition to the amendment that would allow oil companies to continue to underpay the U.S. government in royalties for drilling on public lands. I understand that this rider was modified by the manager's amendment, but as originally drafted the rider blocks the implementation of new Interior Department rules to stop these underpayments, just as their implementation was blocked in the last Congress.

This is a huge windfall for the oil companies—and as it is with so many special interest provisions that find their way into our legislation, to the wealthy donors go the spoils, while the taxpayers get the shaft. The Interior Department estimates that these underpayments by the oil companies cost the taxpayers up to $66 million a year. And the oil companies that enjoy this cut-rate drilling are not small independent producers. On the contrary, the oil companies that benefit are among the largest in the world. Names like Exxon, Chevron, BP Amoco and Atlantic Richfield.

I'd like to take a moment to Call the Bankroll on these companies, something I do from time to time in this chamber to remind my colleagues and the public about the role money plays in our legislative debates and decisions here in this chamber.

During the 1997–1998 election cycle, oil companies gave the following in political donations to the parties and to federal candidates:

Exxon gave more than $230,000 in soft money and more than $480,000 in PAC money;

Chevron gave more than $425,000 in soft money and more than $330,000 in PAC money;

Atlantic Richfield gave more than $525,000 in soft money and $150,000 in PAC money;

BP Oil and Amoco, two oil companies which have merged into the newly formed petroleum giant BP Amoco, gave a combined total of more than $480,000 in soft money and nearly 295,000 in PAC money.

That's more than $2.9 million just from those four corporations in the span of only two years, Mr. President. They want this rider to be part of the Interior Appropriations bill, and as powerful political donors they are likely to get their way.

I'd like to discuss one final rider, which undoubtedly deserves its own Calling of the Bankroll. Though I understand that this rider has now been modified by the substitute amendment, the underlying bill initially prohibited the use of funds to study, develop, or implement procedures or policies to establish energy efficiency, energy use, or energy acquisition rules. Unchanged, this language would have blocked federal programs which cut federal agencies' energy expenditures, save taxpayer funds, and contribute to reductions in pollution.

In conclusion, I think that delay of mining law enforcement is indefensible, as are the other changes we are making in environmental policy without full and fair debate. I hope my colleagues will join me in demanding that this bill be cleaned up in Conference.

Mrs. BOXER. I thank my friend and commend my friend from Illinois. I think their questions and their caring are very important to this debate. We have to take a stand on the floor of the Senate once in a while for average people—people who are faceless in this institution. They think it is dominated by the special interests. My friend from Wisconsin who works so hard every day to get the special interest money out of this Senate has made a very important point—that the very companies that are going to benefit from the Hutchison amendment have given huge contributions to Federal candidates and to Federal committees.

If you put that together, as my friend points out, with the retired ARCO employee testimony under oath that he lied 5 years ago—he admitted he was not truthful when he testified in the deposition that ARCO-posted prices represented fair market value. He goes on to honestly say he was afraid he would lose his retirement. He was afraid he would be fired. You put together the contributions from big oil with the testimony of this former ARCO employee, who sat in the room when the decision was made to stop taxpayers from getting their fair share—when you put that together with the recent settlements by many States with the oil companies, the oil companies saying to the States: Take your lawsuit out of here. We will pay you billions of dollars to go away. We will not go to court to try to make the case that oil royalty payments are fair. You put all of that together, and it adds up to a bad situation.

I would be so proud of this Senate if we stood together on behalf of the people and on behalf of the consumers against the bad actors in the oil industry, who according to this employee, said we will put off judgment day. We will go take our chances.

The senior executives of ARCO had the judgment that they would take the money, accrue for the day judgment, and that's what we did.

That is what he said.

He said this:

I would not have been there in any capacity had I continued to exercise the right they had given me to dissent to the process during the suggestions stage.

I know colleagues are here on other matters. I just felt it was very important to lay out the case against the Hutchison amendment. I will lay it out again and again and again if I have to. I hope I don't have to. I really could. I hope we can vote against cloture and hopefully rid this bill of this special interest rider that helps the 5 percent of the oil companies that are bad actors.

The 95 percent who are paying their fair share are doing fine; they will not be impacted by the Interior Department. It is just that 5 percent.

This is an important debate. It is not a baseless debate. It is debate on behalf of the hard-working taxpayers. It is a debate on behalf of everyone who pays rent or a mortgage payment every month. Imagine one day waking up and saying to the bank: Guess what. I don't like my mortgage payment. I'm paying less because it is no longer the fair market value as the day I signed up.

I think the bank would say: Renegotiating the interest rate is fine; but if you don't pay your fair share, we are taking you to court and we will repossess your house.

We cannot allow the top 5 percent of oil companies to act in an irresponsible fashion. I hope my colleagues will join with me, Senator DURBIN, Senator FEINGOLD, Senator WELLSTONE, Senator MURRAY, and many other Senators who feel very strongly about this and vote down the Hutchison amendment.

I ask unanimous consent the pertinent letters be printed in the RECORD.

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

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, June 24, 1999.

Hon. TED STEVENS,

Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The purpose of this letter is to provide the Administration's views on the Interior and Related Agencies Appropriation Bill, FY 2000, as reported by the Senate Subcommittee. As the Committee develops its version of the bill, your consideration of the Administration's views would be appreciated. These views are necessarily preliminary because they are based on incomplete information, since the Administration has not had the opportunity to review the draft bill and report language.

The allocation of discretionary resources available to the Senate under the Congressional Budget Resolution is simply inadequate to make the necessary investments that our citizens need and expect. The President's FY 2000 Budget proposes levels of discretionary spending that meet such needs while conforming to the Bipartisan Budget Agreement by making savings proposals in mandatory and other programs available to help finance this spending. Congress has approved, and the President has signed into law, nearly $29 billion of such offsets in appropriations legislation since 1995. The Administration urges the Congress to consider such proposals as the FY 2000 appropriations process moves forward. In addition, we urge the Committee to reduce unrequested funding for programs and projects in this bill.

The Administration appreciates efforts by the Committee to accommodate certain of the President's priorities within the 302(b)

allocations. However, it is our understanding that the Committee bill makes major reductions to critical requests for the President's Lands Legacy Initiative and for key tribal programs. We also understand that the bill may include a number of environmental provisions that would be objectionable to the Administration—and would likely not be approved by Congress, if considered on their own. We strongly urge the Committee to keep the bill free of extraneous provisions and to address the following issues:

Lands Legacy Initiative/Land and Water Conservation Fund (LWCF). The Administration strongly opposes the Subcommittee's decision not to fund major portions of the President's Lands Legacy Initiative. Overall, only $265 million (33 percent) of the $797 million requested in this bill for the Initiative would be funded. The bill would provide no funding for State conservation grants and planning assistance, and only a portion (11 percent) of the requested increase for the Cooperative Endangered Species Conservation Fund. It would also make significant cuts in State and Private Forestry grants. Federal land acquisition funding would be cut by more than half from the Lands Legacy request, from $413 million to $198 million. It would be short-sighted to gut this important environmental initiative, given the growing bipartisan recognition of the need for the federal government, the states and the private sector to protect open spaces and preserve America's great places.

Land Management Operations. The Administration commends the action of the Subcommittee to address the operational and maintenance needs of land management agencies in Interior and USDA. The Administration is concerned, however, with cuts in key conservation programs. For example, the bill would reduce requests for the Fish and Wildlife Service's endangered species program by $13 million (12 percent) and the Forest Service forest research program by $48 million (25 percent). Increased funding for key programs within the Forest Service operating program, such as wildlife and fisheries habitat and rangeland management, could be offset with reductions in unrequested and excessive funding for timber sale preparation and management.

Environmental and Other Objectionable Riders. The Administration strongly objects to objectionable environmental and other riders. Such riders rarely receive the level of congressional and public review required of authorization language, and they often override existing environmental and natural resource protections, tribal sovereignty, or impose unjustified micro-management restrictions on agency activities. We urge the Committee to oppose such provisions. For example, the Administration would strongly oppose an amendment that may be offered that would prohibit implementation of the oil valuation rule. Such a prohibition would cost the American taxpayer about $60 million in FY2000.

Millennium Initiative to Save America's Treasures. The Administration strongly objects to the lack of funding for this $30 million Presidential initiative to commemorate the Millennium by preserving the Nation's historic sites and cultural artifacts that are America's treasures.

National Endowment for the Arts/National Endowment for the Humanities. The Administration strongly objects to the proposed funding levels for the National Endowment for the Arts and National Endowment for the Humanities. The Subcommittee's proposed $51 million (34 percent) reduction from the request would preclude NEA from moving forward with its Challenge America initiative which emphasizes arts education and access to under-served communities across America. The $38 million (25 percent) reduction from the request would preclude NEH from expanding its summer seminar series to provide professional development opportunities to our nation's teachers as well as broadening the outreach of its humanities programs. The Administration urges the Committee to approve funding for the Endowments at the requested levels.

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THE SECRETARY OF THE INTERIOR,
Washington, DC, June 30, 1999.

Hon. TED STEVENS,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I write to express my grave concern over the Interior and Related Agencies Appropriations Bill for FY 2000 reported by the Committee on Appropriations Bill for FY 2000 reported by the Committee on Appropriations. If the bill were presented to the President as it was reported from the Committee, I would recommend that the President veto the bill.

The bill contains a number of objectionable legislative provisions, three of which I'd like to highlight. The amendment on mill sites adopted by the Committee permanently extends the Mining Law's existing near-giveaway of Federal lands to include as much acreage as a mining company thinks it can use for mountains of mine waste and spoil. The amendment further tilts the Mining Law against the interests of the taxpayer and the environment, ignoring the need for comprehensive reform.

The extension of the moratorium on issuance of new rules on oil valuation will delay these rules for an additional 21 months. Revision of the way royalties are collected is urgently needed to assure the taxpayer a fair return. Extension of the moratorium cuts off the dialogue on how best to do this and will needlessly cost the taxpayers about $120 million in lost royalty payments.

It is also my understanding that the Committee adopted an amendment that could limit the implementation of the President's June 3 Energy Efficiency Executive Order to reduce Federal energy costs. Restricting the agencies' ability to improve energy efficiency in our buildings will prevent the Federal Government from saving taxpayer dollars, cutting dependence on foreign oil, protecting the environment through improved air quality and lower greenhouse gas emissions, and expanding markets for renewable energy technologies.

Although I appreciate your efforts in reworking the discretionary spending allocations in order to increase the spending limits for the Interior bill in the face of the limitations placed on you under the Budget Resolution, the funding amount proposed by the Senate denies funding to protect America's open spaces and great places for the future through the President's Lands Legacy initiative, as well as critical requests for land management, trust reform, other Indian programs, and science.

Overall, the reductions to the budget request seriously impair the Department's ability to be a responsible steward of the Nation's natural and cultural resources and to uphold our trust responsibilities to Indians. The 2000 budget sets a course for the new millennium providing resources that are needed to accommodate increasing demand and use of our public lands and resources. In this decade, visits to parks, refuges and public lands have increased up to 31 percent; the number of students in BIA schools has increased 33 percent; and the BIA service population is up by 26 percent.

In this regard, the Committee proposal does not provide sufficient increases to fully operate our National Parks, restore healthy public lands, rebuild wildlife and fisheries resources, clean up streams in support of the Clean Water Action Plan through Abandoned Mine Land grants, or improve the safety of schools and communities for Indians. At the funding level provided, we will be unable to meet the needs expressed by Congress for better stewardship of public lands and facilities, resolution of the Indian trust issue, and improved schools and quality of life in Indian Country. Further, the Committee eliminated funding for the Save America's Treasures program that preserves priority historic preservation projects of national scope and significance.

I urge you to reconsider the contents of the Interior bill and work with the Administration and me towards a more balanced approach. I look forward to working with you to address these concerns.

Sincerely,

BRUCE BABBIT.

The PRESIDING OFFICER. The Senator from Washington.

Mr. GORTON. Mr. President, I believe the matter before the Senate now is the amendment of Senator ROBB, and I ask consent of the Senator from California that her presentation, including all of her questions and answers, be included in the CONGRESSIONAL RECORD immediately after the speeches of Senators HUTCHISON and DOMENICI so that the debate on that subject be continuous, and that other speeches during the course of the evening be consolidated in the RECORD on the Hutchison amendment.

Mrs. BOXER. I thank my friend for his excellent idea. We should keep this debate seamless.

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

Mr. GORTON. Second, I have a unanimous consent agreement under which there will be two votes on the Bond amendment and a vote on the Robb amendment tomorrow morning that apparently have been cleared.

Before I present that, I say we will be in session long enough this evening for anyone who wishes to do so to speak on the Bond amendment. I believe the Senator from Illinois wishes to speak. The Senator from Missouri (Mr. BOND) may return for that subject. Senator HUTCHISON wishes to speak again on her amendment. There may be other speeches on that. There are three or four people here to speak on the Robb amendment. I want all of the speeches on each of these subjects to be consolidated into one point in the RECORD.

This unanimous consent agreement is not going to limit anyone's right to talk on any of these subjects this evening as long as they wish.

Mrs. BOXER. If the Senator will yield for a question, what is my

friend's plan of action on the Hutchison amendment?

Mr. GORTON. I believe a cloture motion on the Hutchison amendment will be filed tomorrow to ripen sometime early next week. There will be lots of time for a discussion of that amendment before any vote on cloture takes place.

I hope during most of tomorrow, however, we will deal with other amendments that can be completed and dispensed with. By the time we get to a vote on the cloture, we are pretty close to the end of debate on this bill. I don't know if that is true or not. We will have dealt today in whole or in part with 4 of the 66 amendments that are reserved for the Interior appropriations bill. I trust some will go faster than many of those today.

I will state the unanimous consent agreement. Then I intend to speak briefly on the Robb amendment. I believe the Presiding Officer and Senator CRAIG will also speak on that.

UNANIMOUS CONSENT AGREEMENT

Mr. GORTON. I ask unanimous consent that immediately following the vote scheduled at 9:30 a.m. on Thursday, notwithstanding rule XXII, the Senate resume consideration of the Interior appropriations bill and there be 2 minutes equally divided prior to a vote in relation to the Bond amendment No. 1621; following that vote, there will be 2 minutes equally divided on the pending Robb amendment No. 1583. I ask unanimous consent no amendments be in order prior to these votes.

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

Mr. GORTON. In light of this agreement, I am able to announce for the majority leader that there will be no further votes today but that there will be three votes at 9:30 tomorrow morning and immediately thereafter.

I will speak to the Robb amendment.

Mr. DURBIN. Will the Senator from Washington be kind enough to yield for a unanimous consent request so we can make a record of the sequence of speakers?

I have been here for a while but other Senators have, too. I want to speak to the Bond amendment and I certainly yield to the chair of the subcommittee for his comments on the Robb amendment.

Is it appropriate to ask unanimous consent that after the Senator from Washington completes his remarks, I be given no more than 10 minutes to respond to the Robb amendment?

Mr. GORTON. I have no objection.

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

AMENDMENT NO. 1583

Mr. GORTON. Mr. President, with respect to the Robb amendment which would strike section 329 of the bill before the Senate, perhaps the best way to begin my remarks on it is to read that relatively short section.

It reads as follows:

For fiscal year 2000, the Secretary of Agriculture with respect to lands within the National Forest Service and the Secretary of the Interior with respect to lands under the jurisdiction of the Bureau of Land Management, shall use the best available scientific and commercial data in amending or revising resource management plans for offering sales, issuing leases, or otherwise authorizing or undertaking management activities on lands under their respective jurisdictions provided that the Secretaries may at their discretion determine whether any information concerning wildlife resources shall be collected prior to approving any such plan, sale, lease, or other activity and, if so, the type of collection procedures for such information.

It seems to me there are fundamentally three subjects involved in section 329. The first is, of course, that it applies only to fiscal year 2000, the year covered by this appropriations bill. The second subject is that the two Secretaries managing these national lands shall use the best available scientific and commercial data in dealing with the plans they have for those lands. I can't imagine that there is any objection on the part of the proponents of this current amendment to that language. The third subject says that the Secretaries may, at their discretion, determine whether any additional information concerning wildlife resources shall be collected prior to approving these plans.

In other words, section 329 doesn't require these Secretaries to do anything. It simply grants them the discretion to act in a reasonable fashion.

A number of court decisions, pursuant both to the National Forest Management Act and perhaps even more significantly to forest plans already prepared by this Clinton administration and under the supervision of these Secretaries, have stated essentially that before any contract is entered with a private organization for the harvest of timber in national forests or on Bureau of Land Management lands, an extraordinarily expensive wildlife census must be taken, a census at least as detailed as the census of the people of the United States to be taken next year—on reflection, a census much more elaborate than the census of the people of the United States next year, as we are going to be asked to spend about $4 billion to count every person in the United States.

The cost of carrying out the activities required by our courts on our national forests, if we go forward, would be somewhere between $5 billion and perhaps $9 billion. These are matters that deal simply with endangered species. We already have injunctions and orders for the Federal Government with respect to protecting endangered species and not allowing them to be harmed by any of these commercial activities. These are, in effect, censuses of everything that exists in the forest, vertebrate and invertebrate, plant and animal species — the entire works. There are, of course, other decisions on the other side of this issue. Section 329 attempts to deal reasonably with these requirements.

The very groups that brought these actions, various environmental groups, have made two arguments over the course of the last 10 or 12 years that perhaps predominate over the balance of their arguments. The first is that we should stop engaging in timber sales in which the Federal Government—either the Forest Service or the Bureau of Land Management—lose money; that below-cost timber sales are not a wise investment of the resources of the United States of America. At the same time, of course, they advocate positions, and have succeeded in front of some courts with those positions, the net result of which will be that there can never be a timber sale that is not below cost. The cost of any one of these surveys on any public lands will exceed the value of the timber located on the land. That, of course, in turn, is in pursuit of the second goal of many of these environmental organizations, specifically including the Sierra Club, and that goal is that there should be no harvest, no harvest under any circumstances, on any of our public lands of any of our timber resources. That is a formal position of many of the environmental organizations including those that have been plaintiffs in this litigation.

The net result of these decisions is the success of that latter policy. The United States of America is not going to spend $9 billion, or $5 billion, engaging in these particular surveys. It is not a provident expenditure of our money. There is no money in this appropriations bill for such elaborate courses of action under any set of circumstances.

As a former head of the Forest Service under President Clinton, Jack Ward Thomas said: This whole idea is designed to make this survey and management system unworkable. Scientists are not looking for these creatures in the first place. The Clinton forest plan, which has reduced by about 80 percent harvests on the public lands—in the Pacific Northwest, in any event, it already set aside 84 percent of our national forests essentially as wildlife refuges. The other 16 percent has been considered by this administration for a harvest in the Pacific Northwest of about 1 billion board feet a year. This was the President's forest plan, his promise in his campaign in 1992 to the people of the Northwest, somewhere between one-fifth and one-sixth of what was the historic harvest.

The President has not been able to keep that promise, even using his administration's present forest policies. He has not reached that particular goal. The harvest under these decisions

will be zero because the cost of preparing the sales will simply be too great.

This is not a policy—the policy of the present enjoined forms of wildlife surveys—that comes from an administration that has been hell-bent for leather to harvest trees in the forests either in the Pacific Northwest or in the Southeast, the location of the 11th Circuit, by any stretch of the imagination. Nor is this discretion being given to officials in the Department of Agriculture and the Department of the Interior who are bound and determined to cut the last tree. This, I want to repeat, is a 1-year provision—that is to say it will apply only through most of the rest of the Clinton administration—granting discretion to the Secretary of the Interior, Mr. Babbitt, and the Secretary of Agriculture, to use their present relatively reasonable systems of determining whether or not some small portions of the 16 percent of the national forests not set aside for wildlife purposes can be the subject of timber harvesting contracts. It does not require the administration to follow exactly the procedures it has been following with the Northwest forest plan and its plans for other forests at all. It simply says if in their discretion they think they have done enough, they can go ahead and meet their own very modest goals of at least providing a modest harvest of our timber in our national forests. That is all. It is neither more nor less than that. It is not a mandate. It is authority to very green, very pro-environmentalist Departments of Agriculture and Interior to engage in activities of this nature.

It is very clear the goal of these lawsuits and the goal of the organizations that have brought these lawsuits is not to get these surveys done. The goal is to see to it that the cost of entering into preparing for any contract for the harvest of timber is so high that none of them will be worth doing. But the effects of those lawsuits, and therefore the effects of this amendment, do not apply only to timber harvesting contracts by any stretch of the imagination. They will apply to any new or different use of any portion of our national forests and of our BLM lands. They will apply equally to the building of campsites or the improvement of campsites or other recreational uses of the forest system itself. As a consequence, the effect of these present lawsuits is to make de facto wilderness areas out of all of our national forest areas and to prohibit any improvement for human recreation, other than that allowed of wilderness areas itself, as well as of any timber harvest. It is an extraordinary set of policies that are essentially advocated by the Robb amendment, a set of policies based on the proposition from some national environmental organizations that there should be no productive use, no economically productive use, of our national forest system whatsoever.

The section 329, which really should not have been contested at all, is simply to grant this Clinton administration, for 1 year, the right to go ahead with the extremely environmentally sensitive forest plans that it has structured during the course of the last 6 years, not only in the Northwest part of the United States but in the Southeast part of the United States and Texas and in every other place, either BLM lands or Forest Service lands, and allows them to go ahead. If the President does not want them to go ahead, if the policies are those advocated by these organizations in these lawsuits, nothing in this section 329 prohibits them from adopting those policies. But what it does require is that it will require the President to say: Whatever I told the people of the Northwest, whatever I told the people of other parts of the country about a balance, about the proposition that there were certainly some of our national forests that were appropriate for productive use, for the provision of jobs and for the provision of timber resources of the United States, I now have changed my mind. We are not going to do it at all.

If he wants that as a policy, it is not barred by section 329. But he will not be able to hide behind a court decision and say he is trying to do something and trying to abide by a court decision that is impossible, that sets conditions that are impossible economically to meet. We are not going to spend the amount of money necessary to conduct these surveys. The surveys are not needed. They are not worth it. We either choose to deal reasonably with these issues and allow this President and this administration to conduct the modest harvests that they have thought were appropriate, or we are saying we are not going to have any harvest at all, and in all probability we aren't going to have any new recreational activities on our national forests as well.

Simply stated, that is the issue: Do we trust this administration not to go overboard in the nature of harvesting, do we believe this administration to be environmentally oriented or not?

Most of us, and I think I speak for the Presiding Officer as well as myself, do not think these forest plans are appropriately balanced as they are, but they do provide for some economically productive use of our forests, a productive use that is totally barred under these certain court decisions, whether they are correct or not correct, and which we allow the administration to politely and courteously either abide by or say no, we have a better and more balanced way of doing it.

I think it is overwhelmingly appropriate to reject this amendment, to trust this administration not to go overboard in timber harvests by any stretch of the imagination, and to allow it to keep the promises it has made for a period of more than 6 years to the people of timber-dependent communities all over the United States of America.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

AMENDMENT NO. 1621

Mr. DURBIN. I thank the Chair for recognition. I misspoke earlier. I wish to speak to the Bond amendment, not the Robb amendment.

The Bond amendment is another one of these legislative riders on spending bills. It is an attempt to change environmental policy with an amendment to the appropriations bill for the Department of the Interior. The reason it is being done this way, of course, is it avoids any committee hearing, any opportunity for any witnesses or public input.

There are seven, eight, or nine different environmental riders that have been attached to this spending bill. The administration has indicated that unless they are removed, there is a strong likelihood that an otherwise good bill will be vetoed by the President because riders, such as the one I am about to address, go way too far.

One might wonder why I am addressing the issue of a national forest in Missouri since I represent the State of Illinois. I am from downstate Illinois. I was born in East St. Louis, and the Ozarks are an important recreational area for everyone who lives in the region. It is not only a regional treasure but a national treasure which has been recognized by a designation as a national forest.

Last year, the attorney general of Missouri, Jay Nixon, joined environmental groups in petitioning the Secretary of the Interior asking him under his authority, under the Federal Land Policy and Management Act, to remove from access to mining 400,000 acres in the Mark Twain National Forest.

Those of us who live in that region know this is an especially popular area of the Ozarks. The watersheds of the Current, Jacks Fork, and Eleven Point Rivers are in this region. Many of my friends and family go to the Ozarks for canoeing. They love it because of its pristine beauty, and they believe the attorney general, Jay Nixon, was correct when he petitioned the Secretary of the Interior to preserve this area and to stop it from being used for lead mining.

This is Federal public land that a private company, a lead mining company, wants to come in and mine for profit. The Interior Department has the authority to say no, it is important environmentally and we should not allow this kind of commercial use. That is what they would do were it not for the amendment being offered by the Senator from Missouri.

The Senator from Missouri, Mr. BOND, wants to remove the authority of the Department of the Interior to protect the Mark Twain National Forest from lead mining. Is this a popular concept? It probably is with some companies. Not only the attorney general of Missouri but the Governor of Missouri has written protesting this action being taken by this Bond amendment.

Governor Mel Carnahan from Jefferson City, MO, has written and said:

> I believe you will agree the watersheds of the Current, Jacks Fork and Eleven Point rivers are among the most beautiful and pristine areas of Missouri. These crystal clear streams are great recreational assets which should be protected for future generations to enjoy.

He goes on to say:

> The environmental risk of lead mining and potential for toxic contamination of these pristine waterways are well understood. The Interior Secretary's authority to protect sensitive public lands should be preserved.

He says to my colleague from Missouri:

> I respectfully request you withdraw your amendment.

But that amendment has not been withdrawn. It will be voted on tomorrow.

I can say further there are groups across Missouri that oppose this invasion of a pristine area, a watershed of the Mark Twain National Forest, for the purpose of lead mining. The St. Louis Post Dispatch, the largest newspaper in the State, has editorialized against this and has said, frankly, that this is an effort to allow this company to come in and mine an area which is of critical importance to the people of Missouri.

The Kansas City Star, an equally influential paper, has come to the same conclusion that the Bond amendment is a mistake, a mistake which threatens the watersheds of the crystal clear streams of the Current, Jacks Fork, and Eleven Point Rivers.

For those who believe this lead mining operation is somehow antiseptic and will not leave a legacy, I say they are wrong, and the scientific studies have proven that. We know what is going to happen if we allow these companies to come in and mine lead in this beautiful area. We know the potential for contaminating the streams. We know the potential for leaving behind the waste from their mining operations.

Some might argue that it is worth it because it creates jobs, and yet study after study reaches the opposite conclusion.

This is primarily a tourist area, a recreational area recognized all around the Midwest. To defile it with lead mining to create a handful of jobs for mining purposes is to jeopardize the attraction of this area for literally thousands of people in the Midwest and across the Nation. That is why it is such a serious mistake. I daresay if this amendment had been offered on an ordinary bill, there would have been a long line of people to come in and testify, not only environmentalists who oppose the Bond amendment, but certainly those who are in authority in the State of Missouri, Governor Mel Carnahan, Attorney General Jay Nixon, as well as many other groups of ordinary citizens who believe this is a national treasure that should not be defiled so one company can make a profit.

On the spending bill for the Department of the Interior, this is another one of the environmental riders designed to benefit a private interest at the expense of American taxpayers who own this public land, at the expense of families who enjoy this recreational area, at the expense of people who look forward to a weekend on the Current River because of its beauty.

Frankly, this is a big mistake, and I hope the Senator from Missouri will have second thoughts before he calls it up for a vote tomorrow morning. I hope he will listen carefully to the leaders in the State, as well as the environmental groups, who are standing up for one of the most precious resources in Missouri.

I hope he will join them in saying the Mark Twain National Forest and the watershed of these great rivers are worth protecting, worth preserving, and should not be allowed to be invaded by a lead mining company that wants to come in and mine on Federal public lands at the expense of this great national resource.

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

The PRESIDING OFFICER (Mr. GORTON). The Senator from Oregon.

Mr. SMITH of Oregon. Mr. President, I rise in opposition to the motion to strike Section 329 of the Interior appropriations bill. This section is necessary to counter an extremely adverse ruling by the Eleventh Circuit Court of Appeals, which has just been described by my colleagues, as well as a preliminary injunction recently handed down by Judge Dwyer in the U.S. District Court.

The case before Judge Dwyer involves the implementation of the Clinton-Gore Northwest Forest Plan, which was unveiled in 1993. At the time, President Clinton said that it ''provides an innovative approach for forest management to protect the environment and to produce a predictable and sustainable level of timber sales.''

The real travesty here is that the supporters of Section 329 are trying to fulfill the commitments made by this Administration in 1993, and we are now doing so over the objection of the Administration.

The Northwest Forest Plan was supposed to be the Clinton Administration's historic compromise between timber harvesting and the environment. For National Forests covered by the Plan, timber harvests were reduced by 80 percent. Apparently, that wasn't enough for those who want no timber harvests, because they are again challenging implementation of the Plan in Court.

While Judge Dwyer issued a preliminary injunction against the sales directly challenged in the case, the effect of his August 2, 1999, ruling is much broader.

The Forest Service and the Bureau of Land Management have made a decision not to award any previously-auctioned sales until the lawsuit is resolved. Further, the agencies do not plan to offer any additional sales until their supplemental EIS on survey and manage is completed and approved.

While the Forest Service claims this will be completed by February of 2000, history tells us that this EIS will be appealed and litigated. In fact, the Forest Service hasn't produced a region-wide EIS for the Northwest for 10 years that hasn't been litigated.

The current or planned sales affected by Judge Dwyer's ruling contain about 500 million board feet of timber. Since there will be no future sales until the EIS is completed, the total volume affected could be 3 times that high.

Further, because many of these sales have already been awarded, if they are enjoined and operations are delayed, or if the government is forced to cancel these sales, the government will be potentially liable for hundreds of millions of dollars in damages.

Because so little volume has been sold to date, and is therefore available to purchasers, the injunction of this volume will lead to immediate mill closures, increasing the government's liability for damages.

The issue in this case involves the Administration's implementation of one part of the Clinton-Gore Forest Plan, concerning surveys for 77 rare species of fungi, lichens, mosses, snails, and slugs, and for a small mammal called the red-tree vole. Six years into the 10-year plan, the agencies still do not know how to conduct surveys for 32 of the rare species.

None of these species is threatened or endangered. Although these surveys are only one piece of the Plan, the consequences of the case are potentially enormous.

The real fallacy of the survey and manage requirement is that we are only going to survey on those lands where ground-disturbing activities—such as recreational improvements and timber sales—are planned. In the National Forests covered by the President's Plan, this amounts to about 12 percent of the total forest base that is still available for multiple use.

This is not going to tell us about the overall health of these species, since we aren't going to be looking for these

species in the remaining 88 percent of the land base.

Unfortunately, it could also apply to needed forest restoration activities such as prescribed burns and reforestation on other selected parts of the forests, thereby delaying these activities and increasing their costs.

It is unfortunate that the Clinton-Gore Administration ever included this provision in the Northwest Forest Plan.

But having done so, it is a travesty that the Administration's failure to effectively implement the plan has resulted in another injunction that will further erode our timber communities.

With respect to the Eleventh Circuit Court of Appeals ruling, it requires surveys for all ground-disturbing activities.

This means not only timber sales, but recreation improvements and forest management activities. Some preliminary cost estimates put the nationwide implementation of the Eleventh Circuit court ruling at $9 billion. It is a Trojan horse rolled in by candidate Clinton to destroy an industry.

Therefore, we should make the public policy decision that we will allow forest managers to use the best available commercial data in amending or revising resource management plans, as Section 329 stipulates.

This is the standard for data under the Endangered Species Act.

The language in Section 329 does not preclude the Secretaries of the Interior and Agriculture from gathering additional data.

It simply gives the Secretaries more discretion to meet land management objectives in a timely manner.

Section 329 is designed to give the Clinton administration officials exactly the flexibility in land management that they argued for in court.

I am deeply saddened that in the face of the economic crisis about to be visited on my constituents, the President isn't 100 percent behind retaining this language.

This isn't an agonizing choice for me at all. If I have to choose here between surveying for red tree voles or keeping hundreds of Oregonians employed in family-wage jobs, I will vote for families.

I know that there are those who don't think the language in Section 329 is the best language possible.

I will commit to work with my colleagues and the Administration to see if we can improve this language. But I will strongly oppose efforts to strike it.

I urge anyone who has a National Forest in their State to support retention of Section 329.

If the Eleventh Circuit Court ruling is ever applied nationwide, we will have tied the hands of professional land managers with an expensive, time-consuming and ineffective requirement.

I believe my colleague from Virginia has the best of motives, but I only wish he could go with me to rural Oregon and see the human consequences of what he proposes.

I began my political career in 1992 running for a rural seat in the Oregon State Senate. It was the same election year that now-President Bill Clinton sought the Presidency. I watched as an opponent of his campaign with admiration for the skill with which he came to my State and reached out to those in the rural communities and made some very dramatic promises, some promises which he said would protect the environment and ensure a sustainable harvest of timber.

He carried my State. He carried your State, Mr. President, with these same promises because a lot of people wanted to believe in him.

I have noted with great interest that recently the President —and I applaud him for this—has gone to rural Appalachia. I don't know whether he went to parts of the State of the Senator from Virginia. I know he went to West Virginia, and he decried poverty levels that are lamentable and awful. But there are parts of my State as a result of his forest policies which are in worse shape than those he visited in Appalachia.

I rise today with a lot of emotion in my heart because I think the truth has not been told and promises have not been carried out.

I have recently come from a town hall meeting in Roseburg, OR, where people are finally looking at oblivion because their jobs are directly dependent upon the sales that have now been enjoined by Judge Dwyer in the district court of the Ninth Circuit.

I hope I can reach the heart of every one of my colleagues because this stuff matters in human terms. I wish they would have a more honest approach and say: We don't want any more harvest of timber; let's shut it all down. At least that would be honest. This isn't.

I wish they could see the kids in John Day, OR, who go to school 4 days a week because they can't afford to open the school for 5. I want my colleagues to understand what they are voting for. If you distill this down, this is about pitting a survey of fungus, snails, and slugs against children and families who need streets and schools.

Now, lest you think the last pine tree in Oregon is about to go down, I am sorry to disabuse you. You can't stop timber from growing in my State. We went to the CRP area not far from where I live. There are wheat fields that formerly were in wheat that were left to go to nature, and there are Ponderosa trees going up everywhere. They are 12 feet high now.

I know what the New York Times says. I know what the Washington Post says. But like some of my colleagues, they have never been to my State. They have never looked into the eyes of the schoolchildren who, frankly, don't have an adequate education because the Federal Government made promises to them and their county officials and their school officials that are being denied to them in a very dishonest and disingenuous way.

I am angry. It is not right. It is not right to go win an election and then supposedly put up a program that is to provide for the environment, to provide a sustainable yield, and then through subterfuge make sure it doesn't happen, when you have a year to go in your term, when you are decrying poverty elsewhere in this country, but you are creating it in my backyard.

I don't think the Senator from Virginia would offer this motion to strike if he could go with me to Roseburg, OR. It has been a long time, has been a lot of heartache, a lot of pain, but it is getting old. It is almost over. Here you and I are defending the President's plan, trying to help him live up to his promises. I want the American people to know that the Clinton-Gore forest plan, at the beginning at least, was honest enough to say: The traditional harvest you have had, we are going to cut it by 80 percent, by 80 percent. The reality is, it is not even 10 percent of what is delivered, and now what we are seeing is there is going to be nothing delivered.

That isn't right. A sustainable yield of 20 percent is all that was promised, and yet even that apparently is another mirage.

Well, I know the President wishes we didn't have to do a rider, but it is the only tool left because we are running out of time. Your proposal is for a year to allow the Federal courts to allow these sales to go forward. Without the Clinton-Gore forest plan, these sales would be fine; these meet the Endangered Species Act, but somehow in the creation of this plan, they have put in a survey system that isn't economical. It isn't going to happen. It isn't even necessary. It is a fraud. It is a way to undermine their own promises.

Well, history tells us this is not going to happen now. I regret to tell the people of rural Oregon that the Clinton forest plan is a failure to them.

Another irony. I heard my colleague from Virginia say he read a letter from the Forest Service about their newfound position on this issue. Why didn't they argue that in court? If it was an argument to be made a month ago, why isn't it still a good argument. They have reversed course. Why? Is it only about politics? I think people are sick of that. I think people are ready to be told the truth, and they thought they had been told the truth by the President, at least when it came to his forest plan. I regret to tell them that apparently they have not been.

What is at stake? In Judge Dwyer's ruling, about 500 million board feet of timber. By the way, to my colleagues

on the other side, if you think by killing the forest industry in this country you are somehow saving the environment, you are the best friend the Canadians and the New Zealanders have ever had because the U.S. demand and use of timber is not going down. It is going up. We have just exported those jobs. So we pat ourselves on the back that we somehow have taken care of our forests, even though it is growing at record rates and subject to catastrophic fire. Even though we pat ourselves on the back, we are pillaging our neighbors' land.

I am simply saying, the promise of the President to have a sustainable harvest and a good environment are possible, but it isn't possible with this. We are trying to help the President make it possible.

I am saying what is being asked for by the courts now, as required by the Clinton-Gore forest plan, is a survey for 77 rare species of fungi, lichens, mosses, snails, slugs, and for a small mammal called the red tree vole. Well, the agencies don't know how to conduct these things. They don't even know some of these species. The amount of land that is at issue is 12 percent of 100 percent of the land, so 88 percent of the land is not going to be surveyed, only the area where they are digging around. No one contends that any of these things are endangered at all. What is endangered is rural people, creating a new Appalachia with chronic poverty. We are doing it in my State while he decries it in his State. That isn't right, not when they have been promised something better.

I conclude my remarks by pleading with my colleagues not to put in an artificial requirement that we will not fund, which is not necessary and which can be adequately provided for, by the way you described it, by giving to the Secretaries of the Interior and Agriculture the power to do what they already do under the Endangered Species Act, by giving them that power and allowing these things to go forward and keeping some promises. Why don't we keep some promises around here?

I want my colleagues to know this is about a survey versus families. It is about snails and slugs versus streets and schools. I ask you to oppose the motion to strike this amendment. What is being done here is wrong. It has human consequences, and we in this Senate ought to be bigger than that.

Mr. President, I yield the floor.

Mr. BURNS addressed the Chair.

The PRESIDING OFFICER (Mr. BROWNBACK). The Senator from Montana is recognized.

Mr. BURNS. Mr. President, I listened with interest to the impassioned plea of my friend from Oregon. Last week, we sold a lumber mill in Montana. Darby Lumber went down because they could not get logs. Mills are hauling logs in from Canada, 500 miles, and it is like my friend from Oregon said—we are decimating our neighbors' lands because we have not had the nerve to be honest with the American people.

To give you an idea, up in the northwestern part of Montana, we are growing about 120 million board feet of lumber a year. The Forest Service makes plans to harvest about 19 million board feet. The truth is, America, we will be lucky if we harvest 6 million board feet.

Opposition to section 329 flatly contradicts previous positions taken by the environmental community and this administration on the best methods for protecting wildlife. Section 329 would restore to the administration the authority to plan and account for wildlife protection by surveying habitat—a method employed for over two decades and that has been approved by seven Federal courts, including three circuit courts of appeal. The recent Eleventh Circuit decision contradicted this consensus judicial opinion and would require the agency to provide protection to wildlife by counting—not once but twice—the number of members of each of 20 to 40 management indicator and sensitive species before undertaking any ground-disturbing activities in our national forests—be it timber harvesting, be it watershed restoration, be it trail building, be it maintenance, or be it for the prevention of fire. I guess this is one reason you can't run a pretty good ranch or a pretty good farm that depends on renewable resources by a committee, for the difference of opinion on how we should do things. If left to that, we would never get in a crop. America would never have a substantial, sustaining supply of food.

The emphasis the Forest Service has placed on habitat availability instead of counting the members of individual species is exactly the policy advocated by the environmental community. I wonder, at this time when they change the policy, what is the motive here? What is the motive? Is it us against them? I don't think so. I don't know of anybody who stands in this body to decimate the environment. But I wonder, of all the fires that are burning in the West today, if a little management on fuel buildup could not have prevented some of those. But somebody thought a mouse was too important that we can't disturb the land, and it burns.

Virtually every environmental organization has insisted the law be reformed to address habitat protection and away from narrow species-by-species focus. Indeed, the provision in the Endangered Species Act that the environmentalists most frequently quote in both the Senate and the House, and in Federal courtrooms across the country, is the first phrase in the statement of purpose in section 2(b):

> The purposes of this Act are to provide a means whereby ecosystems upon which endangered species and threatened species depend may be preserved.

Now, we can argue on philosophy, but I think we are arguing on politics, and what is at stake is families. Also, what is at stake is the forest itself. I invite the Senator from Virginia to go with me this weekend. I will take him up in the Yak, where we have infestation of the pine beetle, dying trees, and a forest that would just shock him. It would absolutely shock him to his shoes. He would be devastated, looking at that forest. Yet the environmental community has made up its mind that we are not going to harvest; we are going to let it burn. I don't think that is why the Senator from Virginia wore the uniform as long as he did, to protect that kind of mismanagement of the country he so loves, or even the people he so loves.

The administration has been even more adamant in insisting on a habitat approach to wildlife protection. That is what they told us when they first came to office. It has championed two land management concepts—ecosystem management and biological diversity protection—that rely entirely on methodologies which concentrate on habitat rather than individual species. Certainly, ecosystem management is a fancy way of saying habitat management. I don't have very many of those fancy words; I have to write them down.

But it is funny what you can see from horseback. Sometimes you can see over tall mountains and tall buildings and over very high-minded ideas that don't work. They have never worked; they never will work. So, too, when biological diversity is considered, conservation biologists insist on treating habitat as the source of wildlife and plant diversity and resist focusing on individual species. They have always done that.

We have embraced that philosophy and that approach. That means we can do something about managing our land in the highest standard of environmental protection and still harvest the crop with which the God above has so blessed this country.

Finally, the capstone of this administration's wildlife policy is the habitat conservation planning and incidental take, permitting it is conducting with private landowners helping them provide habitat for endangered species.

How can a man stand here and even talk about endangered species when you have only one crop that you get paid once a year for and you see wolves killing right out of your own pasture not 300 feet away from where you live? And there is not a thing you can do about it.

Does anyone want to go out and face that man and tell him and his family, well, we have some folks that like to hear that yipping and howling? After they get done with their kill, they will

go across the creek, which is only about 400 yards, and they will lay there and they will rest until they get hungry again. That is almost unbelievable to me.

That is what we are talking about here. We are talking about something that doesn't work. We are talking about people who are very smart and very intelligent but have little or no wisdom—higher than thee, elitist—who prevent men and women who were born of the soil, born of the land, worked the land, and will die and go back to the land. I guess one could say we are all just circling the brink because that is where we are going to go. Maybe you never know how that is going to turn out.

Despite the solid momentum away from attention to single species and toward consideration of habitats, we now see the very advocates of this approach criticizing it in their attacks on section 329. I wonder how they will feel when they are successful in stripping 329 from the bill only to discover that the U.S. Forest Service—one of the first agencies to adopt a habitat approach to wildlife protection—must now abandon it to follow the expensive—in fact, it is too expensive. We know that the money will never be appropriated. So it will not be done. It is an outdated process of counting individual members of one species after another, like I said, not once but twice. I am just asking that we have an attack of common sense—just common sense, everyday common sense that the rest of America uses every day just to subsist.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I come to the floor to visit with my colleague from Virginia who has offered an amendment to strike section 329 of the Interior appropriations bill. I am pleased that he is on the floor. I am extremely pleased that he listened with great attention to the Senator from Oregon and the Senator from Montana, and that he will listen to this Senator from Idaho whose State is 63 percent owned by the Federal Government and whose policy as to how those lands are managed is determined on the floor of the Senate by this Senator, the Senator from Virginia, and others.

I listened to the Senator this afternoon as he offered his amendment to strike section 329. I must tell you that I listened with a degree of frustration, certainly in no disrespect to the Senator, but to what I sensed was a lack of understanding of what has brought us to this issue and why the Appropriations Committee found it necessary at this moment in time to speak out and to clarify public policy that the Senator from Virginia is trying to undo.

The Senator from Montana, the Senator from Oregon, myself, and others from large public land and forest States have grown tremendously frustrated not by just this administration but by public policy that puts all of us at odds. That arguably does not provide the kind of environmental protection many of us would like and that would allow the balance between environmental protection and under that important umbrella the effective use or utilization of our resources like timber.

So we had a judge in the Eleventh Circuit who probably really has never been West, nor does he understand the West, make a ruling on a ground-disturbing activity of the Forest Service on its lands and say that you haven't studied thoroughly enough how that activity contributes to the demise of a plant, a fungus, a slug, a snail, or an exotic animal. This judge went against decades of science, and even nine court decisions that had largely said the Forest Service was doing an adequate job in its overview of the endangered species responsibility under the Endangered Species Act through an environmental impact study.

The Senator from Oregon was talking about the judge's decision in the Eleventh Circuit being picked up by the judge in the Ninth Circuit, and without any real consideration, just arbitrarily spreading across the pages of his decision: Well, if it is good enough in the Eleventh Circuit, it is good enough in the Ninth.

Ironically, in the Ninth Circuit, what the Senator from Oregon was talking about was the most comprehensive, above the level of science that has been practiced, reviewed, and mandated under the President's own forest plan. There was a comprehensive effort between the Forest Service and U.S. Fish and Wildlife Service and National Marine Fisheries that all aspects of the disturbance would be studied before these timber sales or other activities would go on.

As a result of that, I think it is tremendously important for the Senator from Virginia to understand—I serve on the Appropriations Committee—we did not attempt to do anything extraordinary. We just tried to say in public policy that what the judge in the Eleventh Circuit had done, what the judge in the Ninth Circuit was doing, and what a judge in Texas has already picked up on is really outside science.

A committee of scientists empowered by this Secretary of Agriculture, Dan Glickman, just this last year reported back to the Department of Agriculture and to the U.S. Forest Service that the science they were using that the judge in the Eleventh Circuit knocked down was the right science—that you use indicator species, that you didn't need to get out on the ground and count every plant, or animal, or microorganism.

It was unnecessary to do this to determine the kind of impact that a ''Ground disturbing activity'' would have on the ground. But it was very important for the state of the science involved to use the indicator species concept that had been used and upheld in nine different court decisions as the right approach.

I guess what I am saying to the Senator from Virginia tonight is how long do we fight? How long do we see this kind of conflict that stops all kinds of activity before the Senator from Virginia is willing to stand up with the Senator from Idaho and do what is our responsibility, and that is crafting sound public policy that disallows the courts and the judges from being the public land managers of our States.

Yet the Senator from Virginia tonight says: I want the judge to decide.

But he didn't really quite say it that way, and it would be unfair. What he is saying is, let the process continue to go forward.

I am extremely disappointed that the chief of the Forest Service is not in the gallery tonight saying to the Senator from Virginia: You shouldn't be doing this.

What the Senator from Washington, Mr. GORTON, put in this legislation allows the Forest Service to continue to do what the courts and a team of scientists said is the right thing to do: That is, when you are doing these surveys use the appropriate science, the indicator species, in making the determination as to how to mitigate for a surface-disturbing activity. However, the chief of the Forest Service isn't here tonight nor was he willing to stand up and speak out loudly.

What this administration I think is saying, and I trust that it has to be as reasonably disturbing to the Senator from Virginia as it is to this Senator from Idaho, is continue to work through the court process. We think we can work this out.

Ironically enough, their working it out means they have already lost 3 lawsuits, they have already lost 3 times. They are still saying: Trust us, we know how to work it out.

Even the forest plan that the President himself staked his public land reputation on is in the tank out in Oregon, Washington and northern California. Thousands of people will be out of work this winter because this President wouldn't stand up and ask his chief of the Forest Service to fight for what he originally said he thought was right.

He says: Let us work through the court process.

How long will it take? We don't know. A year, until after the next election? Possibly.

What is most important for the Senator from Virginia to understand is that what is in 329 is not outside the law. Let me read the language:

The Bureau of Land Management and U.S. Forest Service shall use the best available science and commercial data in amending

and revising resource management plans for and offering sales, issue leases or otherwise authorizing or undertaking management activities on, land under their respective jurisdiction.

Where does the language come from? Not out of the mind of the Senator from Washington who is the chairman of the Interior appropriations subcommittee. It comes out of endangered species law. It comes out of the act itself. It is the operative language that drives the Endangered Species Act. It is not new language. It is not new law.

Then we go on to say,

Provided that the Secretaries may at their discretion determine whether any additional information concerning wildlife resources shall be collected prior to approving any such plan, sales, lease or activities.

Full discretion to the secretary, to the managing agency. Not new law. Empowering them to do the right thing with their scientists and their expertise. That is what we are doing. We are empowering Bill Clinton. We are empowering Mike Dombeck, the chief of the Forest Service. Yet they are saying, just work this out through the courts. What if they lose the fourth time and it is a year from now and nobody is in the mills and nobody is working and thousands of people are out of work in Oregon, Washington and northern California?

Or should we talk for just a few moments about the activities on the George Washington and the Jefferson National Forests in the home State of the Senator from Virginia? Not much timbering in his home State, but there is a lot of ''people'' activity, a lot of trails, a lot of management and road building. Flood control in the Cascade National Recreation Area, a contract involved with repair and construction of four bridges and relocation of portions of the trail and stone structures and retaining walls. All of it is surface-disturbing activity; all of it because someone didn't like it, a lawsuit is filed, and a judge stops it because the Forest Service doesn't know how to do these kind of things.

No, not at all. Because the Forest Service didn't examine whether repairing an old trail wall disturbs a lichen or a moss on the wall of stone that was originally put there by man himself. That doesn't make much sense, does it? But that is exactly what striking section 329 will do.

I wish the Senator could stand up and say let's abide by science, let's not play this out in the courts anymore. Let's empower the chief of the Forest Service and the assistant secretary of agriculture and the President himself. I don't find myself on the floor of the United States very often defending this President. I don't think he has had good public land policy. But in one area where he really tried, now he himself will not even defend his effort. His chief of the Forest Service is trying to avoid the pressure by environmental groups who see this exactly the way the Senator from Oregon spoke to it this evening: A way to turn the forest off.

They will not only stop logging, they will turn your forests off. They will attack any surface-disturbing activity, even if it is a trail, a trail head, or a campground that may facilitate the very citizens of the State of Virginia who enjoy their public lands and their two national forests.

As the Senator from Virginia knows, in the mid-1970s we passed the National Forest Management Act. That was to direct the most comprehensive review of every forest in the United States. From that was to come a management plan and a way to execute that plan. The Senator from Virginia knows as do I that he and I and the taxpayers spent nearly a quarter of a billion dollars developing those plans. It was the most comprehensive land-planning exercise in the history of the world. We developed computer models. We looked at every aspect, every watershed, all of the character and the nature of this public land. It was right that we did so. Our forests now operate under those plans. Every activity was viewed through a grid that determines whether they are endangering a species of any kind. That is what I spoke to a few moments ago. However, that whole effort cost a quarter of a billion dollars, or near that.

What the amendment of the Senator would do, and if the courts were to win—not the policy makers that we were elected to be, but a judge, an appointed judge who does not know one thing about the forests in Oregon or Idaho because he is reviewing an activity in a forest in the State of Georgia, he is saying get out there on your hands and knees with as many scientists as you can muster and count and look at every little tidbit.

The Senator from Oregon went through that litany of mosses, snails and critters tonight. It is estimated, just estimated, that to do that kind of an evaluation on an acre-by-acre basis across the landscape of the public forests of our country would cost 5, 8, or $9 billion dollars. The Senator from Virginia knows, as do I, we will not appropriate that money. That kind of money doesn't exist and that kind of money should never be spent on this kind of activity. The scientists who are good scientists—not judges, and not environmentalists who want to see the world shut down—are saying that the standards and the tests and the indicator species and the work that is being done today is thorough, adequate and responsible. Yet the amendment of the Senator denies that because that is the exact language that was put in this section of the appropriations bill.

Why is it important we do it now? We heard from the Senator from Oregon. I have been to John Day and I have been to Roseburg. Those are mill towns. Those are little communities with millions of acres of public timber land around them. The people who live there make their livelihood from logging. It has changed some because logging has diminished dramatically in those areas.

But what the action of the Senator from Virginia is doing, if he is successful, is it turns off those timber sales, nearly 500 million board feet of timber that would keep those mills operating through the winter and into the spring. Because no longer do we operate on a 3-year pipeline, they call it, where you have timber adequate in the pipeline for a 3-year period. That ended with the Clinton administration. Now we are on nearly a timber sale by timber sale basis.

Yet, remember the reduction in timber sales that the Senator from Oregon talked about? We are not talking about cutting anywhere near previous levels. We have an 80 percent lower cut in 8 years. And even that which this President said was adequate, right, responsible and environmentally sound, a judge now arbitrarily has taken away. So that is why we are on the floor this evening. This is one of the most time sensitive amendments, directly relating to jobs and people's well-being, that is in this legislation.

Let me close by one other analysis. I was in one of my communities, Grangeville, Idaho County, Idaho, a big county right in the heart of my State, with 70-plus percent, 80 percent public lands. In one of those communities they started their school year with no hot lunch program. Why? Because a huge portion of their budget came from timber sales, the Twenty-Five Percent Fund. The Senator may be familiar with it. For every tree that is cut, the counties and the schools got 25 percent of the stumpage fee. We are not cutting trees in that area anymore, even though there are millions of acres of trees there. As a result, the school had to decide whether to have an athletic program or hot lunch program for the kids. They are struggling, taking donations from the community to have hot lunches. I don't know whether that's happening anywhere in Virginia, taking donations to have a hot lunch program to feed kids. But the Senator's amendment has an impact on that kind of caring event.

I wanted to personalize this because I don't think, when the amendment to strike came to the floor, there was an understanding of the immediacy of the impact of this kind of decision. It was just some neat environmental vote that we would have because that is what a lot of the environmental community wants. This is a test vote of some kind.

It is not a test vote on anything other than a political idea. It does not bear out consistently good policy because we have good policy in this area.

We have scientists from around the world saying we do it better than anyplace else. Yet a judge simply said no, you don't. You don't do it the way I think it should be done, and therefore I want you to do it differently.

That is the crux of the debate. There are all kinds of opinions around it. But I must say, to an administration that has three times lost this battle in court, for them to step up now and say, trust us, let's work it out, without an alternative plan, with the idea we will work it out and get to the point and they lose another lawsuit and we are 12 months down the road and the people in Roseburg or John Day are not back to work?

It is not impacting my State at this moment. But here is what happens in my State. It is like a West Virginia-Virginia relationship. If they are not cutting trees in Oregon, even under the President's plan, and these mills are deprived of trees and people are out of work, that mill operator comes into Idaho looking for timber sales. He bids up the price well beyond where it ought to be, takes a timber sale out of Idaho, puts those logs on a truck and heads them west over the Cascades into Oregon just to keep his people working.

So my mill in Orofino, or a place like that, is with less timber at a time when we are hardly cutting any timber. And we have simply pitted one against another. That is not good policy either. But ultimately that is what can happen and that is what will happen in my State, even though this judge's decision at this moment does not impact us.

But failing Congress' ability to establish and clarify this policy issue, some group will file a lawsuit and argue on the premise of the judge from the eleventh and the judge from the ninth circuit, that those kinds of effective studies were not done on a given disturbing activity in my State. Then it will apply further into my State.

Those are the issues. I hope our colleagues are listening tonight. I understand we will debate this tomorrow some, but we will vote on it.

To reiterate, I oppose the amendment by Senator ROBB that would remove Section 329 of the Interior Appropriations bill. This effort is misguided and I strongly urge my colleagues to understand the need for this Section if our national forests are going to continue to function. The Section simply clarifies that despite recent circuit and district court decisions, the Secretaries of Agriculture and Interior maintain the discretion to implement current regulations as they have been doing for nearly 2 decades.

During the past two decades, nine separate court decisions have backed the way the Forest Service has been conducting their surveying populations by inventorying habitat and analyzing existing population data.

On February 18, 1999, the Eleventh Circuit Court of Appeals determined that the Forest Service must conduct forest-wide wildlife population surveys on all proposed, endangered, threatened, sensitive, and management indicator species in order to prepare or revise national forest plans and on all ''ground disturbing activity''—not just timber sales. Never before has such an extensive, and frankly impossible, standard been set by the courts.

Another ruling on August 2, 1999, in Federal District Court in Seattle, on a similar case, jeopardizes the President's Northwest Forest Plan, and has already begun to stop most if not all ground disturbing activity in the Northwest.

These rulings result in paralysis by analysis. It would require the Forest Service to examine every square inch of the project area and count every animal and plant—even every insect—before it approved any activity.

The cost to carry out such extensive studies—studies which have never been required before—could be approximately 9 billion dollars. How do we do this? Because the Forest Service does contract for population inventorying on occasion. A population trend survey requires two studies. If we extrapolate from the $8,000 cost of one plant inventory, we reach $38.1 million for the 864,000 acres within the Chattahoochee National Forest where this decision originated. If applied to the 188-million acre national forest system, the cost reaches $8.3 billion.

We appropriate roughly $70 million for forest inventory and monitoring. Are we prepared to shift the $9 billion necessary for this new standard? If not, this recent interpretation forces the Forest Service to shut down until the Agency can apply the new standard.

The purpose of Section 329 is not to change the court decisions or set a new, lower standard. It is simply to clarify that the existing regulation gives the discretion to the Forest Service and the BLM when determining what kind of surveys are needed when management activities are being considered.

Some of my colleagues would argue that this is an issue for the authorizing committees to deal with. I agree. This is an issue that absolutely should be dealt with by those committees. They need to determine whether the agencies have been correctly interpreting their regulation for the past 17 years. They need to determine whether it is sufficient to inventory habitat, rely on existing population, consult with state and federal agencies and conduct population inventories only for specific reasons.

But I argue that the appropriations process should not be made to bear the burden while the authorizing committees study the question. All section 329 does is to preserve, for the next year, the status quo as it existed on April 8, 1999. Otherwise, our already limited resources will be further overwhelmed if we are required to fund this new standard.

I urge you to oppose this amendment and support sensible management.

We are appropriating roughly $70 million for forest inventory monitoring this year. There is only $70 million in the Federal budget. Yet it is now estimated that this will literally cost us billions of dollars if the Senator from Virginia and the Senator from Idaho cannot stand up and look some of our radical friends in the eye and say: That is not good policy. You are not the policymaker and your lawsuits and your judges are not either. We are. We were elected to craft policy. The Senator from Virginia and I are responsible only if we take that kind of leadership position.

That is the kind of leadership position that Senator GORTON took in the appropriations bill. He did not go outside the law and he did not go outside practice. He mandated and requested the Forest Service of the United States act responsibly, under the Endangered Species Act, and gave them the guidelines to do so. That is what section 329 does.

That is leadership. Falling back into the arms of the judge and simply seeking the will of the courts is not. I hope my colleagues would join with me tomorrow and oppose a motion to strike.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. ROBB. Mr. President, first let me address my colleague and friend from Idaho, who is one of the four Senators who have spoken against this amendment on the floor and tell him first of all I appreciate the sincerity of his remarks and the concern he shows, and his colleagues have shown, for those who face economic hardship because of any decision that might be impacted by the Federal Government. I would have to say in particular, with respect to the distinguished Senator from Oregon talking about some of the people in communities which he has visited, the same phenomena has occurred to all of us at one time or another. All of us truly feel the intense pain that those families suffer. In many cases that suffering comes to them because of activities that have been taken in terms of Federal trade policy, sometimes because of innovation in various manufacturing techniques, modernization of equipment—lots of reasons that long and established communities are adversely affected. Any of us who do not relate to that and have a sense of compassion—we may disagree on a particular item at a particular time, about what is the best way to approach a particular challenge that we face, but I don't think any of us lack compassion for those families or want to be in a position where we are doing anything

that hurts more than helps. In this particular instance, I would have to say one of the comments made by my friend from Oregon was ''let science decide.'' That is really what is at issue here.

We see the issue differently. But in this particular case, science has determined at this point, and the board of scientists the distinguished Senator referred to has suggested, that there are means of establishing the health of the forest that will require indicator species measurement. None of the decisions require counting all species, every single species. In fact, the only species I am aware of that is measured in terms of every single member of the species is the Condor count. That is a truly endangered species. I know of no other. There may be.

In any event, we are talking about doing something. The reason these cases were decided the way they were and other cases were decided differently is because the rules that had been established, the plan that had been established by the Forest Service, and that they had agreed to follow, wasn't followed.

The Northwest forest plan came about in very large part because of the timber wars, the very difficult situation that every Member of the Northwest delegation of this body remembers.

As a result of the compromise that was entered into, opened up some logging—I recognize the 80-percent factor the Senator from Idaho and others have used—at least some logging was conducted and the gridlock that had existed prior to that time did not continue. They have been operating under this provision, the Northwest Forest Plan since that time.

I have heard repeated references to costs that are clearly beyond anything anyone associated with the Forest Service, BLM, the Interior Department, or the Agriculture Department would consider possible, or can even understand frankly, because we have claims of $5 billion to $9 billion, and no one in the administration is talking about anything that would cost anything in that range.

The essence of the court decisions were on a very limited scope. The court said, if you tell us that this is the plan you want to put into effect, that you agree to put into effect, then the least you ought to do is try to follow that plan.

The problem in the Eleventh Circuit, if my memory serves me correctly, was with 32 of the 37 species, absolutely nothing was done. The court is in the position of saying, we will give great deference to the Forest Service, to other administrative agencies, to regulators, to anyone else who is involved, but you cannot simply do nothing and expect us to simply say it is OK not to pay attention to your own rules and regulations.

That is what both of the cases are about, and that is what distinguishes the cases which trouble the Senators from the Northwest from the other cases.

In the other cases, the judge was able to rule in such a way that the logging could continue, whatever land disturbing operations could continue. We are not talking about a situation where every single species, some of which none of us could identify if we were given a chart of all the species involved because they are so rare, had to be counted. That is what indicator species are for, to simply be able to track in some limited way some species as an indication of how all the species are faring under various changes that might affect those particular forests or those particular areas. That is really all we are saying.

In this particular case, the Forest Service, BLM, the Interior Department, the Department of Agriculture, and the heads of those agencies have said that section 329 is likely to cost a great deal more money, is not likely to do exactly what they purport to address but have exactly the opposite effect.

In this particular case, the Agriculture Department, the Interior Department, the BLM, and the Forest Service make it very clear that what is proposed is more likely to be counterproductive, but that is beside the point. They are acknowledging that a standard has been recognized by the Eleventh Circuit case and that they did not meet that standard. They believe they should be held to the standard, and that is what they are prepared to do. That is what adaptive management practice is all about. This is not the kind of absolute foreclosure that my friends on the other side have represented it as.

Plans are underway right now to address the challenges that were put to the management agencies by both decisions. I submit the concern for the Ninth Circuit case is considerably greater on the part of my friends from the northwestern part of the United States than the Eleventh Circuit.

Nonetheless, the decisions simply said to the Federal agency involved: If you say these are the rules that you are going to follow and you agree these are the rules that should be followed, and the scientific community has said this is the way we can make the rational assessments and achieve the kind of balance that we are looking for, then you ought to do that.

I share the frustration. There is always an enormous frustration factor when you are dealing with a situation that seems to be beyond the control of those who are most affected by it. I am particularly sensitive to the State of Idaho where so much of the land is owned by the Federal Government, owned by the people of the United States, and that makes this forum for decisionmaking so much more important, in many cases, than it is for other States where the percentage of our total land, the percentage of our total economic activity is less affected by decisions that are made right in this particular Chamber.

The bottom line again is simply if the agency agrees to a particular course of action, if the action is rational, and reflects the fact we are not using the forest just as a place where logging can be carried out, but where recreational and other environmental elements are valued, then that one activity must be balanced against the others.

In this particular case, a rational approach has been devised. It is flexible. It is being addressed at this particular moment. An additional environmental impact statement is in the process of preparation.

The only real change that will come about from where the law is now, the only real change is whether or not the public ought to have an opportunity to participate and comment on the process. That is the only real change that would be brought about by this particular rider, other than attempting to legislate on an appropriations bill, thus bypassing the administration, regardless of what party is in power, and bypassing the legislative process, bypassing the authorizing committee to which these arguments could be addressed.

I am not at all insensitive to the concerns that have been raised by my colleagues who represent this particular area. Indeed, I want to work with them and the Forest Service, the BLM, the Interior Department, and the Agriculture Department to see if we cannot find ways to address the specific problems that those communities, particularly those that have no other opportunity for economic activity, are faced with at this particular time.

The way to do it is not to put an environmental rider on an Interior appropriations bill which bypasses the Federal administrative process, bypasses the legislative process, and simply attempts to write into law something that has not been approved by either section and which is, indeed, actively opposed by representatives for both.

Mr. President, I see no one else who I believe wishes to address this particular matter. We will have an opportunity to provide closing arguments tomorrow before this is taken up.

I do not believe we have asked for the yeas and nays. I request the yeas and nays.

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

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. ENZI. Mr. President, I rise in opposition to this amendment and to express my concerns regarding the increased bureaucratic burden it would place on the backs of America's rural communities. This amendment would require the Forest Service to conduct forest-wide wildlife population surveys on all proposed, endangered, threatened, sensitive, and management indicator species in order to prepare or revise national forest plans, and in every area of each national forest that would be disturbed by a timber sale or any other management activity. Such a requirement would put a virtual freeze on all Forest Service activities and would serve as a death knell for rural economies.

For more than fifteen years, the Federal Government has been at war over how to manage our Western lands. The result has been 15 years of gridlock that not only locks up public lands and threatens the health of our national forests, but it also locks up rural economies which have suffered from dramatic economic disruption.

Economies in rural communities are not like economies in more urban settings. Rural economies cannot make the kind of rapid adjustments that are available to more populated areas. When a timber company of about 50 people goes out of business in rural America, even though its number of employees may seem small under urban standards, those fifty employees can make up 20 to 30 percent or more of the local work force.

Just as important, however, is the impact that this kind of amendment will have on the future of forest health. The biggest threat facing America's forests today is the overriding threat of destruction by catastrophic wildfire. This threat is particularly strong in the West where our nation receives very little annual rainfall.

Without a proactive forest health program that thins out the ever increasing vegetation from our forest floors, we are only setting ourselves up for disaster.

Haven't we learned anything from the debate over the Wilson Bridge? When local communities decided to improve the Wilson Bridge along the infamous Washington Beltway they learned near the end of their process that they had to go back and complete a full blown EIS. Because of this regulatory requirement, the Wilson Bridge now will not be built for another two or three years. In the meantime, traffic will continue to back up and it will take longer and longer to navigate around our nation's capitol. This kind of regulatory gridlock never used to happen on the East Coast, but it has been a common occurrence in the West. I can guarantee you, however, that these kinds of regulatory activities will continue until we receive regulatory relief and learn that increased regulation does not necessarily mean we are protecting the environment.

If we are seriously going to protect our environment, we need less regulation and more proactive programs particularly on our national forests. The worst thing we could do, then, is add to the gridlock and adopt this kind of amendment.

Mr. CLELAND. Mr. President, I rise today to voice my support for and cosponsorship of Senator ROBB'S amendment to remove the Section 329 rider from the Interior Appropriations bill. This rider would undermine sound science in wildlife management in my state and across the nation. It would suspend U.S. Forest Service and Bureau of Land Management requirements to research and monitor certain wildlife populations, integral requirements that the agencies themselves adopted as early as 1982. I strongly support this amendment and believe that we should remove this rider.

Section 329 attempts to overturn a recent court case, Sierra Club versus Martin, issued by the 11th Circuit, which confirmed the agencies' duties to monitor certain wildlife species in order to make credible and well-informed management decisions. The 11th District Court unanimously ruled that the Forest Service was not properly performing its responsibilities to inventory ''rare'' species in the Chattahoochee and Oconee National Forests as mandated by its own Forest Management Plan. The court's decision does not expand monitoring requirements, but merely ruled that the absolute failure to collect any data or implement any monitoring of indicator and sensitive species was not legal.

Monitoring the health of ''indicator'' and ''sensitive'' species is both sound science and good wildlife management. Indicator species act as proxies for other wildlife in the forest. That is why monitoring of indicator species was included in the 1982 implementing regulations of the National Forest Management Act and is included as an integral part of forest management plans adopted by the agencies. If we ignore what is happening to these ''indicators,'' we are ignoring the impacts on the whole forest. Collecting new and important data is the only way to ensure that our land mangers are using the most up-to-date and accurate scientific information. By limiting decisions to ''available'' science as this rider would dictate, Section 329 turns a blind eye to the information we need to make the best possible management decisions.

I understand that some argue the best ''available'' definition is the same rigid standard set forth by the Endangered Species Act. While true, this is a complete misrepresentation of the law's intent. The intent of best ''available'' information for Endangered Species is to encourage swift listings of animals so that we avoid risking the extinction of such animals. Associating this definition with determining the status of animals in a National Forest section scheduled for timber harvesting runs completely contrary to the intent of the Endangered Species Act version which is to protect species. Applying this definition when making forest management decisions risks the habitat and future of both ''sensitive'' and ''endangered'' species by not having accurate and current data upon which to make these decisions. Each forest manager will be without guidance and our national lands will be managed according to the whims of individuals rather than the interests of the public.

In my own state of Georgia, National Forests provide a refuge for black bear, migratory songbirds, native brook trout, and an incredible diversity of aquatic species. Some of these species are already listed under the federal Endangered Species Act. Many more may be listed in the future if we ignore the warning signs. The smart, economical approach is to monitor and conserve ''sensitive'' species before they reach a crisis state and are listed on the endangered species list. By avoiding such listings, we have the maximum amount of flexibility and the costs of conservation are low. Unfortunately, Section 329 discourages land managers from doing just that.

I understand that, in reaction to the court decision, the regional forester for the Chattahoochee and Oconee National Forests is amending its forest management plan and this rider completely short circuits that process. Amending the Forest Management Plan is the proper method for handling these kinds of issues. It allows for Public Comment and Participation and also allows for Sound Science to be utilized and reviewed. The Forest Service has stated that this rider, ''Overrides a Federal Court Ruling, agency regulations, and resource management plans that require the Forest Service and Bureau of Land Management to obtain and use current and appropriate information for wildlife and other resources before conducting planning and management activities.'' Note the language that resource management plans require the agencies to obtain and use current and appropriate information. It does not say, see what data you can scrounge up and use that.

Considering the Senate's recent debate on Rule 16, it is clear that this rider is attempting to legislate on an Appropriations bill. I believe that contentious authorizing language such as this should have the benefit of a full review by the authorizing Committee which has jurisdiction over these matters. These important decisions should not be done through an environmental rider on an appropriations bill.

In closing, it is clear that the Forest Service's own National Forest Management Act regulations require monitoring of certain, but not all, resident

wildlife to ensure that land managers are using the most up-to-date and accurate scientific information in their decisions. Now, I understand that every single species of plant and animal cannot and should not be documented in these inventories. However, I believe that in order to protect species from becoming threatened and endangered, the Forest Service must employ effective measuring techniques which will provide accurate estimates. These estimates are critical to making sound management decision. I believe that this rider short circuits both the Senate's ability to provide proper oversight and the Forest Service's process for amending forest management plans.

I urge my colleagues to remove this rider and vote in favor of this amendment. I thank my colleagues and yield the floor.

Mr. ROBB. Mr. President, seeing my friend from Texas on the floor, knowing that she has plans to address another of the pending amendments, I yield the floor.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

PRIVILEGE OF THE FLOOR

Mrs. HUTCHISON. I do intend to address the issue of my amendment, but first I ask unanimous consent that privileges of the floor be granted to William Eby during the pendency of the Interior appropriations bill.

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

AMENDMENT NO. 1603

Mrs. HUTCHISON. Mr. President, as was unanimously consented to earlier in the evening, Senator GORTON requested that all of the arguments on the Hutchison amendment be put together. So I ask unanimous consent that my remarks be put following the Boxer remarks on the Hutchison amendment, which I think is the next in line, in order to keep them in the same area so that they will follow along.

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

Mrs. HUTCHISON. Mr. President, I do want to address some of the issues and some of the facts that were misstated by the Senator from California because I think it is very important that the RECORD be set straight. I attempted to correct the Senator from California while she was speaking, but she preferred to continue to speak, so I want the RECORD to be very clear on some of these important facts.

First, the Senator from California and the Senator from Illinois made much of the testimony of a former executive from Arco who had testified, they said, under oath that oil companies had in fact misstated and actually tried to hide the value of the oil and not pay their fair share in oil royalties to the State of California and the City of Long Beach.

In fact, I am very pleased that they brought that up because the case has actually been settled just in the last couple weeks. In fact, the Senators from California and Illinois mentioned that several oil companies had settled because they, for whatever reason, did not want to go forward with the costly litigation. But Exxon decided not to settle, and the Arco employee did testify in the Exxon case, under oath, that the oil companies were misstating the value of the royalties they owed to the State and to the City of Long Beach.

This case went to a jury, a jury in California of 12 citizens. The jury found that the Arco employee was not credible. The jury of his peers determined that the Exxon Corporation had not cheated the taxpayers of California or the City of Long Beach, and they threw out that suit from Long Beach and the State of California. Exxon showed that it had not undervalued its oil. This was a suit for $750 million.

So the Arco executive who testified under oath was in fact discredited in the court, and the jury found that the Arco executive was not persuasive. I say that because so much was made of it, as if the case had gone the other way. But 12 citizens in California got together and the jury verdict was in favor of Exxon.

But having said that, I have said from the very beginning that the lawsuits are not an issue. If any oil company did not value correctly under the present law or regulations, they ought to pay. So it has never been an issue. You would think, from the rhetoric of the Senator from the State of California, that this amendment had something to do with companies not paying their fair share under the present law. Nothing could be further from the truth.

In fact, what we are talking about is changing the valuation of oil royalties. We are talking about unelected Department of Interior employees, who have no accountability, usurping the rights of Congress to set tax policy in this country and affect oil jobs to a huge extent.

The fact of the matter is, what we are trying to do with the amendment, with the Hutchison-Domenici amendment, is we are saying we want it to be fair, we want to continue the moratorium until the Department of the Interior has a fair valuation that accedes to the wishes of Congress, because Congress makes the laws. That is the prerogative of Congress. That is the responsibility of Congress. And it is further the responsibility of Congress to stand up when they delegate authority to a Federal agency to make a rule and that Federal agency does not do what Congress intended for it to do.

Only Congress can step forward and say: No, we did not intend to raise oil royalty rates the way you intend to do it, so we are going to put a moratorium on your rule until you do an oil royalty rate that is simpler, fairer, will be right for the citizens of our country and right for the oil industry that is very important to this country. So that is what we are talking about today.

I did not like the tone of the rhetoric that ''oil is bad,'' that ''big oil is worse,'' that ''everything about oil companies is bad.'' I thought I was back in the 1960s when it seemed that ''business was bad.'' Well, business is people. Business is jobs. Business is people.

My heavens, why wouldn't we want business to be successful in America so that we have jobs in America? Sometimes when I hear people talking about the ''big bad oil companies,'' I think: Do you want more foreign oil, more foreign jobs, rather than American jobs and American revenue?

I think we have a choice here. Those ''big bad oil companies'' are the basis of the California teacher retirement system pension plan. They are a very important part of the stability of retirement for California teachers, and Texas teachers, for that matter, and probably Illinois teachers as well, because the big oil companies have been a stable source of dividends for maybe 100 years.

I don't know when the big oil companies first started, but they have been good citizens for our country. They are the basis of pension plans and retired people's security all over our country, and they do create thousands of good jobs.

So I do not think we have to beat up on oil companies. They are part of our economy and they are part of the security of our country. And, oh, by the way, since 1953 they have paid more than $58 billion for the right to drill on the people's land—$58 billion in oil royalty payments.

If they did not pay their fair share, I want them to pay their fair share. So talking about settlements and lawsuits is not really an issue, even though a jury of their peers in California did find that Exxon had not cheated in any way.

That isn't the issue. The issue is, we want them to pay. In order for them to pay a fair share, they need to be able to know exactly what they owe, and that is why we hope the MMS will simplify the regulation. In fact, the MMS refuses to even abide by its own previous rulings. So an oil company that is trying to do the right thing goes to a previous ruling on how oil is valued in a particular place, in a particular way, and the MMS says: No, we are not going to be bound by what we did in another case.

That walks away from the value of precedent that is the hallmark of our judicial system and the regulatory system in our country. In most instances, the IRS most certainly abides by its

previous rulings. They give opinion letters that people can rely on so they can pay their fair share of taxes. Courts set precedents with rulings every day so people will know what the law is and what they must do to comply. Not the MMS. They have one opinion here and one opinion there. Congress asked them to make it simpler, and they have gone far beyond what Congress intended. It is our responsibility to make sure they do what is right for the taxpayers of America. That is what the Hutchison-Domenici amendment will assure they do.

This is not an industry that has had an easy time in the last year and a half. In fact, oil prices have been lower than ever in the history of our country, adjusted for inflation, $7, $8 a barrel, a lot of that because of the glut of imported oil on the market. We have lost half a million jobs in the oil industry in the last 10 years. We are importing 57 percent of the oil in our country. If we have bad oil royalty principles, it also affects natural gas, which is the most important substitute fuel in many of our coal burning areas. Natural gas is much cleaner, better for the environment than coal. So when you start tampering in a negative way with the oil royalty rates, you also are going to affect the price and availability of natural gas, because natural gas, of course, is a byproduct of drilling for oil. If you discourage our American companies and our American people from being able to get our own oil resources, you are also cutting back on our supply of natural gas. That could be dangerous to our economy and dangerous to the people who live in our country who depend on natural gas to heat their homes.

I think it is important we put this in perspective. It is important we look at what we are talking about. Senator BOXER said the new rule would only affect 5 percent of the oil companies, and it would be just the big oil companies. She said she supports small oil companies. Well, I hope she will, because if she will, she will support the Hutchison-Domenici amendment because it is the Hutchison-Domenici amendment that will keep our small producers in business after the devastating effects of low oil prices from the last year.

In fact, every single oil company is affected. There are 2,400 producers with Federal leases. Only 70 of them are not classified by the SBA as small businesses. All 2,400 are opposed to this new rule that will require them basically to pay taxes on their costs. The small oil companies that the Senator said she would support are very opposed to her position. They are for the Hutchison-Domenici amendment because they don't want a new rule that would second-guess sales of oil at the wellhead and make fuzzy exactly when the oil should be valued. They don't want a new duty to market and incur the costs of marketing and selling the product and bear the cost without any allowance. They are very concerned about this.

If Senator BOXER believes that the small oil companies are against the Hutchison amendment, I hope she will talk to them. They will assure her that this is going to put one more chink in their ability to create jobs and continue to drill oil and natural gas in our country, rather than choosing to go overseas where it is much cheaper to do it and where you don't have to pay as much as we pay in America.

I hope very much that she will reconsider, knowing that all of the small companies are affected by this new ruling.

I will read from some of the letters of people and groups that are supporting the Hutchison-Domenici amendment.

People for the USA writes:

Dear Senator HUTCHISON: We support your fight to simplify the current royalty calculation system. On behalf of 30,000 grassroots members of People for the USA, I want to thank you for your diligent efforts to bring common sense to royalty calculations on Federal oil and gas leases. Energy Secretary Bill Richardson has suggested that domestic oil field workers look to opportunities overseas. Senator, an administration that talks about kicking American resource producers out of the country has a badly skewed set of priorities.

That is signed by Jeffrey Harris, Executive Director.

The National Black Chamber of Commerce writes:

Dear Senator HUTCHISON: The efforts of MMS are, indeed, ludicrous. Collectively the national economy is booming and the chief subject matter is ''tax reduction,'' not ''royalty increase,'' which is a cute term for tax increase. What adds salt to the wound is the fact that despite a booming economy from a national perspective, the oil industry has not been so fortunate and is on hard times. We need to come up with vehicles that will stimulate this vital part of our economic bloodstream, not further the damage.

That is signed by Harry Alford, President and CEO, National Black Chamber of Commerce.

Citizens for a Sound Economy:

The 1999 Omnibus Appropriations Act included moratorium language concerning a final crude oil valuation rule, with the expectation that the Department of Interior and industry would enter into meaningful negotiations in order to resolve their differences. Unfortunately, more time is still needed for government and industry to reach a mutually beneficial compromise.

It is signed by Paul Beckner, President.

Citizens Against Government Waste:

Passage of this provision in the Interior Appropriations bill will provide the time necessary for the MMS and the industry to reach a fair and workable agreement on the rule benefiting both sides.

It is signed by Council Nedd II, Director, Government Affairs, Citizens Against Government Waste.

Frontiers of Freedom:

In a misleading letter dated July 21, 1999, detractors of the Hutchison-Domenici amendment allege it will cost taxpayers, school children, Native Americans and the environment. That is not so. It is time to set the record straight. This amendment does not alter the status quo at all. This amendment says to Secretary Babbitt, spend no money to finalize a crude oil valuation rule until the Congress agrees with your proposed methodology for defining value for royalty purposes.

That is signed by Grover Norquist, President, Americans for Tax Reform; George Landrith, Executive Director for Frontiers of Freedom; Patrick Burns, Director of Environmental Policy, Citizens for a Sound Economy; Fred Smith, President Competitive Enterprise Institute; Al Cors, Jr., Vice President for Government Affairs, National Taxpayers Union; Jim Martin, President, 60 Plus; David Ridenour, National Center for Public Policy Research; Adena Cook, Blue Ribbon Coalition; Bruce Vincent, Alliance for America; Chuck Cushman, American Land Rights Association; and Malcolm Wallop, Chairman of Frontiers of Freedom.

Mr. President, I ask unanimous consent that these letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FRONTIERS OF FREEDOM,
Arlington, VA, July 30, 1999.

Re Supporting the Hutchison-Domenici Amendment (a Moratorium on the Proposed Oil Valuation Rule which Prevents Unauthorized Taxation and Lawmaking by the Department of Interior).

Hon. KAY BAILEY HUTCHISON,
United States Senate, Washington, DC 20510

DEAR SENATOR HUTCHISON: We are writing to express our support for the Hutchison-Domenici amendment to the FY 2000 Appropriations bill. The Hutchison-Domenici amendment prevents the Department of the Interior from rewriting laws and assessing additional taxes without the consent of the Congress. This role properly rests with the legislative branch, not with unelected bureaucrats.

In a misleading letter dated July 21, 1999, detractors of the Hutchison-Domenici amendment allege it will cost taxpayers, schoolchildren, native Americans, and the environment.'' That is not so! It's time to set the record straight—this amendment does not alter the status quo at all. This amendment says to Secretary Babbitt: Spend no money to finalize a crude oil valuation rule until the Congress agrees with your proposed methodology for defining value for royalty purposes.

We contend that a mineral lease is a contract, whether issued by the United States or any other lessor, as such, its terms may not be unilaterally changed just because a government bureaucrat thinks more money can be squeezed from the lesser by redefining the manner in which the value of production is established. What royalty amount is due is determined by the contracts and statues, and nothing else. For seventy-nine years the federal government has lived according to a law that established that the government receives value at the well—not downstream after incremental value is added. The bureaucrats at the Interior Department are in

effect imposing a value added tax through the backdoor.

Bureaucrats are saying that value should be measured in downstream markets hundreds of miles from one's lease, or based upon prices set in futures trading on the New York Mercantile Exchange, both of which routinely attribute higher value than exists at the ''wellhead.'' If bureaucrats had it their way, they would assess a tax all the way to the gasoline, ignoring the costs associated with bringing oil to that pump. If Congress intended this, they would have said so in the law.

This is nothing short of a backdoor tax via an unlawful, inequitable rulemaking which Secretary Babbitt says is necessary because of ''changing oil markets.'' But, we think his real result and that of his supporters such as Senator Boxer, is to cripple the domestic petroleum industry, and drive them to foreign shores and advance their goal of reducing fossil fuel consumption. This is why they falsely claim that green eyeshade accounts somehow are impacting the environment.

The outcry on behalf of schoolchildren is particularly hypocritical. Senator Boxer and Rep. George Miller are responsible for a mineral leasing law amendment in the 1993 Omnibus Budget Reconciliation Act which reduces education revenues to the State of California by over $1 million per year—far more than the Department's oil valuation rule would add to California's treasury (approximately $150,000 per year as scored by the Congressional Budget Office). So really, who is harming schoolchildren's education budgets? The oil industry provides millions and millions of royalty dollars each year for the U.S. Treasury and for State's coffers.

The ''cheating'' which Sen. Boxer and others allege is unproven. Reference to settlements by oil companies as proof of fraud is improper. When President Clinton settled the Paula Jones lawsuit his attorney admonished Senator Boxer and her fellow jurors to take no legal inference from that payment. We agree. As such, oil company settlements cannot be given precedential value. Who can fight the government forever when the royalty dollars they have paid in are used to fund enormous litigation budgets?

Lastly, two employees of the federal government who were integral to the ''futures market pricing'' philosophy espoused in the Department's rulemaking have been caught accepting $350,000 checks from a private group with a stake in the outcome of False Claims Act litigation against oil companies. Ironically, the money to pay-off these two individuals for their ''heroic'' actions while working as federal employees came from a settlement by one oil company. The *Project on Governments Oversight* (POGO) last fall received well over one million dollars as a plaintiff in the suit. Shortly thereafter POGO quietly ''thanked'' these public servants for making this bounty possible. The Public Integrity Section of the Department of Justice has an ongoing investigation. We find it unconscionable the Administration seeks to put the valuation rule into place without getting to the bottom of this bribe first. The L.A. Times recently drew a parallel with the Teapot Dome scandal of the 1920's, but who is Albert Fall in this modern day scandal?

The Department's rule amounts to unfair taxation without the representation which Members of Congress bring by passing laws. If Congress chooses to change the mineral leasing laws to prospectively modify the terms of a lease, so be it. It should do so in the proper authorizing process with opportunity for the public to be heard. A federal judge has recently ruled the EPA has unconstitutionally encroached upon the legislature's lawmaking authority when promulgating air quality rules. We are convinced the Secretary of the Interior, in a similar manner, is far exceeding his authority unilaterally by assessing a value added tax.

Let Congress define the law on mineral royalties. We elected Members to do this job, we didn't elect Bruce Babbitt and a band of self-serving bureaucrats. Support the Hutchison-Domenici amendment.

Sincerely,

George C. Landrith, Executive Director, Frontiers of Freedom.
Patrick Burns, Director of Environmental Policy, Citizens for a Sound Economy.
Fred L. Smith, Jr., President, Competitive Enterprise Institute.
Al Cors, Jr., Vice President for Government Affairs, National Taxpayers Union.
Jim Martin, President, 60 Plus.
Grover G. Norquist, President, Americans for Tax Reform.
Chuck Cushman, Executive Director, American Land Rights Association.
Bruce Vincent, President, Alliance for America.
Adena Cook, Public Lands Director, Blue Ribbon Coalition.
David Ridenour, Vice President, National Center for Public Policy Research.

RIO GRANDE VALLEY PARTNERSHIP,
INTERNATIONAL CHAMBER OF COMMERCE,
Weslaco, TX, July 23, 1999.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate, Washington, DC.

DEAR SENATOR HUTCHISON: On behalf of the Board of Directors of the Rio Grande Valley Partnership, I want to thank you once again for your leadership to prevent the Minerals Management Service on the U.S. Department of Interior from finalizing its new oil royalty regulations.

Until Congress is assured that they will be fair, the new regulations must work for government and for producers, and not result in litigation, as the proposed regulations would. Uncertainty and litigation just add delays and costs to producers large and small, and to the federal government, and that can make domestic oil and gas production from federal lands less competitive, adversely affective jobs in Texas and other producing areas and reducing royalty revenues to the federal government.

Please continue your lead in the fight to stop the Minerals Management Service from making new rules final until they solve the host of problems pointed out by oil producers, large and small.

Sincerely,

BILL SUMMERS,
President/CEO.

PEOPLE FOR THE USA,
Pueblo, CO, July 27, 1999.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate, Washington, DC.

DEAR SENATOR HUTCHISON: On behalf of the 30,000 grassroots members of People for the USA, I would once again like to thank you for your diligent efforts to bring common sense to royalty calculations and payments on federal oil and gas leases.

In their efforts to balance environmental protection with economic growth through grassroots actions, our members (not just those in Texas) always notice and appreciate strong, common sense leadership such as you have shown.

We support your fight to simplify the current royalty calculation system. It is already a burden on a struggling domestic oil and gas industry, and the Minerals Management Service proposal simply adds insult to injury. Royalty calculation is not, as Interior Communications Director Michael Gauldin remarked, ''an issue to demagogue for another year.'' With 52,000 jobs lost in just the last year?

Worse, Energy Secretary Bill Richardson has suggested that domestic oilfield workers look to opportunity overseas. Senator, an Administration that talks about kicking American resource producers out of the country has a badly skewed set of priorities.

We appreciate what you are doing to straighten them out, and will back you up at the grass roots any way we can.

Again, on behalf of thousands of hard-working American resource producers, thank you. If you have any specific suggestions as to how we can assist you, feel free to contact me any time.

Respectfully,

JEFFREY P. HARRIS,
Executive Director.

NATIONAL BLACK CHAMBER OF COMMERCE
August 5, 1999.

Re: MMS Royalties

Hon. KAY BAILEY HUTCHISON,
Senator, State of Texas, Rm. 284, Senate Russell Office Building Washington, DC.

DEAR SENATOR HUTCHISON: The National Black Chamber of Commerce has been quite proud of the leadership you have shown on the issue of oil royalties and the attempt of the Minerals Management Service's, Department of Interior, to levy eventual increases on the oil industry.

The efforts of MMS are, indeed, ludicrous. Collectively, the national economy is booming and the chief subject matter is ''tax reduction'' not ''royalty increase'', which is a cute term for tax increase. What adds ''salt to the wound'' is the fact that despite a booming economy from a national perspective, the oil industry has not been so fortunate and is on hard times. We need to come up with vehicles that will stimulate this vital part of our economic bloodstream, not further the damage.

We support your plan to re-offer a one-year extension of the moratorium on the new rule proposed by MMS. We will also support any efforts you may have to prohibit the new rule. Good luck in giving it ''the good fight''.

Sincerely,

HARRY C. ALFORD,
President & CEO.

CITIZENS FOR A SOUND ECONOMY
Washington, DC, July 27, 1999.

DEAR SENATOR HUTCHISON: The 250,000 grassroots members of Citizens for a Sound Economy (CSE) ask you to oppose any attempts in the Senate to strike the provision in the Interior Appropriation bill that delays implementation of a final crude oil valuation rule.

The current royalty system is needlessly complex and results in time-consuming disagreements and expensive litigation. The Minerals Management Service's (MMS) new oil valuation proposal is, however, deeply flawed and would have the ultimate effect of raising taxes on consumers.

The 1999 Omnibus Appropriations Act included moratorium language concerning a final crude oil valuation rule with the expectation that the Department of the Interior

(DOI) and industry would enter into meaningful negotiations in order to resolve their differences. Unfortunately, more time is still needed for government and industry is required to reach a mutually beneficial compromise.

CSE recognizes this need and opposes any attempt to halt the moratorium, or curtail efforts to bring about a simpler, more workable rule.

Thank you for your attention and efforts, and for your continuing leadership in this important matter.

Sincerely,

PAUL BECKNER,
President.

COUNCIL FOR CITIZENS AGAINST GOVERNMENT WASTE,
Washington, DC, September 10, 1998.

Hon. KAY BAILEY HUTCHISON,
United States Senate, Washington, DC.

DEAR SENATOR HUTCHISON: On behalf of the 600,000 members of Council for Citizens Against Government Waste, we respectfully ask you to oppose any efforts in the Senate to strike the provision in the Interior Appropriations Bill that delays the implementation of a final crude oil valuation rule, unless a resolution between MMS and industry can be reached. The Minerals Management Service (MMS) proposed new oil valuation rules that would eventually raise taxes on producers. The rulemaking effort has involved several revisions to the original proposal, but remains ambiguous, unworkable, and would create even greater uncertainty and unnecessary litigation.

Passage of this provision in the Interior Appropriations Bill will provide the time necessary for the MMS and the industry to reach a fair and workable agreement on the rule, benefiting both sides. The taxpayers have a vested interest in this issue, because the rule proposed by the MMS would lead to an unnecessary administrative burden for both the government and the private industry as auditors, accountants, and lawyers attempt to resolve innumerable disputes over the correct amounts due.

Please take this opportunity to prevent the current proposed rule, which benefits no one, from being implemented. We urge you to oppose any amendment to strike the provision for delay of final valuation rule in the Interior Appropriations Bill as it reaches the floor for debate in the full Senate this week.

We wish to thank you for your efforts in this matter. Your continued commitment and integrity in the promotion of efficiency and accountability in the federal government is sincerely appreciated. If I can be of further assistance, please do not hesitate to contact me.

Regards,

COUNCIL NEDD II,
Director, Government Affairs & Grassroots.

Mrs. HUTCHISON. Mr. President, I have heard the Senator from California throwing around numbers such as this has cost the taxpayers of America $88 million already, or $60 million already. And I pointed this out to her. I ask unanimous consent that the Congressional Budget Office estimate be printed in the RECORD.

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

FY 2000 INTERIOR AND RELATED AGENCIES—S. 1292, AS REPORTED, PROPOSED FLOOR AMENDMENTS

[Budget account—in millions]

No.	Pending		Proposed		Difference	
	BA	O	BA	O	BA	O
1603—Hutchinson Oil valuation	.....	.....	11	11	11	11

Mrs. HUTCHISON. Mr. President, this shows there would be a proposed difference in income of $11 million. In addition to putting that in the RECORD, I want to say that we have offset that $11 million. I have to say I think it is ludicrous that you would say we think that in the future you won't get $11 million and, therefore, we need to make up that proposed lost revenue for a tax that has not even been put in place. Nevertheless, that was the ruling we were given, so we did offset with $11 million. But it is ridiculous to say that you have to offset the tax that hasn't been put in place because you don't know what businesses are going to pull up stakes and say: It is too expensive to drill with this kind of royalty rate. We are going to go overseas and we are going to take our jobs with us.

So I am not sure that it would be $11 million, or anything at all. My hunch is that we are going to lose jobs and we are going to lose income, and the schoolchildren of this country are going to suffer because the oil business has not yet recovered from the crisis.

Mr. President, on that note, I have to also say that I think it is very important that when we are talking about a proposed rule that hasn't been put in place and we are already saying how much will be missed, clearly, there is no concept of how business can work and make a profit and continue to create jobs. So I am concerned that if we raise this royalty valuation, which is a tax on the oil industry, at a time when many of them are on their knees anyway, we are not going to have income of $11 million, or $60 million, or anything else. In fact, I think we are going to go into negative income, which is exactly what has happened in Texas in the last year and a half, where schools have had to shut their doors and close down and consolidate classrooms because they could not make their budget because of the oil income not coming in. We lost $150 million just in the last year in oil royalty revenue in Texas alone. So this is not the time to raise rates.

Let's talk about the kind of taxes. We are talking about fairness. In fact, we are talking about what we tax. Today, the oil is valued as it comes out of the ground, after it has been cleaned up and is ready to be sold. You take out the contaminants and it is clean and that is where it is valued. But what the Government and MMS are proposing to do is say, no, we want you to go out and get a buyer for the oil and incur the cost of buying; and then we want you to put it in a pipeline and take it to where it is going to be picked up by the buyer, and we are going to value it there. That is taxing the cost. That just doesn't make sense. That is like saying to McDonald's, whatever you spend in advertising, we are going to tax you that amount. We are going to tax you on your advertising for McDonald's hamburgers.

Mr. President, that concept will not fly. It doesn't happen in any other industry. Whenever would the Government expect taxes on expenses? It just doesn't make sense. But sometimes I think people I hear arguing on the Senate floor have never been in business. If you have never been in business and have never met a payroll, then you don't really understand how hard it is to make a profit and create new jobs and do right by your employees. I have been in business. I have met a payroll. I know how hard it is, especially in a small business. And when the prices are $7 or $8 a barrel and the costs are $14 a barrel, you can't stay in business very long. And if you can't stay in business very long, there are a lot of people and families who don't have jobs; and if you have to lay off people who are working at the well, then you also have to lay off people in the oil fields service industry and the oil supply industry because you aren't going to need the supplies if you are not drilling. And if it is too expensive to drill in America, you are going to go somewhere else, and you are going to create jobs in a foreign country.

Mr. President, I guess the last thing I will say in refuting the arguments I heard from the Senator from Illinois and the Senator from California is that it always seems the tack is to say, well, they don't really care about this issue; they are supporting big oil because big oil has contributed to their campaigns. I don't go around looking at whether trial lawyers give to other Senators and, therefore, they don't vote for tort reform. I don't accuse people of not representing the interests of their States. Of course, I have oil workers in my State. I hope I am supported by people who work in my State and live in my State. But I would not do anything that would hurt the people of my State. The idea that that is connected to campaign contributions I just think is cynical, and I don't think it adds integrity to the debate.

You gauge that against a most incredible statement when you accuse people who want to keep jobs in America, who want fair pricing, fair taxing, and fair payment of taxes—you accuse people of having some kind of other motive, and then you pick up a magazine called Inside Energy and the Department of Interior communications director says on November 2 of 1998, regarding the Hutchison-Domenici amendment that would require them to have a fair valuation:

We are sticking to the position we have taken. It gives us an issue to demagog for another year.

Mr. President, I think we have heard a lot of demagoguery on this issue. I have heard the most outrageous debate and arguments that I have heard on just about any subject on this issue, trying to make it seem as if oil companies that are being sued are somehow connected to whether or not we have a fair royalty valuation, trying to mesh those issues. That just does not make sense. It does not add to the debate. But to have the kind of demagoguery that we have heard on the floor and then to have the Department of the Interior admit that what they want is an issue to demagog, I have to say I think the Los Angeles Times editorial proves they did get a demagoguery editorial. I think some of the network television bought into it. I think there has been some very unfair coverage because we are talking about Congress standing up for its right to tax. If Congress doesn't stand up, who will? Who is accountable at the Department of the Interior? It is a matter of fairness.

I am not going to walk away from that responsibility. I know what I am doing is right because I know we can have fair taxes of royalty. We are talking about an industry that paid $58 billion in the last 40 years in royalty rates. They have given a lot back to this country. They have given jobs. They have paid royalty rates. I want them to pay fair royalty rates. I would never stand up and say they shouldn't, or if they haven't that they shouldn't be fined. I think they should. But we are talking about people. We are talking about jobs. We are talking about the American economy. We are talking about retirement plans that depend on stable oil companies and the oil industry.

I think fair taxation is the responsibility of Congress. That is what the Hutchison-Domenici amendment will assure—fair taxation intended by Congress.

We will have some more debate on this. I certainly hope in the end my colleagues will not be susceptible to rank demagoguery—to rhetoric that is harsh and not in any way fair. It may be fun to ask questions back and forth on the Senate floor indicating that people's motives are not the right motives or are not pure, but that doesn't add to the debate. It is our responsibility to make policy. We are going to do it.

● Mr. MCCAIN. Mr. President, the Interior Appropriations bill funds critical programs that are vital to the protection of our nation's land and natural resources and supports federal programs for Native Americans, as well as several energy and agriculture programs.

I commend the managers of this bill for their efforts to keep spending in this bill within budget limitations as required by the Balanced Budget Act of 1997. Unfortunately, I can still find in this bill and the committee report approximately $216 million in low-priority, unauthorized or unrequested spending that has not been considered in the normal merit-based review process.

In the usual fashion of appropriations bills and reports, little explanation is provided as to the merit or national priority of various projects receiving earmarks. We are left to imagine the reasons that certain projects, such the Bruneau Hot Springs Snail Conservation Committee or goose-related crop depredation projects in Washington and Oregon, are deserving of a $500,000 earmark each.

I am sure these projects are significant to the communities that would benefit from these directed funds. But we are unfairly singling out projects of parochial interest, rather than evaluating other more equally deserving projects that could be more significant to the protection of our land, forest or energy resources nationwide.

Not only do we undermine the value of our legislative process by this type of arbitrary spending, we betray the confidence of the American people who rely on our fair and equitable judgement to fund those projects of greatest need and priority. Instead, we reward their faith by choosing to provide $1 million of taxpayer funds to rehabilitate a bathhouse at Hot Springs National Park in Arkansas. I question the necessity of fixing up a public bathhouse when federal school facilities for Indian children are in a deplorable state of disrepair and ill maintenance.

In a similar fashion, $1 million is earmarked to support the Olympic Tree Program being developed by the Salt Lake Olympic committee. While our country takes great pride in hosting the international Olympics events, I find it difficult to fathom why we would expect the American people to accept the expenditure of a million dollars for this purely aesthetic purpose.

This bill also continues a disturbing trend of including legislative riders that, if enacted, will make substantive changes to current law and regulations. By using the appropriations process as a policy hammer, we are circumventing a fair and deliberative legislative review of the need for such changes. We also shortchange the interested public by eliminating their opportunity for input and participation.

I have heard from many interested parties who decry the inclusion of riders that will extend grazing permits without completion of due environmental analyses and a provision that overturns an administrative legal opinion regarding the amount of land that can be used for mining claims. I know that these are important issues in my state of Arizona, yet I am precluded from fully representing the interests of my constituents when legislative riders such as these are attached to an appropriations measure that must be passed within a very short timeframe with little to no opportunity to make changes.

Just yesterday, the Senate voted to restore Rule XVI which makes floor amendments of a policy nature out of order on an appropriations bill. I supported restoration of this Rule. Ironically, this Rule only applies to floor amendments. I believe very strongly that it should be applied to committee actions where a small minority of the Senate can act to include legislative riders on an appropriations bill without even consulting the relevant authorizing committees. I believe the Rule should be expanded to cover committee actions.

Mr. President, ensuring the protection of our nation's resources and meeting federal trust obligations to Native Americans are among our most important duties. With this type of shameful waste of taxpayer dollars and inappropriate legislative mandates on an appropriations measure, we are betraying our responsibility to spend the taxpayers' dollars responsibly and enact laws and policies that reflect the best interests of all Americans, rather than the special interests of a few.

Unfortunately, due to its length, this list of $216 million of earmarks and objectionable provisions in S. 1292, and its accompanying Senate report, cannot be printed in the RECORD. However, the list will be available on my Senate webpage.●

EAST TIMOR

Mrs. HUTCHISON. Mr. President, before I leave, I want to take a moment to also talk about one other issue. That is the issue of what is happening in Indonesia.

All of us have seen atrocities and read of atrocities in many parts of the world—most recently in Indonesia where we have seen the people of East Timor vote for independence, and they were told by the Government of Indonesia that vote would be respected. Now we see bands of militia-type people that, it is said, could be connected with the Indonesian Government going in and committing terrible acts. This is a terrible thing. It is horrible. We hate to see it.

I think there are many things that can be done.

First and foremost, we must call on Indonesia to do what they said they would do and respect the right of the people of East Timor in their independence.

I also think we should be supportive of those who are volunteering to go over there if necessary. This is where I think we can show some leadership from the United States. I would call on the President to do that. That is not to

all of a sudden start talking about sending American troops into East Timor.

I think by beginning to start bandying that around, all of a sudden you are going to start seeing people depend on American troops. I don't think we have to start talking about American troops in East Timor. I think it would be harmful if we did that because of the vast commitment we have in the Balkans right now as well as the DMZ in Korea, as well as in Japan, as well as in Europe, and other places in the world.

No one would ever walk away from the responsibility that America must shoulder as a superpower. But Australia has stepped up to the line to try to help bring an end to the chaos that I hope is temporarily erupting in East Timor. I think we should help them do that by offering logistical support but letting people volunteer.

This is a time when we can look at the areas of the world that have regional conflicts, and we can let the sophisticated countries that have quality military operations be the main part of a force in those areas.

In fact, it appears that Australia, New Zealand, and many others are volunteering to take this policekeeping mission. I think it would be wise for us to let them do that. Let them take that responsibility and offer our logistical help if they need it. But don't start bandying about the possibility of U.S. troops going in on the ground when our troops are stretched so thin—when we have had the worst recruiting year and the worst retention year since the early 1970s because our troops are in mission fatigue. They are not able to stay in top training because they are stretched so thin.

I hope the President will take this opportunity to set a U.S. policy and to work with our allies to have a division of responsibility that is fair.

If we do that, then America will be able to do what only it can uniquely do, and that is the air power that we have shown that we have in the last 6 months. Let us keep our role to responding where only we are able to keep the peace—in the Middle East, in Korea, in Japan, and in parts of Europe. Let's work with our allies for a fair responsibility sharing that will set a precedent so that we will all have the staying power to provide the critical needs in regions as they occur.

I hope President Clinton will take this opportunity to be a leader and to represent the United States and our national security issues and our national security stability. If he will do that, I think you will begin to see a foreign policy that will evolve with all of our allies sharing and keeping all of us strong by not overburdening any one of us to the detriment of all.

Thank you, Mr. President.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. BROWNBACK. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HUTCHISON). Without objection, it is so ordered.

MORNING BUSINESS

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

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

JUVENILE JUSTICE CONFERENCE

Mr. LEAHY. Mr. President, so far, we have had one meeting of a conference to resolve differences in the Senate and House passed juvenile justice bills. I commented at that conference meeting, on August 5, 1999, about how unfortunate it was that the leadership in the Congress delayed action on the conference all summer. In fact, the conference met less than 24 hours before the Congress adjourned for its long August recess.

Unfortunately, we did not conclude our work but left this conference and important work on the juvenile justice legislation to languish for the last five weeks of the summer.

Due to the delays in convening this conference and then its abrupt adjournment before completing its work, we knew before our August recess that the programs to enhance school safety and protect our children and families called for in this legislation would not be in place before school began.

The fact that American children are starting school without Congress finishing its work on this legislation is wrong.

We had to overcome technical obstacles and threatened filibusters to begin the juvenile justice conference. It is no secret that there are those in both bodies who would prefer no action and no conference to moving forward on the issues of juvenile violence and crime. Now that we have convened this conference, we should waste no more time to get down to business and finish our work promptly.

We have seen the kind of swift conference action the Congress is capable of doing with the Y2K law that provides special legal protections to businesses. That Y2K bill was passed by the Senate almost a month after the HATCH-LEAHY juvenile justice bill, on June 16th, but was sent to conference, worked out, and sent to the President's desk within two short weeks. That bill is already law. The example set by the Y2K legislation shows that if we have the will, there is a way to get legislation done and done quickly.

Those of us serving on the conference and many who are not on the conference have worked on versions of this legislation for several years now. We spent two weeks on the Senate floor in May considering almost 50 amendments to S. 254, the Senate juvenile justice bill, and making many improvements to the underlying bill. We worked hard in the Senate for a strong bipartisan juvenile justice bill, and we should take this opportunity to cut through our remaining partisan differences to make a difference in the lives of our children and families.

I appreciate that one of the most contentious issues in this conference is guns, even though sensible gun control proposals are just a small part of the comprehensive legislation we are considering. The question that the majority in Congress must answer is what are they willing to do to protect children from gun violence?

A report released two months ago on juvenile violence by the Justice Department concludes that, ''data . . . indicate that guns play a major role in juvenile violence.'' We need to do more to keep guns out of the hands of children who do not know how to use them or plan to use them to hurt others.

Law enforcement officers in this country need help in keeping guns out of the hands of people who should not have them. I am not talking about people who use guns for hunting or for sport, but about criminals and unsupervised children. An editorial that appeared today in the Rutland Daily Herald summed up the dilemma in this juvenile justice conference for the majority:

> Republicans in Congress have tried to follow the line of the National Rifle Association. It will be interesting to see if they can hold that line when the Nation's crime fighters let them know that fighting crime also means fighting guns.

Every parent, teacher and student in this country was concerned this summer about school violence over the last two years and worried about when the next shooting may occur. They only hope it does not happen at their school or involve their children. This an unacceptable and intolerable situation.

We all recognize that there is no single cause and no single legislative solution that will cure the ill of youth violence in our schools or in our streets. But we have an opportunity before us to do our part. We should seize this opportunity to act on balanced, effective juvenile justice legislation, and measures to keep guns out of the hands of children and away from criminals. I hope we get to work soon and finish what we started in the juvenile justice conference. We are already tardy.

DR. PAUL VAN de WATER

Mr. DOMENICI. Mr. President, I would like to take a moment to talk

about someone who has provided invaluable assistance to me and the Budget Committees over the years—Dr. Paul Van de Water, the Assistant Director for Budget Analysis of the Congressional Budget Office. Dr. Van de Water is leaving the Congressional Budget Office this week, after 18 years of distinguished service to the Congress, the budget process, and the American public. He will become the Senior Advisor to the Deputy Commissioner for Policy at the Social Security Administration.

Paul Van de Water came to CBO in 1981, the same year I assumed Chairmanship of the Senate Budget Committee. For years he headed the Projections Unit—doing the bread and butter work involved with producing Congressional budgets. Without CBO, I could not have done my job, and Paul contributed mightily to almost every CBO analysis we needed. He has served over and above the call of duty, spending nights and weekends working on our two Budget Committees' requests. I am sure he will never forget the two weeks spent at Andrews Air Force Base during the 1990 Budget Summit. We will not soon forget his sharp analytical skills, his appreciation of Congressional demands, and the institutional consistency he has provided CBO over the last 18 years. Dr. Van de Water has truly been an exceptional public servant.

I know I am speaking for all Members who have ever served on the Budget Committees of the House and Senate, and all our staff, when I express our gratitude to Paul for his contributions to this Congressional budget process. I join everyone in congratulating him on his service to the country and wishing him luck in his future work at the Social Security Administration.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, September 7, 1999, the Federal debt stood at $5,654,526,718,244.87 (Five trillion, six hundred fifty-four billion, five hundred twenty-six million, seven hundred eighteen thousand, two hundred forty-four dollars and eighty-seven cents).

Five years ago, September 7, 1994, the Federal debt stood at $4,683,504,000,000 (Four trillion, six hundred eighty-three billion, five hundred four million).

Ten years ago, September 7, 1989, the Federal debt stood at $2,861,363,000,000 (Two trillion, eight hundred sixty-one billion, three hundred sixty-three million).

Fifteen years ago, September 7, 1984, the Federal debt stood at $1,572,266,000,000 (One trillion, five hundred seventy-two billion, two hundred sixty-six million) which reflects a debt increase of more than $4 trillion—$4,082,260,718,244.87 (Four trillion, eighty-two billion, two hundred sixty million, seven hundred eighteen thousand, two hundred forty-four dollars and eighty-seven cents) during the past 15 years.

ROBERT RUBIN

Mr. DODD. Mr. President, I rise today to pay tribute to Secretary of the Treasury Robert Rubin. Sworn in on January 10, 1995, as the 70th Secretary of the Treasury, Bob Rubin resigned earlier this month.

Prior to serving in the administration, Secretary Rubin spent 26 years at Goldman, Sachs, & Co., starting as an associate and leaving as co-chairman and co-senior partner. We have had few Secretaries of the Treasury who have brought such knowledge and expertise to the job.

His tenure as Secretary was marked by a steady, even-handed approach to economic policy in this country. He served in a critical time in our Nation's history. On his watch, the United States has dramatically increased its role as a leader in the global marketplace. The past 4 years have been marked by turbulent economic times, and with his leadership we have weathered numerous international financial storms, including the Asian financial crisis, the Mexico peso devaluation, and the ongoing economic turmoil of the former Soviet Union.

Under Secretary Rubin's leadership, we have maintained fiscal discipline. In 1992, the budget deficit was $290 billion, the largest dollar deficit on record. Last year, the budget surplus was nearly $70 billion, the largest dollar surplus on record.

Under Secretary Rubin, we have had a robust economy with strong job creation, inflation virtually nonexistent, and unemployment at its lowest rate in 29 years. His economic accomplishments are staggering.

Over the past 4 years, 18.4 million new jobs have been created. Also, the unemployment rate was 4.3 percent in April 1999, which is the lowest in 29 years. At the time of Secretary Rubin's start in 1992, unemployment was at 7.5 percent. In fact, the unemployment rate has been below 5 percent for 22 months in a row—the lowest sustained unemployment rate in 29 years.

After adjusting for inflation, wages have increased almost 2.7 percent in 1998—that is the fastest real wage growth in more than two decades and the third year in a row—the longest sustained growth since the early 1970s.

Inflation is the lowest since the 1950s. In fact, inflation was at 1.4 percent for the beginning of 1999.

I think the greatest tribute to Secretary Rubin has been the reaction of the financial markets to his departure. Our financial markets have responded with continued stable growth. Investors, both domestic and abroad, understand that the only way that Bob Rubin would consent to leave his post is if he felt that the U.S. economy was healthy and heading in the right direction.

While I am saddened with Secretary Rubin's departure, I can think of no better replacement to fill the top post at Treasury than Larry Summers. I believe that it is critical that there be a smooth transition from one Treasury Secretary to another. Secretary Summers' leadership will provide a seamless transition and continuity to ensure stability in our financial markets.

Secretary Summers' extensive academic expertise and tenure as Deputy Treasury Secretary make him an invaluable addition to the Cabinet. I am confident of his leadership ability and a strong believer that he will make an excellent Secretary of the Treasury.

Bob Rubin has represented the best in public service, and our nation truly owes him a debt of gratitude. His tireless leadership helped put our fiscal house in order, but—just as important—helped forge a strong and vibrant economy that has created jobs and economic opportunity for millions of Americans. With his impressive financial expertise and background, he uniquely understood that government and business could work together so that everyone could benefit from economic expansion. And though he fought to make our nation a leader in the global marketplace—Bob Rubin ultimately understood the most important street in our nation was not just Wall Street, but Main Street.

America is better off today because of Bob Rubin.

I would like to thank him for his service to our nation and wish him all the best in his next endeavor. I would also like to congratulate Secretary Summers on his new position. I am confident of his success and I look forward to continuing to work with him.

THE 40TH ANNIVERSARY OF HAWAII'S STATEHOOD

Mr. INOUYE. Mr. President, on August 21, 1999, the State of Hawaii celebrated its 40th anniversary as the 50th State of this great Nation.

Statehood for Hawaii was not a sudden or impulsive idea. During the debate on statehood for Hawaii in the House of Representatives in March 1959, there were no fewer than 88 bills pending that would have, if enacted, admitted Hawaii as a State. The people of Hawaii, through our territorial legislature, had petitioned the Congress for statehood on 17 different occasions.

Back in the fifties, times were very different. In those days, the concept of statehood for a group of tiny islands in the middle of the Pacific Ocean seemed far-fetched to many. However, the admission of Alaska removed the doubts

of those who felt the United States should be one contiguous land mass.

After nearly 40 years of Congressional debates, investigations, hearings, and visitations, we achieved what so many of us in the Territory of Hawaii deeply desired. The State of Hawaii has come a long way since 1959 and I am very proud of the achievements of the people of Hawaii. I believe Hawaii has proven to be a credit to our Nation. I would like to take this opportunity to give my colleagues some insight into the tremendous changes that have taken place in the 50th State over the past 40 years.

Hawaii has the reputation of being the ''Health State,'' and that reputation is well deserved. We lead the Nation in providing access to health care with more than 96 percent of the Hawaii population having health insurance. Hawaii leads the Nation with the lowest number of deaths from breast cancer, and ranks second in the Nation for the lowest number of deaths due to all cancers, heart disease, and diabetes.

Our territory of 600,000 American citizens in 1959 has more than doubled in 40 years. No territory, with the exception of Oklahoma, ever possessed a population as large as Hawaii's at the time it sought statehood in the Union. Consider these facts. In 1959, Hawaii contributed into the U.S. Treasury $166 million in taxes, putting Hawaii ahead of 10 States in taxpayer contributions. The per capita income of Hawaii was $1,821, ranking it 25th amongst the States, and the total income was more than in eight States. Current per capita income is more than 14 times that original amount, ranking Hawaii 15th amongst the States. Further, last year the people of Hawaii contributed $2.7 billion to Federal coffers in the form of taxes.

In 1959, sugar was king; 974,000 tons of sugar were produced in Hawaii. Though sugar is no longer king in Hawaii, agricultural has and continues to be a significant contributor to the state's economy providing nearly $3 billion in sales and more than 40,000 jobs. Sugar remains an important crop and pineapple production has been stable for many years. Additionally, diversified agriculture, including flowers, fruits, vegetables, macadamia nuts, coffee, and livestock, is a very bright spot in our State's economy. It is one of the few economic sectors experiencing growth. In 1987, diversified crops surpassed sugar in farm fate value in Hawaii and never looked back. After its pristine beaches and warm tropical waters, Hawaii's attraction lies in its green space. Without agricultural production, much of this lush green environment, many come to expect of Hawaii, would be lost.

With sugar's downsizing, Hawaii is taking advantage of an opportunity that has been available in the islands in 150 years, that is, agricultural land is available in large quantities. The State is now taking an unobstructed look at agriculture in its broadest sense. Beyond traditional products, Hawaii and its year-round growing capability is ripe for development of high value products like herbal dietary supplements, cosmetics, ethical drugs, specialized fruits and vegetables, and natural industrial products. There is also potential for agriculture as a service industry in the areas of bioremediation of contaminants, carbon sequestering forest production, seed testing and propagation for use worldwide, and development of innovative pest management strategies.

The State of Hawaii has become a world class player in the science and technology arena. Manua Kea, on the Island of Hawaii, is known internationally as the best site for optical, infrared, and millimeter/submillimeter astronomy. It is the chosen site for all four of the new generation of 8- or 10-meter class telescopes now under construction in the Northern Hemisphere. The observatories include: the Gemini project, the Keck Observatory, Canada-France-Hawaii, the Joint Astronomy Center, Subaru, Smithsonian, and the California Institute of Technology. Eight nations are represented atop Manua Kea with the United States' presence most prominent.

The Maui Research and Technology Park is fast earning a reputation as one of the world's most sophisticated high technology centers. MRTP is home to the Maui High Performance Computing Center, the newest of 12 national supercomputing resource centers.

The University of Hawaii's successful cloning of three generations of mice from adult cells stunned the international scientific community and has brought significant prestige and attention to the University and the State.

Forty years ago, when the Members of Congress debated the suitability of Hawaii as a state, questions were raised about our Americanism. During World War II, the loyalty and patriotism of Americans of Japanese ancestry living in Hawaii were called into question. When we finally received the call to duty in early 1943, 1,500 Hawaii volunteers were sought by the U.S. Army. In less than a week, 15,000 had volunteered, and Hawaii was not yet a State.

We continue our strong commitment to military service. Hawaii is home to all the services, and we continue to demonstrate our support for our nation's military as a member of our Hawaii community. We are home to the USS *Missouri* and the USS *Arizona* memorials which symbolize the beginning and end of World War II, and pay tribute to the many brave men and women who have their lives for our nation. Hawaii has been bestowed with this high honor of stewardship that we will proudly uphold.

Tripler Army Medical Center is a leader in medical care, medical education, and research. It has also earned national recognition for its work in telehealth technology applications, most appropriately called AKAMAI which in Hawaiian means ''brilliant or smart.'' The state-of-the-art Spark M. Matsunaga Veterans Medical Center will open in early 2000 at Tripler, and the two agencies have worked collaboratively to integrate services and information systems, providing both active duty personnel and veterans with the best medical care available anywhere. We are also very proud of the Center of Excellence in Disaster Management and Humanitarian Assistance, a military-civilian partnership that facilitates joint disaster response operations through research, education, and information management.

It is clear that none of the concerns expressed in those years preceding statehood have become reality. Hawaii did not fall to communism. Hawaii's distance has not diminished the strength of the United States, but in fact has enhanced its military and economic power into the Asia-Pacific region. Further, Hawaii remains one of the greatest examples of a multiethnic society living in relative peace.

I have had the privilege of serving the people of Hawaii in the U.S. Congress since statehood. Over these years, the people of Hawaii have proven their unfailing loyalty and devotion to America's ideals. Hawaii's achievements are a testament to our desire to continually share the best of who we are and what we have to offer our fellow Americans.

So, as we celebrate 40 years of statehood, Hawaii looks toward the new millennium with pride, dignity and the hope for an even brighter future.

EXPLANATION OF ABSENCE

Mr. DODD. Mr. President, on Friday, July 16, 1999, I was necessarily absent during Senate action on rollcall vote No. 211, a motion to invoke cloture on Amendment No. 297, a Lott amendment in the nature of a substitute to S. 557, an original bill to provide guidance for the designation of emergencies as a part of the budget process.

Had I been present for the vote, I would have voted against cloture.

RENOMINATION OF CHAIRMAN LINDA J. MORGAN TO THE SURFACE TRANSPORTATION BOARD

Mr. HOLLINGS. Mr. President, I rise today to applaud the renomination by the President of Linda J. Morgan to another term with the Surface Transportation Board, and his express intention to re-designate her as Chairman. Linda Morgan, who was with us on the Commerce Committee for several years, has been Chairman of the Board

and its predecessor, the Interstate Commerce Commission, since 1995. Many times before, I have publicly praised the outstanding job she has done in steering the Board and the transportation sector through some very rough seas. Her intellect, knowledge, competence and experience continue to be indispensable to the resolution of the many issues that confront this key segment of the economy. And she has exhibited the kind of integrity, fairness, spirit, and work ethic that are essential to the proper exercise of the Board's important adjudicative functions.

With this reappointment, the Senate has the opportunity to approve a first-rate leader and public servant—one of the best and brightest. I know that I will have the cooperation of all of my colleagues on the Commerce Committee and in the full Senate in expeditiously moving this outstanding nomination through to confirmation.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting two treaties and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT—AUGUST 11, 1999

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 7, 1999, the Secretary of the Senate, on August 11, 1999, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 211. An act to designate the Federal building and United States courthouse located at 920 West Riverdale Avenue in Spokane, Washington as the ''Thomas S. Foley United States Courthouse'', and the plaza at the south entrance of such building and courthouse as the ''Walter F. Horan Plaza''.

H.R. 1219. An act to amend the Miller Act, relating to payment protections for persons providing labor and materials for Federal construction projects.

H.R. 1568. An act to provide technical, financial, and procurement assistance to veteran owned small business, and for other purposes.

H.R. 1664. An act providing authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, and for other purposes.

H.R. 1905. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, and for other purposes.

H.R. 2565. An act to clarify the quorum requirement for the Board of Directors of the Export-Import Bank of the United States.

S. 606. An act for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), and for other purposes.

S. 1543. An act to amend the Agricultural Adjustment Act of 1938 to release and protect the release of tobacco production and marketing information.

S. 1546. An act to amend the International Religious Freedom Act of 1998 to provide additional administrative authorities to the United States Commission on International Religious Freedom, and to make technical corrections to that Act, and for other purposes.

Under the authority of the order of the Senate of January 7, 1999, the enrolled bills were signed, during the adjournment of the Senate, by the President pro tempore (Mr. THURMOND).

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT—AUGUST 12, 1999

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 7, 1999, the Secretary of the Senate, on August 12, 1999, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 507. An act to provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Under the authority of the order of the Senate of January 7, 1999, the enrolled bill was signed, during the adjournment of the Senate, by the President pro tempore (Mr. THURMOND).

MESSAGES FROM THE HOUSE

At 12:13 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2670. An act making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

H.R. 2724. An act to make technical corrections of the Water Resources Development Act of 1999.

The messages also announced that the House insists upon its amendments to the bill (S. 1467) to extend the funding levels for aviation programs for 60 days, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as the managers of the conference on the part of the House:

From the Committee on Transportation and Infrastructure, for consideration of the Senate bill and the House amendment, and modifications committed to conference: Mr. SHUSTER, Mr. YOUNG of Alaska, Mr. PETRI, Mr. DUNCAN, Mr. EWING, Mr. HORN, Mr. QUINN, Mr. EHLERS, Mr. BASS, Mr. PEASE, Mr. SWEENEY, Mr. OBERSTAR, Mr. RAHALL, Mr. LIPINSKI, Mr. DEFAZIO, Mr. COSTELLO, Ms. DANNER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MILLENDER-MCDONALD, and Mr. BOSWELL.

From the Committee on the Budget, for consideration of titles IX and X of the House amendment, and modifications committed to conference: Mr. CHAMBLISS, Mr. SHAYS, and Mr. SPRATT.

From the Committee on Ways and Means, for consideration of title XI of the House amendment, and modifications committed to conference: Mr. NUSSLE, Mr. HULSHOF, and Mr. RANGEL.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 2724. An act to make technical corrections to the Water Resources Development Act of 1999; to the Committee on Environment and Public Works.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on August 11, 1999, he had presented to the President of the United States, the following enrolled bills:

S. 606. An act for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), and for other purposes.

S. 1543. An act to amend the Agricultural Adjustment Act of 1938 to release and protect the release of tobacco production and marketing information.

S. 1546. An act to amend the International Religious Freedom Act of 1998 to provide additional administrative authorities to the United States Commission on International Religious Freedom, and to make technical corrections to that Act, and for other purposes.

The Secretary of the Senate reported that on August 12, 1999, he had presented to the President of the United States, the following enrolled bill:

S. 507. An act to provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–4595. A communication from the Commissioner, Bureau of Reclamation, Department of the Interior, transmitting, a draft of proposed legislation relative to the Bureau's dam safety program; to the Committee on Energy and Natural Resources.

EC–4596. A communication from the Secretary of Agriculture, transmitting, a draft of proposed legislation relative to educational assistance, technical assistance, and research services to nonagricultural cooperatives of rural residents; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4597. A communication from the Secretary of Health and Human Services, transmitting, a draft of proposed legislation relative to the Refugee and Entrant Assistance Program; to the Committee on the Judiciary.

EC–4598. A communication from the Attorney, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Motor Vehicle Content Labeling Calculation'' (RIN2127–AH33), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4599. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled ''Termination of Dial-Up Service Contract Filing System'' (FMC Docket No. 99–12), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4600. A communication from the Associate Bureau Chief, Wireless Telecommunication Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Second Report and Order—Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems'' (FCC 99–96, CC Docket No. 94–102), received July 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4601. A communication from the Deputy Chief, Industry Analysis Division, Common Carrier Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''1998 Biennial Regulatory Review—Streamlined Contributor Reporting Requirements Associated with Administration of Telecommunications Relay Services, North American Numbering Plan, Local Number Portability, and Universal Service Support Mechanisms'' (FCC 99–175, CC Docket No. 98–171), received July 28, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4602. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands'', received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4603. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands'', received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4604. A communication from the Deputy Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment 1 to the Atlantic Salmon Fishery Management Plan'' (RIN0648–AM13), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4605. A communication from the Deputy Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement the Application and Transfer Process for the License Limitation Program for the Groundfish and Crab Fisheries Off Alaska'' (RIN0648–AK69), received August 3, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4606. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.606(b) of the Commission's Rules, Table of Allotments, Television Broadcast Stations and Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Buffalo, New York)'' (MM Docket No. 98–175), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4607. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of FM Allotments, FM Broadcast Stations; Castle Dale, Huntington, Hurricane, Mona, Monticello and Wellington, Utah; Groveland and Lovelady, Texas; Midland, Maryland'' (MM Docket Nos. 99–124, 125, 126, 128, 129, 130, 132, 135 and 138), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4608. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b) , Table of Allotments, FM Broadcast Stations; Narrowsburg, NY, Allen, NE, Overton, NV, Wells, NV, and Caliente, NV'' (MM Docket Nos. 99–43, 99–82, 99–85, 99–88, 99–89), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4609. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations; DeRidder, Louisiana'' (MM Docket No. 99–209; RM–9406), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4610. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species (HMS) Fisheries; Fishery Management Plan (FMP), Plan Amendment, and Consolidation of Regulations, Technical Amendment'' (RIN0648–AJ67) (I.D.052699A), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4611. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement Framework Adjustment 30 and Correct Framework Adjustment 27 to the Northeast Multispecies Fishery'' (RIN0648–AM65), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4612. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Special Anchorage Areas/Anchorage Grounds Regulations; St. Johns River, Jacksonville, Florida (CGD07–99–023)'' (RIN2115–AA98) (1999–0004), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4613. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Tennessee River, TN (CGD08–99–047)'' (RIN2115–AE47) (1999–0034), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4614. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Sacramento River, California Department of Transportation Highway Bridge at Mile 90.1 at Knights Landing, Between Sutter and Yolo Counties (CGD11–99–012)'' (RIN2115–AE47) (1999–0035), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4615. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; National Youth Conference Air Show Ohio River Mile 602.0–605.0; Louisville, KY(CGD08–99–046)'' (RIN2115–AE46) (1999–0031), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4616. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Aurora APR Powerboat Races Ohio River Mile 496.5–498.5; Aurora, IN (CGD08–99–048)'' (RIN2115–AE46) (1999–0030), received August 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4617. A communication from the Associate Chief, International Bureau, Telecom Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of 1998 Biennial Review—Review of Accounts Settlement in the Maritime Mobile and Maritime Mobile-Satellite Services and Withdrawal of the Commission as an Accounting Authority in the Maritime Mobile-Satellite Radion Services'' (IB Docket No. 98–96, FCC 99–150), received August 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4618. A communication from the Legal Technician, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Uniform Procedures for State Highway Safety Programs'' (RIN2127–AH53), received August 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4619. A communication from the Legal Technician, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''State Incentives to

Prevent Operation of Motor Vehicles by Intoxicated Persons'' (RIN2127–AH39), received August 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4620. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments (143); Amdt. No. 417'' (RIN2120–AA63) (1999–0003), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4621. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Rotorcraft Load Combination Safety Requirements'' (RIN2120–AG59), received August 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4622. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Name Change of Guam Island Agana NAS, GU Class D Airspace Area; Docket No. 99–AWP–9 (8–2/8–5)'' (RIN2120–AA66) (1999–0246), received August 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4623. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (9); Amdt. No. 1941 (7–30/7–29)'' (RIN2120–AA65) (1999–0039), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4624. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (56); Amdt. No. 1942 (7–30/7–29)'' (RIN2120–AA65) (1999–0038), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4625. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (28); Amdt. No. 1943 (7–30/7–29)'' (RIN2120–AA65) (1999–0037), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4626. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Taylor, AZ; Correction ; Docket No. 97–AWP–2 (7–29/7–29)'' (RIN2120–AA66) (1999–0244), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4627. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Correction of Class D Airspace; Bullhead City, AZ; Direct Final Rule; Request for Comments; Docket No. 99–AWP–8 (7–28/7–29)'' (RIN2120–AA66) (1999–0245), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4628. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Industrie Model A300–600, Series; Docket No. 98–NM–62 (7–28/7–29)'' (RIN2120–AA64) (1999–0284), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4629. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–600, Series Airplanes; Request for Comments; Docket No. 98–NM–155 (7–27/7–29)'' (RIN2120–AA64) (1999–0287), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4630. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Pratt and Whitney T9D Series Turbofan Engines; Request for Comments; Recission; Docket No. 98–ANE–21 (7–30/7–29)'' (RIN2120–AA64) (1999–0285), received July 29, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4631. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model CL–215–1A10 and CL–215–6B11 Series Airplanes; Docket No. 98–NM–37 (8–2/8–5)'' (RIN2120–AA64) (1999–0292), received August 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4632. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: British Aerospace Model BAC 1–11200 and 400 Series Airplanes; Docket No. 98–NM–47 (8–2/8–5)'' (RIN2120–AA64) (1999–0291), received August 4, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4633. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Learjet Model 23, 24, 25, 28, 29, 31, 55, and 60 Series Airplanes; Docket No. 98–NM–372 (8–2/8–5)'' (RIN2120–AA64) (1999–0290), received August 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4634. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Saab Model SAAB 2000 Series Airplanes; Docket No. 97–NM–151 (8–3/8–5)'' (RIN2120–AA64) (1999–0289), received August 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4635. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: The New Piper Aircraft, Inc. Model PA–46–350P Airplanes; Docket No. 99–CE–01 (8–4/8–5)'' (RIN2120–AA64) (1999–0288), received August 5, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4636. A communication from the Chairman, Federal Communications Commission, transmitting, pursuant to law, a report relative to the Commission's auction expenditure package; to the Committee on Commerce, Science, and Transportation.

EC–4637. A communication from the Chairman, Federal Communications Commission, transmitting, pursuant to law, a report entitled ''Fourth Annual Report and Analysis of Competitive Market Conditions With Respect to Commercial Mobile Services'' for calendar year 1998; to the Committee on Commerce, Science, and Transportation.

EC–4638. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services under a contract in the amount of $50,000,000 or more with Japan; to the Committee on Foreign Relations.

EC–4639. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services under a contract in the amount of $50,000,000 or more with the United Kingdom; to the Committee on Foreign Relations.

EC–4640. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services under a contract in the amount of $50,000,000 or more with the United Kingdom; to the Committee on Foreign Relations.

EC–4641. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services under a contract in the amount of $50,000,000 or more with Finland; to the Committee on Foreign Relations.

EC–4642. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense articles and defense services under a contract in the amount of $50,000,000 or more with Australia, Canada, Denmark, Germany, Greece, The Netherlands, Norway, Spain, and Turkey; to the Committee on Foreign Relations.

EC–4643. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense articles and defense services under a contract in the amount of $50,000,000 or more with Japan; to the Committee on Foreign Relations.

EC–4644. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense articles or defense services under a contract in the amount of $50,000,000 or more with France; to the Committee on Foreign Relations.

EC–4645. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense articles or defense services under a contract in the amount of $50,000,000 or more with Greece; to the Committee on Foreign Relations.

EC–4646. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense articles and defense services under a contract in the amount of $50,000,000 or more with Greece; to the Committee on Foreign Relations.

EC–4647. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing and Technical Assistance Agreement for the export of defense services under a contract in the amount of $50,000,000 or more with the Netherlands; to the Committee on Foreign Relations.

EC–4648. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement with Germany; to the Committee on Foreign Relations.

EC–4649. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement with Germany; to the Committee on Foreign Relations.

EC–4650. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Designation of the State of Alaska Under the Federal Meat Inspection Act and the Poultry Products Inspection Act'', received August 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4651. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Fee Increase for Inspection Services'' (RIN0583–AC54), received August 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4652. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Viruses, Serums, Toxins, and Analogous Products and Patent Term Restoration; Nonsubstantive Technical Changes'' (Docket No. 97–117–1), received August 5, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4653. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Glufosinate Ammonium; Pesticide Tolerances for Emergency Exemptions'' (FRL #6092–8), received August 6, 1999; to the Committee on Environment and Public Works.

EC–4654. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''OMB Approvals Under the Paperwork Reduction Act Relating to the Federal Test Procedures for Emissions From Motor Vehicles; Technical Amendment'' (FRL #6409–2), received August 5, 1999; to the Committee on Environment and Public Works.

EC–4655. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of the Implementation Plans; Minnesota'' (FRL #6414–9), received August 6, 1999; to the Committee on Environment and Public Works.

EC–4656. A communication from the Acting Assistant Attorney General, transmitting, pursuant to law, the annual report of the Office of the Police Corps and Law Enforcement Education for fiscal year 1998; to the Committee on the Judiciary.

EC–4657. A communication from the Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Adding Portugal, Singapore and Uruguay to the List of Countries Authorized to Participate in the Visa Waiver Pilot Program'' (RIN1115–AF99) (INS No. 20002–99), received August 9, 1999; to the Committee on the Judiciary.

EC–4658. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–4659. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Taxpayer Identification Numbers and Commercial and Government Entity Codes'' (DFARS Case 98–D027), received August 5, 1999; to the Committee on Armed Services.

EC–4660. A communication from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Office of the Secretary, Department of the Air Force, transmitting, pursuant to law, a report relative to a cost comparison of switchboard operations in the Air Mobility Command; to the Committee on Armed Services.

EC–4661. A communication from the Chief Counsel, Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''UNITA (Angola) Sanctions Regulations: Implementation of Executive Orders 13069 and 13098'' (31 CFR Part 590), received August 6, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4662. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations; 64 FR 41315; 07/30/99'', received August 5, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4663. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations; 64 FR 41317; 07/30/99'', received August 5, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4664. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations; 64 FR 41306; 07/30/99'' (Doc. # FEMA–7292), received August 5, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4665. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Multiyear Contracting'' (DFARS Case 97–D308), received August 5, 1999; to the Committee on Armed Services.

EC–4666. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''National Flood Insurance Program (NFIP); Group Flood Insurance Policy; 64 FR 41305; 07/30/99'' (RIN3067–AC35), received August 5, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4667. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations; 64 FR 41312; 07/30/99'', received August 5, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4668. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations; 64 FR 41309; 07/30/99'', (Doc. #FEMA–7293), received August 5, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4669. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''National Flood Insurance Program (NFIP); Insurance Coverage and Rates; 64 FR 41825; 08/02/99'' (RIN3067–AD00), received August 5, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4670. A communication from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Technical Corrections to the Customs Regulations'' (R.P. 98–13), received August 5, 1999; to the Committee on Finance.

EC–4671. A communication from the Chief, Regulations Branch, U.S. Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Detention of Merchandise'' (RIN1515–AB75), received August 5, 1999; to the Committee on Finance.

EC–4672. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Examples of Corrections to Employee Plans'' (Rev. Proc. 99–31), received August 5, 1999; to the Committee on Finance.

EC–4673. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''TD 8832: Exception from Supplemental Annuity Tax on Railroad Employers'' (RIN1545–AT56), received August 5, 1999; to the Committee on Finance.

EC–4674. A communication from the Chair, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled ''Rethinking Medicare's Payment Policies for Graduate Medical Education and Teaching Hospitals''; to the Committee on Finance.

EC–4675. A communication from the Secretary of Defense, transmitting, the report of

a retirement; to the Committee on Armed Services.

EC–4676. A communication from the Under Secretary of Defense for Acquisition and Technology, transmitting, pursuant to law, a report relative to hydrocarbon fuels used by the DoD; to the Committee on Armed Services.

EC–4677. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, a report relative to military technician programs in the Reserve components of the Army and the Air Force; to the Committee on Armed Services.

EC–4678. A communication from the Director, Administration and Management, Office of the Secretary of Defense, transmitting, pursuant to law, a report relative to printing and duplicating services procured in-house or from external sources during fiscal year 1998; to the Committee on Armed Services.

EC–4679. A communication from the Alternate OSD Federal Register Liaison Officer, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''CHAMPUS; Revisions to the Eligibility Requirements'' (RIN0720–AA51), received August 18, 1999; to the Committee on Armed Services.

EC–4680. A communication from the Alternate OSD Federal Register Liaison Officer, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''CHAMPUS; Prosthetic Devices'' (RIN0720–AA49), received August 18, 1999; to the Committee on Armed Services.

EC–4681. A communication from the Director Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Oral Attestation of Security Responsibilities'' (DFARS Case 99–D006), received August 18, 1999; to the Committee on Armed Services.

EC–4682. A communication from the Director Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Fiscal Year 2000 Contract Action Reporting Requirements'' (DFARS Case 99–D011/98–D017), received August 12, 1999; to the Committee on Armed Services.

EC–4683. A communication from the Director, Administrative Office of United States Courts, transmitting, pursuant to law, the actuarial reports on the Judicial Retirement System, the Judicial Officers' Retirement Fund, the Judicial Survivors' Annuities System, and the Court of Federal Claims Judges' Retirement System for the plan year ended September 30, 1997; to the Committee on Governmental Affairs.

EC–4684. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to additions to and deletions from the Procurement List, received August 10, 1999; to the Committee on Governmental Affairs.

EC–4685. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to an addition to the Procurement List, received August 18, 1999; to the Committee on Governmental Affairs.

EC–4686. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Voting Rights Program'' (RIN3206–AI77), received August 10, 1999; to the Committee on Governmental Affairs.

EC–4687. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled ''Auditor's Examination of the Practice of Placing Pretrial Defendants in District Halfway Houses and the Resulting Problem of Persistent Escapes''; to the Committee on Governmental Affairs.

EC–4688. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a request from the Government of Egypt to permit the use of Foreign Military Financing for the sale and limited coproduction of military hardware; to the Committee on Foreign Relations.

EC–4689. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC–4690. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Cost of Incarceration Fee'' (RIN1120–AA75), received August 10, 1999; to the Committee on the Judiciary.

EC–4691. A communication from the General Counsel, National Tropical Botanical Garden, transmitting, pursuant to law, the audit report for calendar year 1998; to the Committee on the Judiciary.

EC–4692. A communication from the Deputy Executive Secretary, Health Care Financing Administration, transmitting, pursuant to law, the report of a rule entitled ''Revision of the Procedures for Requesting Exceptions to Cost Limits for Skilled Nursing Facilities and Elimination of Classifications (HCFA–1883–F)'' (RIN0938–AH73), received August 10, 1999; to the Committee on Finance.

EC–4693. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Ruling 99–36, Determination of Interest Rates—October 1999'' (Revenue Ruling 99–36), received August 18, 1999; to the Committee on Finance.

EC–4694. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 99–42, Elimination of Magnetic Tape Program for Federal Tax Deposits'' (Notice 99–42), received August 12, 1999; to the Committee on Finance.

EC–4695. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 99–41, Updated List of Designated Private Delivery Services Under Section 7502'' (Notice 99–41), received August 12, 1999; to the Committee on Finance.

EC–4696. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice 99–34, Depreciation System, Comments Requested'' (OGI–113072–99), received August 12, 1999; to the Committee on Finance.

EC–4697. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement of Rule to be Included in Final Regulations under Section 897(c) of the Code'' (Notice 99–43), received August 18, 1999; to the Committee on Finance.

EC–4698. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Consolidated Returns-Consolidated Overall Foreign Losses and Separate Limitation Losses'' (RIN1545–AW08) (T.D. 8833), received August 18, 1999; to the Committee on Finance.

EC–4699. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Specifications for Filing 1999 Forms 1098, 1099, 5498, and W–2G, Magnetically or Electronically'' (Revenue Procedure 99–29), received August 12, 1999; to the Committee on Finance.

EC–4700. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Furnishing Identifying Number of Income Tax Return Preparer'' (RIN1545–AX27), received August 12, 1999; to the Committee on Finance.

EC–4701. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Inbound Grantor Trusts With Foreign Grantors'' (RIN1545–AU90) (TD8831), received August 9, 1999; to the Committee on Finance.

EC–4702. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of Distributions to Foreign Persons Under Section 367(e) and 367(e)(2)'' (RIN1545–AU22) (TD8834), received August 9, 1999; to the Committee on Finance.

EC–4703. A communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the Helium Privatization Act of 1996; to the Committee on Energy and Natural Resources.

EC–4704. A communication from the Assistant General Counsel for Regulatory Law, Office of Procurement and Assistance Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Use of Facility Contractor Employees for Services to DOE in the Washington, D.C. Area'' (DOE N 350.5), received August 10, 1999; to the Committee on Energy and Natural Resources.

EC–4705. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Texas Regulatory Program'' (SPATS #TX–041–FOR), received August 9, 1999; to the Committee on Energy and Natural Resources.

EC–4706. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Indiana Regulatory Program'' (SPATS #IN–129–FOR), received August 9, 1999; to the Committee on Energy and Natural Resources.

EC–4707. A communication from the Director, Office of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Reconsideration of Denied Claims'' (RIN2900–AJ03), received August 18, 1999: to the Committee on Veteran's Affairs.

EC–4708. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Community Food and Nutrition Program for fiscal years 1996 and 1997; to the Committee on Health, Education, Labor, and Pensions.

EC–4709. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the National Breast and Cervical Cancer Early Detection Program for fiscal year 1996; to the Committee on Health, Education, Labor, and Pensions.

EC–4710. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Health, United States, 1999''; to the Committee on Health, Education, Labor, and Pensions.

EC–4711. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Secondary Direct Food Additives Permitted in Food for Human Consumption'' (98F–0014), received August 18, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4712. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted for Direct Addition to Food for Human Consumption; Petroleum Wax'' (96F–0415), received August 18, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4713. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted for Direct Addition to Food for Human Consumption; Sucralose'' (99F–0001), received August 18, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4714. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted for Direct Addition to Food for Human Consumption; Sucralose Acetate Isobutyrate; Correction'' (91F–0228), received August 10, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4715. A communication from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits'', received August 10, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4716. A communication from the Assistant Secretary for Employment Standards, Employment Standards Administration, Office of Labor-Management Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 5333(b) Guidelines to Carry Out New Programs Authorized by the Transportation Equity Act for the 21st Century (TEA–21)'' (RIN1215–AB25), received August 18, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4717. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report relative to the purchase upon issuance of securities issued by the Secretary of the Treasury; to the Committee on Banking, Housing, and Urban Affairs.

EC–4718. A communication from the President of the United States, transmitting, pursuant to law, a 6-month periodic report relative to the national emergency caused by the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–4719. A communication from the Chairman, Federal Housing Finance Board, transmitting, pursuant to law, a combined annual report for the Federal Housing Finance Board and the low-income housing and community development activities of the Federal Home Loan Bank System; to the Committee on Banking, Housing, and Urban Affairs.

EC–4720. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''List of Communities Eligible for the Sale of Flood Insurance; 64 FR 42852; 08/06/99'' (Docket No. FEMA–7718), received August 12, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4721. A communication from the Acting General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''12 CFR 701.21; Loan Interest Rates'' (RIN3133–AC25), received August 18, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4722. A communication from the Acting General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''12 CFR Part 707; Truth in Savings'', received August 18, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4723. A communication from the Acting General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''12 CFR Part 701; Organization and Operation of Federal Credit Unions Charitable Contributions'', received August 18, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4724. A communication from the Acting General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''12 CFR Part 701.30; Safe Deposit Box Service'' (RIN3133–AC19), received August 18, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4725. A communication from the Acting General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''12 CFR Part 708a; Conversion of Insured Credit Unions to Mutual Savings Banks'', received August 18, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4726. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the annual report for fiscal year 1998; to the Committee on Environment and Public Works.

EC–4727. A communication from the Director, Office of Congressional Affairs, Office of Enforcement, Office of Nuclear Reactor Regulation, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''General Statement of Policy and Procedures for NRC Enforcement Actions, NUREG–1600 Rev. 1'', received August 12, 1999; to the Committee on Environment and Public Works.

EC–4728. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Emissions From Hospital/Medical/Infectious Waste Incinerators (HMIWIs); State of Missouri'' (FRL #6421–6), received August 12, 1999; to the Committee on Environment and Public Works.

EC–4729. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; Pennsylvania; Large Municipal Waste Combustors (MWCs)'' (FRL #6426–1), received August 18, 1999; to the Committee on Environment and Public Works.

EC–4730. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Air Quality Plans (SIP); Interim Final Determination that Louisiana Continues to Correct the Deficiencies of its Enhanced Inspection and Maintenance (I/M) SIP Revision'' (FRL #6422–3), received August 18, 1999; to the Committee on Environment and Public Works.

EC–4731. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants: South Carolina'' (FRL #6426–8), received August 18, 1999; to the Committee on Environment and Public Works.

EC–4732. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''North Carolina: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL #6427–2), received August 18, 1999; to the Committee on Environment and Public Works.

EC–4733. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Texas: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL #6424–1), received August 12, 1999; to the Committee on Environment and Public Works.

EC–4734. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland: Control of VOC Emissions from Reinforced Plastics Manufacturing'' (FRL #6419–1), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4735. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; California State Implementation Plan Revisions for Six California Air Pollution Control Districts'' (FRL #6420–4), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4736. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision: Bay Area Air Quality Management District, Kern County Air Pollution Control District, Monterey Bay Unified Air Pollution Control District, South Coast Air Quality Management District'' (FRL #6420–34), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4737. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision: South Coast Air Quality Management District; Ventura County Air Pollution Control District; Mojave Desert Air Quality Management District'' (FRL #6419–9), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4738. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; North Dakota; Control of emissions From Existing Hospital/Medical/Infectious Waste Incinerators; Correction'' (FRL #6421–9), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4739. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; New Hampshire; General Conformity'' (FRL #6416–2), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4740. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plan; Connecticut; Approval of National Low Emission Vehicle Program'' (FRL #6417–5), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4741. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District'' (FRL #6409–4), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4742. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Wisconsin'' (FRL #6414–7), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4743. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants: Halogenated Solvent Cleaning'' (FRL #6419–5), received August 10, 1999; to the Committee on Environment and Public Works.

EC–4744. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Buprofezin; Extension of Tolerance for Emergency Exemptions'' (FRL #6096–3), received August 10, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4745. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Carfentrazone-ethyl; Extension of Tolerances for Emergency Exemption'' (FRL #6097–8), received August 10, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4746. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Demedipham; Extension of Tolerances for Emergency Exemption'' (FRL #6096–7), received August 10, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4747. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyridate; Pesticide Tolerances for Emergency Exemptions'' (FRL #6094–7), received August 10, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4748. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyriproxyfen; Reestablishment of Tolerances for Emergency (FRL #6098–1), received August 12, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4749. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Raisins Produced From Grapes Grown In California; Use of Estimated Trade Demand to Compute Volume Regulation Percentages'' (FV99–989–4 FR), received August 18, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4750. A communication from the Chief, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Technical Assistance'' (RIN0578–AA22), received August 12, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4751. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''User Fees for Licenses, Certificates of Registry, and Merchant Mariner Documents (USCG–1997–2799)'' (RIN2115–AF49) (1999–0001), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4752. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Year 2000 (Y2K) Requirements for Vessels and Marine Facilities; Enforcement Date Change (USCG–1998–4819)'' (RIN2115–AF85) (1999–0002), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4753. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Update of Standards from American Society for Testing and Materials (ASTM)(USCG–1999–5151)'' (RIN2115–AF80), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4754. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; The Clinton Bluefish Festival Fireworks Display, Clinton Harbor, Clinton, CT (CGD–01–99–118)'' (RIN2115–AF97) (1999–0049), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4755. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Columbia River, St. Helens, OR to Port of Benton, WA (CGD–13–99–033)'' (RIN2115–AF97) (1999–0050), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4756. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Port of New York/New Jersey Annual Marine Events (CGD–13–99–135)'' (RIN2115–AF97) (1999–0051), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4757. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Rising Sun Regatta Ohio River Mile 505.0–507.0, Rising Sun, IN (CGD–08–99–049)'' (RIN2115–AE46) (1999–0032), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4758. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Shrewsbury River, NJ(CGD–01–99–010)'' (RIN2115–AE47) (1999–0036), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4759. A communication from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code,

and International Civil Aviation Organization's Technical Instructions; Technical Corrections and Denial of Petitions for Reconsideration'' (RIN2137–AD15) (1999–0002), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4760. A communication from the Attorney Advisor, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Oxidizers and Compressed Oxygen Aboard Aircraft'' (RIN2137–AC92), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4761. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Annville, KY; Liberty, PA; Clarendon, PA; and Ridgeley, WV) (MM Docket Nos. 99–51; 99–52; 99–53; and 99–54), received August 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4762. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Manson, IA; Rudd, IA; Pleasantville, IA; Dunkerton, IA; and Manville, WY) (MM Docket Nos. 99–91; 99–92; 99–93; 99–95; and 99–97), received August 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4763. A communication from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Corrigan, TX and Lufkin, TX) (MM Docket Nos. 98–135), received August 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4764. A communication from the Deputy Assistant Administrator, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''NOAA Climate and Global Change Program'' (RIN0648–ZA65), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4765. A communication from the Deputy Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Rule to Adjust the Gulf of Maine Cod Landing Limit'' (RIN0648–AM87), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4766. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure for Thornyhead Rockfish in the Western Regulatory Area of the Gulf of Alaska'', received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4767. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries off West Coast States in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Adjustments'', received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4768. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries off West Coast States in the Western Pacific; West Coast Salmon Fisheries; Commercial Closure from Fort Ross to Point Reyes, CA; Inseason Adjustment from Cape Flattery to Leadbetter Point, WA'', received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4769. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska: Pacific Ocean Perch in the Central Regulatory Area'', received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4770. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska: Pacific Ocean Perch in the Central Regulatory Area'', received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4771. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska: Northern Rockfish in the Central Regulatory Area'', received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4772. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska: Northern Rockfish in the Central Regulatory Area'', received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4773. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska: Deep-Water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska'', received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4774. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska: Deep-Water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska'', received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4775. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Central Regulatory Area of the Gulf of Alaska to Retention of Sablefish With Trawl Gear'', received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4776. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Central Regulatory Area of the Gulf of Alaska to Directed Fishing for Pacific Ocean Perch'', received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4777. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Western Regulatory Area of the Gulf of Alaska to Retention of Other Rockfish'', received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4778. A communication from the Assistant Secretary of Defense, transmitting, pursuant to law, a report relative to the implementation of the TRICARE program; to the Committee on Armed Services.

EC–4779. A communication from the Under Secretary of the Navy, transmitting, pursuant to law, a report relative to the decision to study certain functions performed by military and civilian personnel for possible performance by private contractors; to the Committee on Armed Services.

EC–4780. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–4781. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Panama Canal Act of 1979; to the Committee on Armed Services.

EC–4782. A communication from the President of the United States, transmitting, pursuant to law, a report relative to Iraq's weapons of mass destruction programs; to the Committee on Foreign Relations.

EC–4783. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC–4784. A communication from the Director, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled ''Civil Monetary Penalties Inflation Adjustments for Ethics in Government Act Violations'' (RIN3209–AA00 & 3209–AA13), received August 24, 1999; to the Committee on Governmental Affairs.

EC–4785. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to additions to the Procurement List, received August 20, 1999; to the Committee on Governmental Affairs.

EC–4786. A communication from the Chairman and the President, The John F. Kennedy Center for the Performing Arts, transmitting, pursuant to law, the 1998 annual report; to the Committee on Rules and Administration.

EC–4787. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Boyd Gaming Commission v. Commissioner, Announcement 99–77'' (Announcement 99–77), received August 19, 1999; to the Committee on Finance.

EC–4788. A communication from the Chief, Regulations Unit, Internal Revenue Service,

Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''September 1999 Applicable Federal Rates'' (Revenue Ruling 99–37), received August 19, 1999; to the Committee on Finance.

EC–4789. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement 99–89, Correction of Rev. Rul. 99–23'' (Ann. 99–89), received August 19, 1999; to the Committee on Finance.

EC–4790. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''1999 National Pool'' (Rev. Proc. 99–23), received August 24, 1999; to the Committee on Finance.

EC–4791. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update'' (Notice 99–39), received August 24, 1999; to the Committee on Finance.

EC–4792. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the level of coverage and expenditures for religious nonmedical health care institutions for fiscal year 1997; to the Committee on Finance.

EC–4793. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled ''Transition to Quieter Airplanes''; to the Committee on Commerce, Science, and Transportation.

EC–4794. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to the Telecommunications Development Fund; to the Committee on Commerce, Science, and Transportation.

EC–4795. A communication from the President of The United States, transmitting, pursuant to law, a report relative to the national emergency with respect to Iraq; to the Committee on Banking, Housing, and Urban Affairs.

EC–4796. A communication from the Acting Assistant Attorney General, transmitting, pursuant to law, a report relative to the Equal Credit Opportunities Act for calendar years 1996 and 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–4797. A communication from the Managing Director, Federal Housing Finance Board, transmitting, pursuant to law, the report of a rule entitled ''Availability of Unpublished Information'' (RIN3069–AA81), received August 20, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4798. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the People's Republic of China; to the Committee on Banking, Housing, and Urban Affairs.

EC–4799. A communication from the Assistant General Counsel For Regulations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Section 8 Tenant Based Assistance; Statutory Merger of Section 8 Certificate and Voucher Programs; Notice of Change in Effective Date'' (RIN2577–AB91) (FR–4428–N–02), received August 24, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4800. A communication from the Assistant General Counsel For Regulations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Compliance Procedures for Affirmative Fair Housing Marketing; Nomenclature Change'' (RIN2529–AA87) (FR–4514–F–01), received August 24, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4801. A communication from the Assistant General Counsel For Regulations, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''HUD Acquisition Regulation; Miscellaneous Revisions'' (RIN2525–AA24) (FR–4115–I–01), received August 24, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4802. A communication from the Assistant General Counsel, Office of the Chief Financial Officer, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Regulations: Direct Grant Programs'', received August 24, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4803. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility; 64 FR 44421; 08/16/99'' (Docket No. FEMA–7719), received August 20, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4804. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Rule 17j–1 under the Investment Company Act of 1940; Personal Investment Activities of Investment Company Personnel'' (RIN3235–AG27), received August 24, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4805. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Performance Improvement 1999: Evaluation Activities of the U.S. Department of Health and Human Services'' for fiscal year 1998; to the Committee on Health, Education, Labor, and Pensions.

EC–4806. A communication from the Chairman, National Committee on Vital and Health Statistics, transmitting, pursuant to law, a report relative to the implementation of the administrative simplification provisions of the ''Health Insurance Portability and Accountability Act''; to the Committee on Health, Education, Labor, and Pensions.

EC–4807. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers'' (98F–0571), received August 20, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4808. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers'' (98F–0570), received August 20, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4809. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Over-the-Counter Drug Products Containing Colloidal Silver Ingredients of Silver Salts'' (96N–0144), received August 20, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4810. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''General and Plastic Surgery Devices, Effective Date of Requirement for Premarket Approval of the Silicone Inflatable Breast Prosthesis'' (RIN0910–A217), received August 20, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4811. A communication from the Acting Director, Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Removal of 30 CFR Parts 26 and 29; Removal of 30 CFR Part 75, Subpart S and Revision of Subpart I'' (RIN1219–AA98), received August 20, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4812. A communication from the Acting Director, Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Safety Standard for Preshift Examinations in Underground Coal Mines'' (RIN1219–AB10), received August 20, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4813. A communication from the Acting Director, Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Calibration and Maintenance Procedures for Wet-Test Meters and Coal Mine Respirable Dust Samplers'' (RIN1219–AA98), received August 20, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4814. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Radiation-Generating Devices Guide'' (DOE G 441.1–5), received August 20, 1999; to the Committee on Energy and Natural Resources.

EC–4815. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Evaluation and Control of Radiation Dose to the Embryo/Fetus Guide'' (DOE G 441.1–6), received August 20, 1999; to the Committee on Energy and Natural Resources.

EC–4816. A communication from the Assistant General Counsel for Regulatory Law, Office of Environment, Safety and Health, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Work Authorization System'' (DOE O 412.1), received August 20, 1999; to the Committee on Energy and Natural Resources.

EC–4817. A communication from the Acting Assistant Secretary of the Interior, Bureau of Land Management, transmitting, pursuant to law, the report of a rule entitled ''Location, Recording, and Maintenance of Mining Claims'' (RIN1004–AD31), received August 19, 1999; to the Committee on Energy and Natural Resources.

EC–4818. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the

report of a rule entitled ''Mediterranean Fruit Fly; Removal of Quarantined Area'' (Docket #98–083–5), received August 20, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4819. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Gypsy Moth Host Materials from Canada'' (Docket #98–110–1), received August 20, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4820. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Electronic Freedom of Information Act'' (Docket #99–034–F), received August 19, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4821. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Use of Soy Protein Concentrate, Modified Food Starch, and Carrageenan as Binders in Certain Meat Products'' (RIN0583–AB82), received August 20, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4822. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Pork Promotion, Research, and Consumer Information Order—Decrease in Importer Assessments'' (LS–99–03), received August 19, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4823. A communication from the Director, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Agriculture Acquisition Regulation; Part 413 Reorganization; Simplified Acquisition Procedures'' (RIN0599–AA04), received August 20, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4824. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Rule to Remove the American Peregrine Falcon from the Federal Lists of Endangered and Threatened Wildlife; and to Remove the Similarity of Appearance Provision for Free-Flying Peregrines in the Conterminous United States'' (RIN1018–AF04), received August 20, 1999; to the Committee on Environment and Public Works.

EC–4825. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting; Approval of Tungsten-iron and Tungsten-polymer Shots, and Temporary Approval of Tungsten-matrix and Tin Shots as Nontoxic for Hunting Waterfowl and Coots'' (RIN1018–AF65), received August 18, 1999; to the Committee on Environment and Public Works.

EC–4826. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting; Final Frameworks for Early Season Migratory Bird Hunting Regulations'' (RIN1018–AF24), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4827. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 1999–2000 Early Season'' (RIN1018–AF24), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4828. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting: Early Season and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico and the Virgin Islands'' (RIN1018–AF24), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4829. A communication from the Director, Office of Congressional Affairs, Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''10 CFR Part 76, Certification Renewal and Amendment Processes'' (RIN3150–AF85), received August 19, 1999; to the Committee on Environment and Public Works.

EC–4830. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Colorado Springs Carbon Monoxide Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of a Related Revision'' (FRL #6410–7), received August 19, 1999; to the Committee on Environment and Public Works.

EC–4831. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Incorporation by Reference of State Hazardous Waste Management Program'' (FRL #6423–8), received August 20, 1999; to the Committee on Environment and Public Works.

EC–4832. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services, under a contract, in the amount of $50,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–4833. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services, under a contract, in the amount of $50,000,000 or more to Russia; to the Committee on Foreign Relations.

EC–4834. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for the export of defense articles or services, under a contract, in the amount of $50,000,000 or more to France; to the Committee on Foreign Relations.

EC–4835. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed license for defense articles and services in the amount of $50,000,000 or more with Turkey; to the Committee on Foreign Relations.

EC–4836. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services, under a contract in the amount of $50,000,000 or more with the United Kingdom and France; to the Committee on Foreign Relations.

EC–4837. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services, under a contract in the amount of $50,000,000 or more with Canada; to the Committee on Foreign Relations.

EC–4838. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services, under a contract in the amount of $50,000,000 or more with Italy and Spain; to the Committee on Foreign Relations.

EC–4839. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement for the export of defense services, under a contract in the amount of $50,000,000 or more with Japan; to the Committee on Foreign Relations.

EC–4840. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement with Germany; to the Committee on Foreign Relations.

EC–4841. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement with France; to the Committee on Foreign Relations.

EC–4842. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement with Belgium and the Netherlands; to the Committee on Foreign Relations.

EC–4843. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Manufacturing License Agreement with Japan; to the Committee on Foreign Relations.

EC–4844. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the report of a certification of a proposed Technical Assistance Agreement with Japan; to the Committee on Foreign Relations.

EC–4845. A communication from the President of the United States, transmitting, pursuant to law, a report relative to Haiti and

the Foreign Operations, Export Financing and Related Programs Appropriations Act of 1999; to the Committee on Foreign Relations.

EC–4846. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Transport Category Rotorcraft Performance; Final Rule; Request for Comments (8–19/8–16)'' (RIN2120–AG86), received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4847. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Harmonization of Critical Parts Rotorcraft Regulations (8–2/8–23)'' (RIN2120–AG60), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4848. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Digital Flight Recorder Requirements for Airbus Airplanes (8–24/8–23)'' (RIN2120–AG88), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4849. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Normal Category Rotorcraft Maximum Weight and Passenger Seat Limitation (8–18/8–16)'' (RIN2120–AF33), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4850. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Airspace and Flight Operations Requirements for Kodak Albuquerque International Balloon Fiesta; Albuquerque, NM (8–17/16)'' (RIN2120–AG79), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4851. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (18); Amdt. No. 1945 (8–13/8–16)'' (RIN2120–AA65) (1999–0041), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4852. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Emporia, KS; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–24 (8–16/8–16)'' (RIN2120–AA66) (1999–0266), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4853. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Rolly/Vichy, MO; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–26 (8–16/8–16)'' (RIN2120–AA66) (1999–0265), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4854. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Lyons, KS; Direct Final Rule; Request for Comments; Docket No. 99–ACE–38 (8–16/8–16)'' (RIN2120–AA66) (1999–0263), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4855. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Ava, MO; Direct Final Rule; Request for Comments; Docket No. 99–ACE–37 (8–16/8–16)'' (RIN2120–AA66) (1999–0264), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4856. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Frederick Municipal Airport, MD; Docket No. 99–AEA–04 (8–18/8–19)'' (RIN2120–AA66) (1999–0270), received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4857. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Roosevelt Roads NS (Ofstie Field), PR; Docket No. 99–ASO–(8–13/8–16)'' (RIN2120–AA66) (1999–0267), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4858. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Ossining, NY; Docket No. 99–AEA–06 (8–13/8–16)'' (RIN2120–AA66) (1999–0269), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4859. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Lake Hood, Elmendorf AFB, and Merrill Field, AK; Docket No. 99–AAL–6 (8–13/8–16)'' (RIN2120–AA66) (1999–0268), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4860. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A310 Series; Docket No. 93–NM–125 (8–18/8–19)'' (RIN2120–AA64) (1999–0305), received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4861. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Schweizer Aircraft Corporation Model 269A, 269A–1, 269B, 269C, 269C–1, and 269D Helicopters; Request for Comments; Docket No. 98–SW–31 (8–18/8–19)'' (RIN2120–AA64) (1999–0304), received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4862. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Empressa Brasileira de Aeronautica, S.A. Model EMB–120 Series Airplanes; Docket No. 98–NM–233 (8–18/8–19)'' (RIN2120–AA64) (1999–0306), received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4863. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Israel Aircraft Industries, Ltd., Model Asta SPX Series Airplanes; Request for Comments; Docket No. 99–NM–204 (8–18/8–19)'' (RIN2120–AA64) (1999–0307), received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4864. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Pilatus Aircraft, Ltd. Models PC–12 and PC–12/45 Airplanes; Docket No. 99–CE–20 (8–13/8–16)'' (RIN2120–AA64) (1999–0303), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4865. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777 Series Airplanes; Docket No. 98–NM–275 (8–13/8–16)'' (RIN2120–AA64) (1999–03023), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4866. A communication from the Secretary of Defense, transmitting, pursuant to law, a report entitled ''Adapting Military Sex Crime Investigations to Changing Times''; to the Committee on Armed Services.

EC–4867. A communication from the Assistant Secretary of Defense, Health Affairs, transmitting, a report relative to Y2K compliance and the TRICARE Management Activity; to the Committee on Armed Services.

EC–4868. A communication from the Assistant Secretary of Defense, Force Management Policy, transmitting, pursuant to law, the annual report on the effectiveness and costs of the civilian voluntary separation incentive pay program for fiscal year 1998; to the Committee on Armed Services.

EC–4869. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Short Form Research Contract Clauses'' (DFARS Case 99–D014), received August 26, 1999; to the Committee on Armed Services.

EC–4870. A communication from the Secretary of Defense and the Secretary of Energy, transmitting jointly, pursuant to law, a report entitled ''Tritium Production Technology Options''; to the Committee on Armed Services.

EC–4871. A communication from the Acting Regulations Officer, Office of Process and Innovation Management, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Revised Medical Criteria for Determination of Disability, Endocrine System and Related Criteria'' (RIN0960–AE65), received August 26, 1999; to the Committee on Finance.

EC–4872. A communication from the Chief, Regulations Unit, Internal Revenue Service,

Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Capital Gains, Installment Sales, Unrecaptured Section 1250 Gain'' (RIN1545–AW85), received August 26, 1999; to the Committee on Finance.

EC–4873. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Coordinated Issue: All Industries—Research Tax Credit—Qualified Research'' (UIL–41.51–11), received August 26, 1999; to the Committee on Finance.

EC–4874. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Coordinated Issue: All Industries—Research Tax Credit—Internal Use Software'' (UIL–41.51–10), received August 26, 1999; to the Committee on Finance.

EC–4875. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Rev. Rul. 99–31, BLS–LIFO Department Store Indexes—July 1999'' (Rev. Rul. 99–31), received August 26, 1999; to the Committee on Finance.

EC–4876. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Repeal of Section 415(e)'' (Notice 99–44), received August 18, 1999; to the Committee on Finance.

EC–4877. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''TD 8380 Establishment of a Balanced Measurement System'' (RIN1545–AW80), received August 30, 1999; to the Committee on Finance.

EC–4878. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Effective Date of Nondiscrimination Rules for Certain Government Plans'' (Notice 99–40), received August 30, 1999; to the Committee on Finance.

EC–4879. A communication from the Executive Director, Committee for Purchase from People who are Blind or Severely Disabled, transmitting, pursuant to law, the report of a rule relative to additions to the Procurement List, received August 30, 1999; to the Committee on Governmental Affairs.

EC–4880. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Absence and Leave: Use of Restored Leave'' (RIN3206–AI71), received August 25, 1999; to the Committee on Governmental Affairs.

EC–4881. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''The Role of Delegated Examining Units: Hiring New Employees in a Decentralized Civil Service''; to the Committee on Governmental Affairs.

EC–4882. A communication from the Under Secretary, Rural Development, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Manufactured Housing Thermal Requirements'' (RIN0575–AC11), received August 30, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4883. A communication from the Deputy General Counsel, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Liquidation and Sale of Commercial Loans'', received August 25, 1999; to the Committee on Small Business.

EC–4884. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Chlorfenapyr; Re-Establishment of Tolerances for Emergency'' (FRL #6095–8), received August 26, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4885. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cymoxanil; Extension of Tolerances for Emergency Exemptions'' (FRL #6094–4), received August 26, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4886. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Difenoconazole; Pesticide Tolerances for Emergency Exemptions'' (FRL #6094–3), received August 26, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4887. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Viruses, Serums, Toxins, and Analogous Products; Update of Incorporation by Reference for Rabies Vaccine'' (Docket No. 97–103–2), received August 25, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4888. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Soybean Promotion and Research Program: Procedures to Request a Referendum, LS–98–001'', received August 25, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4889. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Increased Assessment Rate'', (Docket No. FV99–906–2–FR), received August 25, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4890. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tomatoes Grown in Florida; Partial Exemption from the Handling Regulation for Producer Field-Packed Tomatoes'', (Docket No. FV98–966–2–IFR), received August 25, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4891. A communication from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Veterans Education: Increased Allowances for the Educational Assistance Test Program'' (RIN2900–AJ40), received August 26, 1999; to the Committee on Veterans' Affairs.

EC–4892. A communication from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Delegations of Authority; Tort Claims'' (RIN2900–AJ31), received August 25, 1999; to the Committee on Veterans' Affairs.

EC–4893. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''Annual Energy Review 1998''; to the Committee on Energy and Natural Resources.

EC–4894. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Safety of Accelerator Facilities'' (DOE O 420.2), received August 25, 1999; to the Committee on Energy and Natural Resources.

EC–4895. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Nuclear Explosive and Weapon Surety Program'' (AL 452.1A), received August 25, 1999; to the Committee on Energy and Natural Resources.

EC–4896. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Occupational Radiation Protection Record-Keeping and Reporting Guide'' (DOE G 441.1–11), received August 25, 1999; to the Committee on Energy and Natural Resources.

EC–4897. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''State Energy Program'' (RIN1904–AB01), received August 25, 1999; to the Committee on Energy and Natural Resources.

EC–4898. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Posting and Labeling for Radiological Control Guide'' (DOE G 441.1–10), received August 25, 1999; to the Committee on Energy and Natural Resources.

EC–4899. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Radiation Safety Training Guide'' (DOE G 441.1–12), received August 10, 1999; to the Committee on Energy and Natural Resources.

EC–4900. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Air Monitoring Guide'' (DOE G 441.1–8), received August 10, 1999; to the Committee on Energy and Natural Resources.

EC–4901. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Unclassified Cyber Security Program'' (DOE N 205.1), received August 10, 1999; to the Committee on Energy and Natural Resources.

EC–4902. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''External Dosimetry Program Guide'' (DOE G 441.1–4), received August 10, 1999; to the Committee on Energy and Natural Resources.

EC–4903. A communication from the Assistant General Counsel for Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Internal Dosimetry Program Guide'' (DOE G 441.1–3),

received August 10, 1999; to the Committee on Energy and Natural Resources.

EC–4904. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to the Chittenden County Circumferential Highway project in Vermont; to the Committee on Environment and Public Works.

EC–4905. A communication from the Director, Federal Emergency Management Agency, transmitting, pursuant to law, a report relative to the Stafford Act assistance for Texas under Presidential emergency declaration FEMA–3127–EM; to the Committee on Environment and Public Works.

EC–4906. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled ''Disaster Assistance; Redesign of Public Assistance Project Administration; 64 FR 41827; 08/02/99'' (RIN3067–AC89), received August 5, 1999; to the Committee on Environment and Public Works.

EC–4907. A communication from the Associate Chief Counsel, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Commercial Driver Disqualification Provisions'' (RIN2125–AE28), received August 30, 1999; to the Committee on Environment and Public Works.

EC–4908. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Threatened Status for Lake Erie Water Snakes (Nerodia sipedon insularum) on the Offshore Islands of Western Lake Erie'' (RIN1018–AC09), received August 26, 1999; to the Committee on Environment and Public Works.

EC–4909. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for North Dakota; Revisions to the Air Pollution Control Rules; Delegation of Authority for New Source Performance Standards'' (FRL #6426–5), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4910. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans, California State Implementation Plan Revision, South Coast Air Quality Management District, Ventura County Air Pollution Control District'' (FRL #6425–5), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4911. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Regulation: Contracting by Negotiation'' (FRL #6428–3), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4912. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans, Massachusetts: Reasonably Available Control Technology for Major Stationary Sources of Nitrogen Oxides and Nitrogen Oxide Requirements at Municipal Waste Combustors'' (FRL #6425–45), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4913. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans, California State Implementation Plan Revision, South Coast Air Quality Management District'' (FRL #6423–1), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4914. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; California'' (FRL #6427–4), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4915. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Indiana: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL #6430–4), received August 24, 1999; to the Committee on Environment and Public Works.

EC–4916. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Louisiana: Final Authorization of State Hazardous Waste Management Program Revision'' (FRL #6428–6), received August 26, 1999; to the Committee on Environment and Public Works.

EC–4917. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Authorization and Incorporation by Reference of State Hazardous Waste Management Program'' (FRL #6422–1), received August 26, 1999; to the Committee on Environment and Public Works.

EC–4918. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Commonwealth of Virginia; Enhanced Inspection and Maintenance Program'' (FRL #6428–8), received August 26, 1999; to the Committee on Environment and Public Works.

EC–4919. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementations; Ohio Designation of Areas for Air Quality Planning Purposes; Ohio'' (FRL #6425–1), received August 26, 1999; to the Committee on Environment and Public Works.

EC–4920. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Alaska'' (FRL #6412–7), received August 26, 1999; to the Committee on Environment and Public Works.

EC–4921. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pharmaceutical Manufacturing Category Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards; Correcting Amendments'' (FRL #6431–8), received August 30, 1999; to the Committee on Environment and Public Works.

EC–4922. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Volatile Organic Compound Regulations'' (FRL #6421–8), received August 30, 1999; to the Committee on Environment and Public Works.

EC–4923. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; California-Owens Valley Nonattainment Area; PM–10'' (FRL #6430–7), received August 30, 1999; to the Committee on Environment and Public Works.

EC–4924. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, a report entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Massachusetts; Plan for Controlling MWC Emissions from Existing MWC Plants''; to the Committee on Environment and Public Works.

EC–4925. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Community Services Block Grant Act of 1981; to the Committee on Health, Education, Labor, and Pensions.

EC–4926. A communication from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Teacher Quality Enhancement Grants Program'' (RIN1840–AC67), received August 25, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4927. A communication from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Projects with Industry (Technical Amendments)'' (34 CFR Part 379), received August 27, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4928. A communication from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Training of Interpreters for Individuals Who Are Deaf or Hard of Hearing and Individuals Who Are Deaf-Blind'' (CFDA No. 84.160), received August 27, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4929. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adhesives and Components of Coatings'' (99F–0487), received August 25, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4930. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers'' (98F–1034), received August 25, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4931. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Polymers'' (96F–0176), received August 25, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4932. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted in the Feed and Drinking Water of Animals; Menadione Nicotinamide Bisulfite'' (98F–0195), received August 30, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4933. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted in the Feed and Drinking Water of Animals; Menadione Nicotinamide Bisulfite'' (98F–0283), received August 30, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–4934. A communication from the Solicitor General, transmitting, a report relative to the Supreme Court decision in ''Greater New Orleans Broadcasting Association v. United States''; to the Committee on the Judiciary.

EC–4935. A communication from the Deputy Assistant Attorney General, Office of Policy Development, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Civil Monetary Penalties Inflation Adjustment'' (RIN1105–AA48), received August 30, 1999; to the Committee on the Judiciary.

EC–4936. A communication from the Deputy Congressional Liaison, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Credit by Brokers and Dealers (Regulation T); List of Foreign Margin Stocks'', received August 26, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4937. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the Bank Secrecy Act Regulations-Definitions Relating to, and Registration of, Money Services Businesses'' (RIN1506–AA09), received August 19, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4938. A communication from the Federal Register Liaison Officer, Regulations and Legislation Division, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Letters of Credit, Suretyship and Guaranty'' (RIN1550–AB21), received August 19, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4939. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the extension of the national emergency declared in Executive Order 12924 relating to the expiration of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–4940. A communication from the Assistant Secretary for Export Administration, Bureau of Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Editorial Clarification and Revisions to the Export Administration Regulations'' (RIN0694–AB81), received August 26, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4941. A communication from the Assistant Secretary for Export Administration, Bureau of Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Exports and Reexports of Commercial Charges and Devices Containing Energetic Materials'' (RIN0694–AB98), received August 30, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–4942. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the Kingdom of Saudi Arabia; to the Committee on Banking, Housing, and Urban Affairs.

EC–4943. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–4944. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Smith Center, KS; Direct Final Rule; Request for Comments; Docket No. 99–ACE–32 (8–9/8–12)'' (RIN2120–AA66) (1999–0259), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4945. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Jefferson, IA; Direct Final Rule; Request for Comments; Docket No. 99–ACE–31 (8–9/8–12)'' (RIN2120–AA66) (1999–0258), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4946. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Hebron, NE; Direct Final Rule; Request for Comments; Docket No. 99–ACE–27 (8–9/8–12)'' (RIN2120–AA66) (1999–0261), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4947. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Wayne, NE; Direct Final Rule; Request for Comments; Docket No. 99–ACE–29 (8–9/8–12)'' (RIN2120–AA66) (1999–0262), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4948. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Clarinda, IA; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ACE–17 (8–9/8–12)'' (RIN2120–AA66) (1999–0253), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4949. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Rock Rapids, IA; Direct Final Rule; Delay of Effective Date; Docket No. 99–ACE–15 (8–11/8–12)'' (RIN2120–AA66) (1999–0254), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4950. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Babylon, NY; Docket No. 99–AEA–05 (8–4/8–12)'' (RIN2120–AA66) (1999–0257), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4951. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to Class E Airspace; Thedford, NE; Docket No. 99–ACE–23 (8–10/8–12)'' (RIN2120–AA66) (1999–0256), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4952. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification to Class D and Class E Airspace; Terre Haute, IN; Docket No. 99–AGL–35 (8–27/–30)'' (RIN2120–AA66) (1999–0283), received August 30, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4953. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification to Class E Airspace; Kingman, AZ; Docket No. 97–AWP–12 (8–10/8–12)'' (RIN2120–AA66) (1999–0255), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4954. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification to Class E Airspace; Escanaba, MI; Docket No. 97–AGL–34 (8–27/8–30)'' (RIN2120–AA66) (1999–0282), received August 30, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4955. A communication from the Program Analyst, Office of the Chief Counsel,

Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Class B Airspace Area, Orlando, FL; and Modification of the Orlando Sanford Airport Class D Airspace Area; Docket No. 95–AWA–4 (8–5/8–9)'' (RIN2120–AA66) (1999–0249), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4956. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation of Class E Airspace Lafayette, Aretz Airport, IN; Docket No. 99–AGL–36 (8–27/8–30)'' (RIN2120–AA66) (1999–0281), received August 30, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4957. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Altus, OK; Direct Final Rule; Request for Comments; Docket No. 99–ASW–16 (8–5/8–9)'' (RIN2120–AA66) (1999–0251), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4958. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Antlers, OK; Direct Final Rule; Request for Comments; Docket No. 99–ASW–17 (8–5/8–9)'' (RIN2120–AA66) (1999–0250), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4959. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Galveston, TX; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–09 (8–5/8–9)'' (RIN2120–AA66) (1999–0248), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4960. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Class E Airspace; Shreveport, LA; Direct Final Rule; Confirmation of Effective Date; Docket No. 99–ASW–10 (8–5/8–9)'' (RIN2120–AA66) (1999–0247), received August 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4961. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of the Legal Description of the Class E Airspace; Cincinnati, OH; Docket No. 99–AGL–32 (8–27/8–30)'' (RIN2120–AA66) (1999–0280), received August 30, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4962. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (97); Amdt. No. 1944 (8–13/8–16)'' (RIN2120–AA65) (1999–0040), received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4963. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airport Name Changes and Revision of Legal Description of Class D, Class E2, and Class E4 Airspace Areas; Barbers Point, HI; Docket No. 99–AWP–11 (8–12/8–12)'' (RIN2120–AA66) (1999–0252), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4964. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of VOR Federal Airways, MO; Direct Final Rule; Request for Comments; Docket No. 99–ACE–14 (8–9/8–12)'' (RIN2120–AA66) (1999–0260), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4965. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 727–600, –700, and –800 Series Airplanes; Request for Comments; Docket No. 99–NM–188 (8–9/8–12)'' (RIN2120–AA64) (1999–0295), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4966. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–400 Series Airplanes; Request for Comments; Docket No. 99–NM–180 (8–9/8–12)'' (RIN2120–AA64) (1999–0296), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4967. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–400 Series Airplanes; Request for Comments; Docket No. 99–NM–61 (8–9/8–12)'' (RIN2120–AA64) (1999–0294), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4968. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Raytheon Aircraft Company Model Beech 1900D Airplanes; Docket No. 98–CE–123 (8–9/8–12)'' (RIN2120–AA64) (1999–0298), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4969. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A310 Series Airplanes; Docket No. 99–NM–16 (8–/8–12)'' (RIN2120–AA64) (1999–0299), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4970. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopters Textron Model 230 Helicopters; Request for Comments; Docket No. 98–SW–52 (8–9/8–12)'' (RIN2120–AA64) (1999–0297), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4971. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopters Textron Model 204B, 205A and 205A–1 Helicopters; Docket No. 98–SW–73 (8–12/8–12)'' (RIN2120–AA64) (1999–0300), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4972. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: MD Helicopters, Inc. (MDHI) Model MD–900 Helicopters; Docket No. 98–SW–42 (8–6/8–9)'' (RIN2120–AA64) (1999–0293), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4973. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300, A310, and A300–600 Series Airplanes; Request for Comments: Docket No. 99–NM–189 (8–9/8–12)'' (RIN2120–AA64) (1999–0301), received August 12, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4974. A communication from the Supervisory Attorney/Advisor, Common Carrier Bureau, Accounting Safeguards Division, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''1998 Biennial Regulatory Review-Review of Cost Accounting and Cost Allocation Requirements'' (CC Docket No. 98–81) (FCC 99–106), received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4975. A communication from the Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''RF Lighting Devices-Biennial Regulatory Review (ET Docket 98–42)'' (ET Docket No. 98–42) (FCC 99–135), received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4976. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions; Modification of Class E Airspace: La Crosse, WI; Docket No. 99–AGL–29 (8–25/8–26)'' (RIN2120–AA66) (1999–0272), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4977. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions; Modification of Class E Airspace: Mankato, MN; Docket No. 99–AGL–30 (8–26/8–25)'' (RIN2120–AA66) (1999–0271), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4978. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions; Modification of Class E Airspace: Eau Claire, WI; Docket No.

99–AGL–28 (8–25/8–26)'' (RIN2120–AA66) (1999–0273), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4979. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions; Modification of Class E Airspace: Minneapolis, MN; Docket No. 99–AGL–33 (8–26/8–25)'' (RIN2120–AA66) (1999–0275), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4980. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions; Modification of Class E Airspace: Sheridan, IN; Docket No. 99–AGL–31 (8–26/8–25)'' (RIN2120–AA66) (1999–0276), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4981. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions; Amendment of Class E Airspace: Fort Rucker, AL; Docket No. 99–ASO–11 (8–26/8–24)'' (RIN2120–AA66) (1999–0279), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4982. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions; Establishment of Class E Airspace: Tupelo, MS; Docket No. 9–ASO–10 (8–26/8–24)'' (RIN2120–AA66) (1999–0277), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4983. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airspace Actions; Removal of Class E Airspace: Arlington, TN; Docket No. 99–ASO–16 (8–26/8–24)'' (RIN2120–AA66) (1999–0278), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4984. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737–700 and 800 Series Airplanes; Docket No. 99–NM–179 (8–25/8–26)'' (RIN2120–AA64) (1999–0316), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4985. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 757–200 and –300 Series Airplanes; Docket No. 99–NM–06 (8–20/8–23)'' (RIN2120–AA64) (1999–0311), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4986. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Air Bus Model A319, A320, and A321 Series Airplanes; Docket No. 99–NM–29 (8–223/8–26)'' (RIN2120–AA64) (1999–0318), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4987. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Model B Ae 146 and Model Avro 146–RJ Series Airplanes; Docket No. 97–NM–129 (8–23/8–26)'' (RIN2120–AA64) (1999–0317), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4988. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lockheed Model L–1011 Series Airplanes; Docket No. 98–NM–315 (8–20/8–23)'' (RIN2120–AA64) (1999–0315), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4989. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier Model DHC–8 Series Airplanes; Docket No. 99–NM–55 (8–20/8–23)'' (RIN2120–AA64) (1999–0312), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4990. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus, Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes; Docket No. 99–CE–10 (8–20/8–23)'' (RIN2120–AA64) (1999–0308), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4991. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Helicopter Textron, A Division of Textron Canada, Model 206L, L–1, L–3, and L–4 Helicopters; Docket No. 99–SW–30–AD (8–20/8–23)'' (RIN2120–AA64) (1999–0310), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4992. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MD Helicopters; Model 600N Helicopters; Docket No. 99–SW–16 (8–20/8–23)'' (RIN2120–AA64) (1999–0313), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4993. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Allison Engine Company, Inc. AE2100A and AE2100C Series Turboprop Engines; Docket No. 99–NE–14 (8–20/8–23)'' (RIN2120–AA64) (1999–0309), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4994. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney PW4000A Series Turbofan Engines; Docket No. 99–NE–22 (8–20/8–23)'' (RIN2120–AA64) (1999–0314), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–4995. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–4996. A communication from the Senior Civilian Official, Command, Control, Communications, and Intelligence, Department of Defense, transmitting, pursuant to law, a report entitled ''Plan for Development of an Enhanced Global Positioning System (GPS)'', dated July, 1999; to the Committee on Armed Services.

EC–4997. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the transportation of Chemical Agent Identification Sets (CAIS) from Guam to Johnston Atoll; to the Committee on Armed Services.

EC–4998. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Fringe Benefits Aircraft Valuation Formula'' (Rev. Rul. 99–33), received August 24, 1999; to the Committee on Finance.

EC–4999. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Market Segment Specialization Program Audit Techniques Guide-Placer Mining Industry'', received August 24, 1999; to the Committee on Finance.

EC–5000. A communication from the Chief, Regulations Branch, U.S. Customs service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Accreditation of Commercial Testing Laboratories; Approval of Commercial Gaugers'' (RIN1515–AB60), received August 30, 1999; to the Committee on Finance.

EC–5001. A communication from the Chief, Regulations Branch, U.S. Customs service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Textiles and Textile Products; Denial of Entry'' (RIN1515–AC49), received August 31, 1999; to the Committee on Finance.

EC–5002. A communication from the Acting Assistant Secretary of Commerce and Acting Commissioner of Patents and Trademarks, transmitting, pursuant to law, the report of a rule entitled ''Trademark Law Treaty Implementation Act Changes'' (RIN0651–AB00), received August 31, 1999; to the Committee on the Judiciary.

EC–5003. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Louisiana: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL #6431–2), received August 31, 1999; to the Committee on Environment and Public Works.

EC–5004. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Unregulated Contaminant Monitoring Regulation for Public Water Systems'' (FRL #6433–1), received August 31, 1999; to the Committee on Environment and Public Works.

EC–5005. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants: Final Endangered Status for 10 Plant Taxa from Maui Nui, Hawaii'' (RIN1018–AE22), received August 31, 1999; to the Committee on Environment and Public Works.

EC–5006. A communication from the Assistant General Counsel for Regulations, Office of Post Secondary Education, Department of

Education, transmitting, pursuant to law, the report of a rule entitled ''Final Regulations-William D. Ford Federal Direct Loan (Direct Loan) Program'' (RIN1840–AC68), received August 31, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–5007. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Substantial Evidence of Effectiveness of New Animal Drugs'' (RIN 0910–AB08), received August 31, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–5008. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Adjuvants, Production Aids and Sanitizers'' (91F–0399), received August 31, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–5009. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Paper and Paperboard Components'' (96F–0145), received August 31, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–5010. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Indirect Food Additives: Paper and Paperboard Components'' (96F–0871), received August 31, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–5011. A communication from the Chairman, Office of Proceedings, Surface Transportation Board, transmitting, pursuant to law, the report of a rule entitled ''Expedited Procedures for Processing Rail Rate Reasonableness, Exemption and Revocation Proceedings'' (STB Ex Parte No. 527 (Sub-No. 2)), received August 31, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5012. A communication from the Deputy Assistant Administrator, National Ocean Service, Estuarine Reserves Division, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Federal Register Notice/FY00 National Estuarine Research Reserve Graduate Research Fellowship'' (RIN0648–ZA66), received August 31, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5013. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Chelsea Street Bridge Fender System Repair, Chelsea River, MA (CGD01–99–141)'' (RIN2115–AA97) (1999–0052), received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5014. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Salvage of Sunken Fishing Vessel CAPE FEAR, Buzzards Bay, MA (CGD01–99–145)'' (RIN2115–AA97) (1999–0054), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5015. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Decker Wedding Fireworks, Western Long Island Sound, Rye, NY (CGD01–99–149)'' (RIN2115–AA97) (1999–0053), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5016. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Staten Island Fireworks, Lower New York Bay and Raritan Bay (CGD01–99–094)'' (RIN2115–AA97) (1999–0055), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5017. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Hutchinson River, NY (CGD01–99–153)'' (RIN2115–AE47) (1999–0039), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5018. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Danvers River, MA (CGD01–99–148)'' (RIN2115–AE47) (1999–0037), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5019. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations; Long Island Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY (CGD01–99–080)'' (RIN2115–AE47) (1999–0038), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5020. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Patapsco River, Baltimore, MD (CGD05–99–071)'' (RIN2115–AE47) (1999–0034), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5021. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Regatta Regulations; SLR; Mears Point Marina and Red Eyes Dock Bar Fireworks Display, Chester River, Kent Narrows, MD (CGD05–99–0701)'' (RIN2115–AE467) (1999–00334), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5022. A communication from the Acting Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Measurement System Exemption from Gross Tonnage (USCG–1999–5118)'' (RIN2115–AF76), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5023. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Child Restraint Systems; Child Restraint Anchorage Systems; Response to Petitions for Reconsideration; Docket No. NHTSA–99–6160'' (RIN2127–AH65), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5024. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Functional Equivalence of Headlight Concealment with European Regulations'' (RIN2127–AH18), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5025. A communication from the Legal Technician, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''State Incentives to Prevent Operation of Motor Vehicles by Intoxicated Persons; Correction of Effective Date Under the Congressional Review Act'' (RIN2127–AH39), received August 30, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5026. A communication from the Attorney, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Location of Rollover Warning Labels; Response to Petitions for Reconsideration'' (RIN2127–AH68), received August 25, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5027. A communication from the Attorney, Research and Special Programs Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Pipeline Safety: Qualification of Pipeline Personnel'' (RIN2137–AB38), received August 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5028. A communication from the Associate Chief Counsel, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Parts and Accessories Necessary for Safe Operation; Rear Impact Guards and Rear Impact Protection'' (RIN2125–AE15), received August 30, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5029. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna Catch Reporting; Determination of State Jurisdiction'' (RIN0648–AM81), received August 20, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5030. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna 1999 Quota and Effort Control Specifications'' (RIN0648–AM17), received August 20, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5031. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Implement Catch Specifications for the Gulf and Atlantic Groups of King and Spanish

Mackerel'' (RIN0648–AL80), received August 20, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5032. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Tuna Fisheries; Regulatory Adjustment to Suspend Deadline for Atlantic Tunas Permit Category Changes for 1999 only'' (RIN0648–AM69), received August 20, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5033. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Tuna Fisheries; Regulatory Adjustment to Establish a Deadline for Atlantic Tunas Permit Category Changes of June 11 for 1999 only'' (RIN0648–AM69), received August 20, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5034. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Modification of a Closure for Pacific Ocean Perch in the West Yukatat District of the Gulf of Alaska'', received August 20, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5035. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure for Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska'', received August 20, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5036. A communication from the Chief Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Halibut Bycatch Mortality Allowance in the Bering Sea and Aleutian Islands Management Area'', received August 18, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5037. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of the Commercial Fishery for King Mackerel in the Exclusive Economic Zone in the Western Zone of the Gulf of Mexico'', received August 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5038. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Modification of a Closure (Opens Directed Fishing for Pacific Cod for Inshore Processing in the Central Regulatory Area of the Gulf of Alaska)'', received August 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5039. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Closure of Directed Fishing for Hook-and-Line Gear for Groundfish Except for Sablefish or Demersal Shelf Rockfish in the Gulf of Alaska'', received August 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5040. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Commercial Quota Adjustment for 1999 for the Summer State Flounder Quotas'', received August 26, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5041. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Vessels Catching Pollock for Processing by the Inshore Component in the Bering Sea Subarea'', received August 20, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5042. A communication from the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Broadcast Television Local Ownership Rules (MM Docket No. 91–221, 87–8)'' (RIN3060–AF82) (FCC 99–209), received August 31, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5043. A communication from the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Broadcast Television National Ownership Rules (MM Docket NO. 96–222, 87–8)'' (RIN3060–AF82) (FCC 99–208), received August 31, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5044. A communication from the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Attribution of Broadcast Interests (MM Docket No. 94–150, 92–150, 87–154)'' (RIN3060–AF82) (FCC 99–207), received August 31, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5045. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of FM Allotments; FM Broadcast Stations; Cedar Key, FL'' (MM Docket No. 99–72), received August 31, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5046. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of FM Allotments; FM Broadcast Stations; St. Anne and Beaverville, IL'' (MM Docket No. 98–64), received August 31, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5047. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of FM Allotments; FM Broadcast Stations; Clifton, IL; Lennox, SD; and Sibley, IA'' (MM Docket Nos. 98–213; 98–215; and 98–219), received August 9, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5048. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Memorandum Opinion and Order—Implementation of Section 309(j) of the Communications Act—Competitive Bidding for Commercial Broadcast and Instructional Television Fixed Service Licenses; Reexamination of the Policy Statement on Comparative Broadcast Hearings; Proposals to Reform the Commission's Comparative . . . (MM Docket No. 98–234; GC Docket No. 92–52 and Gen. Docket No. 90–264, FCC 99–201)'', received August 19, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5049. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Communications Assistance for Law Enforcement Act (Report and Order)'' (CC Doc. 97–213, FCC 99–11), received August 31, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5050. A communication from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Communications Assistance for Law Enforcement Act (Order on Reconsideration)'' (CC Doc. 97–213, FCC 99–184), received August 31, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5051. A communication from the President of the United States, transmitting, pursuant to Section 2006 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31), a report relative to Operation Allied Force; to the Committee on Foreign Relations.

EC–5052. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to those persons operating directly or indirectly in the United States or any of its territories and possessions that are Communist Chinese military companies; to the Select Committee on Intelligence.

EC–5053. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Electronic Publication of DFARS'' (DFARS Case 98–D024), received August 26, 1999; to the Committee on Armed Services.

EC–5054. A communication from the Director, Defense Procurement, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Improved Accounting for Defense Contract Services'' (DFARS Case 98–D312), received August 26, 1999; to the Committee on Armed Services.

EC–5055. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report of the Bureau of Justice for fiscal year 1999, to the Committee on Governmental Affairs.

EC–5056. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–132, ''Closing of Public Alleys in Square 455, S.O. 98–194, Act of 1999''; to the Committee on Governmental Affairs.

EC–5057. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–124, ''Moratorium on the Issuance of New Retailer's License Class B Amendment Act of 1999''; to the Committee on Governmental Affairs.

EC–5058. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 13–123, ''Condominium Amendment Act of 1999''; to the Committee on Governmental Affairs.

EC–5059. A communication from the Director, Office of Personnel Management, transmitting a draft of proposed legislation relative to voluntary separation incentives for Federal agencies; to the Committee on Governmental Affairs.

EC–5060. A communication from the Commissioner, Social Security Administration, transmitting a draft of proposed legislation entitled ''Disability and Health Assistance for Immigrants Act of 1999''; to the Committee on Finance.

EC–5061. A communication from the Administrator, Small Business Administration, transmitting a draft of proposed legislation entitled ''The U.S. Small Business Administration's 21st Century Workforce Act of 1999''; to the Committee on Small Business.

EC–5062. A communication from the Assistant to the Board, Federal Reserve Board, transmitting, pursuant to law, the report of a rule entitled ''Regulation DD; Truth in Savings'' (Docket No. R–1003), received September 2, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC–5063. A communication from the Acting Deputy General Counsel, Department of the Treasury, transmitting a draft of proposed legislation entitled ''U.S. Mint Performance Based Organization Program Act of 1999''; to the Committee on Banking, Housing, and Urban Affairs.

EC–5064. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation relative to medical expenses incurred by the U.S. Park Police and for other purposes; to the Committee on Energy and Natural Resources.

EC–5065. A communication from the Assistant Secretary, Employment Standards Administration, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Industries in American Samoa; Wage Order'', received September 3, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–5066. A communication from the Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled ''Federal Sector Equal Employment Opportunity'' (RIN3046–AA66), received September 2, 1999; to the Committee on Health, Education, Labor, and Pensions.

EC–5067. A communication from the Secretary of Agriculture transmitting a draft of proposed legislation entitled ''Elderly Nutrition Benefits Act of 1999''; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5068. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Avermectin B1 and its delta-8,9-isomer; Pesticide Tolerances'' (FRL #6380–7), received September 2, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5069. A communication from the Congressional Review Coordinator, Regulatory Analysis and Development, Policy and Program Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Horses from Morocco; Change in Disease Status'' (Docket No. 98–055–2), received September 2, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5070. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Fresh Prunes Grown in Designated Counties in Washington and Umatilla County, Oregon; Increased Assessment Rate'' (Docket No. FV99–924–1 FR), received September 2, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5071. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Milk in the New England and Other Marketing Areas; Order Amending the Orders'' (DA–97–12), received September 2, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5072. A communication from the Administrator, Farm Service Agency, Farm and Foreign Agricultural Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Interim Rule: Flood Compensation Program'' (RIN0560–AF57), received September 2, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5073. A communication from the Administrator, Farm Service Agency, Farm and Foreign Agricultural Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Interim Rule: Small Hog Operation Payment Program'' (RIN0560–AF70), received September 2, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5074. A communication from the Director, Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Agreement with the State of Ohio'', received September 2, 1999; to the Committee on Environment and Public Works.

EC–5075. A communication from the Director, Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Changes to Requirements for Environmental Review of Nuclear Power Plant Operating Licenses (10 CFR Part 51)'' (150–AG05), received September 2, 1999; to the Committee on Environment and Public Works.

EC–5076. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Maryland; Control of Emissions from Existing Municipal Solid Waste Landfills'' (FRL #6433–7), received September 2, 1999; to the Committee on Environment and Public Works.

EC–5077. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Tennessee; Approval of Revisions to the Tennessee State Implementation Plan'' (FRL #6433–4), received September 2, 1999; to the Committee on Environment and Public Works.

EC–5078. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Office of Migratory Bird Management, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Permits; Amended Certification of Compliance and Determination that the States of Vermont and West Virginia Meet Federal Falconry Standards'' (RIN1018–AE65), received September 2, 1999; to the Committee on Environment and Public Works.

EC–5079. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to activities of the Commercial Space Transportation Program for calendar year 1998; to the Committee on Commerce, Science, and Transportation.

EC–5080. A communication from the Assistant Bureau Chief, Management, International Bureau-Telecom, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of International Settlement Rates'' (IB Docket No. 96–261) (FCC 99–124), received September 2, 1999; to the Committee on Commerce, Science, and Transportation.

EC–5081. A communication from the Chairman, Surface Transportation Board, transmitting, pursuant to law, the report of a rule entitled ''Removal, Revision, and Redesignation of Miscellaneous Regulations'' (STB—) to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–309. A resolution adopted by the Senate of the Legislature of the State of California relative to Social Security; to the Committee on Finance.

SENATE RESOLUTION NO. 15

Whereas, For 60 years social security has provided a stable platform of retirement, disability, and survivor annuity benefits to protect working Americans and their dependents; and

Whereas, The American and world economies continue to encounter periods of high uncertainty and volatility that make it as important as ever to preserve a basic and continuous safety net of protections guaranteed by our society's largest repository of risk, the federal government; and

Whereas, Social security affords protections to rich and poor alike. No citizen, no matter how well off today, can say that tomorrow's adversities will not create future dependency; and

Whereas, Average life expectancies are increasing greatly and people are commonly living into their 80's and 90's, making it more important than ever that each of us be fully protected by defined retirement benefits; and

Whereas, Medical scientists are daily discovering more creative ways to preserve the lives of the profoundly disabled, thus making it more important than ever that each of us be protected against the risks of our own dependency, against the risk of becoming a burden to relatives, and against the risk of succumbing to a disability unrelated to the duration of life; and

Whereas, The lives of wage earners and their spouses are seldom coterminous. One spouse often outlives the other by decades, making it crucial to preserve a secure base of protection for family members dependent on a wage earner who may die or become disabled; and

Whereas, The children of working Americans require protection against the untimely death or disability of their wage-earning parents, contingencies that are too often uncovered by working Americans and their employers; and

Whereas, The costs of administering social security are less than 1 percent of the benefits delivered; and

Whereas, The single purpose of social security is to provide a strong, simple, and efficient form of basic insurance against the adversities of old age, disability, and dependency; and

Whereas, Social security was founded on the sanctity of work and the preservation of family integrity in the face of death or disability; and

Whereas, Social security, in current form, reinforces family cohesiveness and enhances the value of work in our society; and

Whereas, Congress currently has proposals to shift a portion of social security contributions from insurance to personal investment accounts for each wage earner; and

Whereas, Social security, our largest and most fundamental insurance system, should not be splintered into individualized stock accounts. Social security cannot fulfill its protective function if it must also create and manage millions of small risk-bearing investments out of a stream of contributions intended as insurance. Private accounts cannot be substituted for social security without eroding basic protections for working families. For these protections to be strong, they must be insulated from economic uncertainty and be backed by the entity best capable of spreading risk, the American government; and

Whereas, The diversion of contributions to private investment accounts would dramatically increase financial shortfalls to the social security trust fund and require major reductions in the defined benefits upon which millions of Americans depend. To administer 150,000,000 separate investment accounts would create an ever proliferating bureaucracy. The resulting expense and the cost of converting each account to an annuity upon retirement would consume much of the profit, or exacerbate the loss, realized by each participant; and

Whereas, It is an entirely different question whether part of the social security trust fund should be diversified into investments other than government bonds. For the fund to invest collectively in a broad selection of equities and private bonds may well increase returns over time and thus enhance the capacity of the fund to meet its obligations to pay benefits as presently defined. The central management for those investments would be a minor expense compared to the staggering cost of overseeing millions of splintered accounts. Central investment also preserves the spreading of risk across the entire spectrum of social security participants. Individualized accounts, by contrast, would create an array of winners and losers, thus converting part of our retirement system into a national lottery. Those who become disabled, those who must retire early, and dependents with the earliest and greatest need would receive the least in return. The system would be perversely contrary to basic principles of insurance and risk distribution; and

Whereas, Diverting social security contributions to private accounts is redundant to existing programs. Through amendments to the Internal Revenue Code of 1986, Congress has created a full menu of provisions by which working Americans and their employers may contribute by choice to tax-sheltered accounts that are open to the opportunities and exposed fully to the risks of our speculative and vigorous investment markets. One-half of American families are already covered by these recently created systems; now, therefore be it

Resolved by the Senate of the State of California, That the federal government is respectfully requested to take appropriate steps to encourage workers and their employers to save or invest for retirement to supplement the basic benefits of the Social Security Program, but not as a substitute for the core protections that are vital to American working families; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the Majority Leader of the Senate, and each Senator and Representative from California in the Congress of the United States.

POM–310. A concurrent resolution adopted by the Legislature of the State of California relative to Domestic Violence Awareness Month; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION NO. 7

Whereas, Home should be a place of warmth, unconditional love, tranquility, and security; however, for many Americans, home is tainted with violence and fear; and

Whereas, Domestic violence is much more than the occasional family dispute; and

Whereas, According to the United States Department of Health and Human Services, domestic violence is the single largest cause of injury to American women, affecting 6,000,000 women of all racial, cultural, and economic backgrounds; and

Whereas, According to data published by the California Department of Justice in 1996, 624 incidents of domestic violence were reported, on average, every day in California. According to the American Psychological Association, nearly one in three adult women are physicially assaulted by a partner during adulthood; and

Whereas, According to the United States Department of Labor, 1,000,000 people are assaulted and injured every year as a result of workplace violence, 1,000 people are killed every year due to workplace violence, and 30 percent of battered women lose their jobs due to harassment at work by abusive husbands or boyfriends; and

Whereas, More than one-half of the number of women in need of shelter from an abusive environment may be turned away from a shelter due to lack of space; and

Whereas, Women are not the only targets of domestic violence; young children, elderly persons, and men are also victims in their own homes; and

Whereas, Emotional scars are often permanent; and

Whereas, A coalition of organizations has emerged to confront this crisis directly. Law enforcement agencies, domestic violence hotlines, battered women and children's shelters, health care providers, churches, and the volunteers that serve those entities are helping the effort to end domestic violence; and

Whereas, It is important to recognize the compassion and dedication of the individuals involved in that effort, applaud their commitment, and increase public understanding of this significant problem; and

Whereas, The first Day of Unity was celebrated in October 1981 and was sponsored by the National Coalition Against Domestic Violence for the purpose of uniting battered women's advocates across the nation in an effort to end domestic violence; and

Whereas, That one day has grown into a month of activities at all levels of government, aimed at creating awareness about the problem and presenting solutions; and

Whereas, The first Domestic Violence Awareness Month was proclaimed in October 1987; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Legislature hereby proclaims the month of October 1999, as Domestic Violence Awareness Month; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to the President of the United States, the Governor of the State of California, the Director of the United States Department of Health and Human Services, and to each Senator and Representative from California in the Congress of the United States.

POM–311. A joint resolution adopted by the Legislature of the State of California relative to Medicare; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 1

Whereas, Many health maintenance organizations (HMOs) have thrown the Medicare system into a state of turmoil by withdrawing coverage of Medicare enrollees at the end of 1998; and

Whereas, Thousands of HMO patients in California are now in a state of panic and confusion regarding their future ability to access health care services, including pharmacy benefits, at a reasonable cost; and

Whereas, In California, 39 percent of Medicare enrollees, or approximately 1.5 million patients, are served by HMOs, more than double the national average; and

Whereas, In recent years, HMOs have aggressively and successfully recruited the elderly into their Medicare health plans with promises to provide more benefits than standard fee-for-service Medicare coverage, including allowances for prescription drugs, hearing aids, and eyeglasses; and

Whereas, Each year HMOs participating in the Medicare managed care program are required to notify the federal Health Care Financing Administration (HCFA) whether they will renew their contracts for the following year; and

Whereas, This year, numerous HMOs have notified HCFA that they will not renew their contracts for next year, or will reduce the areas that they currently serve, with these withdrawals and service area reductions adversely affecting more than 400,000 beneficiaries across the nation, and over 40,000 Medicare patients in California; and

Whereas, The Inspector General of the United States Department of Health and Human Services has discovered that HMOs have been receiving more than $1 billion annually in overpayments from the Medicare Trust Fund, because HMOs are inflating administration costs dedicated to marketing, executive salaries and fringe benefits, legal fees, and other overhead costs; and

Whereas, The inspector general has recommended that these funds be recovered from HMOs and dedicated to providing Medicare beneficiaries with added health benefits, including prescription drugs; and

Whereas, Many Medicare patients not served by HMOs purchase Medicare supplement insurance, also known as Medigap coverage, which fills in the gaps in Medicare coverage and offers patients the most flexibility in choosing doctors and hospitals, and premiums for Medigap insurance have increased, on average, 35 percent since 1994; and

Whereas, Under the federal Balanced Budget Act of 1997, seniors enrolled in a Medicare HMO that terminates its services are eligible to purchase specified Medigap insurance coverage, regardless of their health status, but

the last day to take advantage of this guaranteed access is March 4, 1999; and

Whereas, Disabled individuals who qualify for Medicare, but are younger than 65 years of age, are not guaranteed access to Medigap coverage under a federal interpretation of federal law, and will need special assistance to secure health care services after they are abandoned by their HMOs; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully memorializes the Federal Government to take immediate and appropriate steps to ensure that persons abandoned by Medicare HMOs have access to other HMO or Medigap policies that cover prescription drugs and to establish stopgap measures to ensure that HMOs do not further restrict coverage areas or benefits until the larger issue of the Medicare HMO payment mechanism is further examined or refined; and be in further

Resolved, That the Legislature respectfully memorializes the Federal Government to rescind its determination that disabled persons under 65 years of age enrolled in HMOs do not have the same guaranteed rights to Medigap policies as all other Medicare enrollees; and be it further

Resolved, That the Legislature respectfully memorializes the President of the United States to issue an Executive order directing his administration to work closely and coordinate with California and other states to guide and assist Medicare enrollees who are abandoned by their HMOs to find new Medicare coverage, either in the form of another HMO that serves the abandoned region, or through Medigap coverage, until appropriate federal legislation is enacted to address permanently these types of dislocations that adversely affect Medicare patients; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the majority leader of the Senate, each Senator and Representative from California in the Congress of the United States, and Secretary of Health and Human Services, and the Administrator of the Health Care Financing Administration.

POM–312. A joint resolution adopted by the Legislature of the State or California relative to the U.S. Coast Guard Training Facility (TRACEN) Petaluma; to the Committee on Commerce, Science, and Transportation.

SENTE JOINT RESOLUTION NO. 3

Whereas, The United States Coast Guard is presently assessing its training structure for cost-effectiveness and is considering consolidating or closing one or two of its five training centers including the United States Coast Guard Training Center (TRACEN) Petaluma in the rural community of Two Rock, California; and

Whereas, TRACEN Petaluma is the only Coast Guard training facility on the west coast, while the Coast Guard maintains four other training centers on the eastern seaboard; and

Whereas, In the case of a prolonged national emergency, a Coast Guard training facility on the west coast has both logistic and strategic value to the service's two-ocean mission and to national security; and

Whereas, The mild California coastal climate makes it possible for TRACEN Petaluma to conduct outdoor exercises year round; and

Whereas, The Coast Guard has invested more than $50 million in TRACEN Petaluma since its inception, including $29 million to construct a state-of-the-art electronics and telecommunications training facility; and

Whereas, The rural community of Two Rock is dependent on TRACEN Petaluma for the continued existence of its neighborhood school and for fire and emergency services; and

Whereas, TRACEN Petaluma contributes $24.9 million annually to the North Bay economy in an areas that has been severely impacted by military base closures; and

Whereas, The closings of veterans hospitals in California have increased the dependence of retired military on the health services available at the TRACEN Petaluma medical facility; and

Whereas, TRACEN Petaluma also houses essential non-Coast Guard training activities for police, fire, and emergency personnel and rangers employed by local, state, and federal agencies operating throughout the region; and

Whereas, These entities have no other place to continue their training activities in the near future; and

Whereas, TRACEN Petaluma has a tradition of excellence recognized by the Coast Guard, a well-earned reputation for community involvement, and a legacy of environmental stewardship;

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature believes the continued operation of the United States Coast Guard Training Center (TRACEN) Petaluma is beneficial to the critical public safety and national security mission of the United States Coast Guard, and to the people and economy of California; and be it further

Resolved, That the Legislature respectfully memorializes the President and the Congress of the United States, and the United States Coast Guard to continue the operation of the United States Coast Guard Training Facility (TRACEN) Petaluma through increased utilization of its facilities and more efficient use of the Coast Guard's east coast facilities; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives and each Senator and Representative from California in the Congress of the United States, and to the United States Coast Guard.

POM–313. A joint resolution adopted by the Legislature of the State of California relative to human rights; to the Committee on Foreign Relations.

SENATE JOINT RESOLUTION NO. 4

Whereas, The legacy of war in Afghanistan has had a devastating impact on the civilian population; and

Whereas, The warring factions in Afghanistan have routinely violated the rights of women and girls; and

Whereas, There has been a marked increase in human rights violations against women and girls since the Taliban militia seized the City of Kabul in September 1996; and

Whereas, Afghan women are now forbidden to work outside of the home. Prior to the Taliban takeover, women worked outside of the home in various professions; and

Whereas, Seventy percent of school teachers, 50 percent of civilian government workers, and 40 percent of doctors in Kabul were women; and

Whereas, Afghan girls and women are prohibited from attending schools and universities. Before the takeover, 50 percent of the students in Afghanistan were women; and

Whereas, Afghan women are forbidden from appearing outside the home unless accompanied by a close male relative; and

Whereas, Access to health care has been denied to the majority of Afghan women and girls. This is a result of prohibiting male doctors from examining women, prohibiting women doctors from practicing, and limiting the health facilities available to women; and

Whereas, Afghan women are required to be covered from head to toe in a shroud, with only a narrow mesh opening through which to see, when they leave their homes. Likewise, they are not allowed to wear shoes that make any noise when they walk; and

Whereas, Homes and other buildings in which Afghan women or girls might be present must have their windows painted so no female can be seen from outside; and

Whereas, Afghan women have been whipped, beaten, shot at, and, a times, killed for not adhering to these restrictions; and

Whereas, The Secretary of State of the United States, the United Nations, and the Physicians for Human Rights have reported that the Taliban's targeting of women and girls for discrimination and abuse has created a health and humanitarian disaster; and

Whereas, The International Red Cross and the United Nations estimate that more than 500,000 people in the City of Kabul, approximately two-thirds of the residents of that city, depend on international aid to survive; and

Whereas, Afghanistan recognizes international human rights conventions such as the Covenant on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women, and the International Covenant on Economic, Social, and Cultural Rights, all of which espouse respect for basic human rights of all individuals without regard to race, religion, ethnicity, or gender; and

Whereas, Denying women and girls the right to education, employment, access to adequate health care, and direct access to humanitarian aid runs counter to international human rights conventions; and

Whereas, Peace and security in Afghanistan can only be realized with the full restoration for all human rights and fundamental freedom, the voluntary repatriation of refugees to their homeland in safety and dignity, and the reconstruction of Afghanistan; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California urges the President of the United States and Congress to take the necessary action to ensure the rights of women and girls in Afghanistan are not systematically violated, and urges a peaceful resolution to the situation in Afghanistan that restores the human rights of Afghan women and girls; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of State of the United States, to the President of the United States, and to the Secretary General of the United Nations.

POM–314. A joint resolution adopted by the Legislature of the State of California relative to the main San Gabriel groundwater basin; to the Committee on Appropriations.

SENATE JOINT RESOLUTION NO. 8

Whereas, The Main San Gabriel Groundwater Basin is the principal source of drinking water for approximately 1.4 million people who live in southern California; and

Whereas, The economy of the San Gabriel Valley is dependent upon the availability of a safe, reliable source of water for the residents and businesses in the region; and

Whereas, The groundwater supply in the Main San Gabriel Groundwater Basin is contaminated by both volatile organic compounds and inorganic chemicals, including perchlorate, that can be dangerous to human health, and

Whereas, The presence of perchlorate contamination is directly associated with the production of solid rocket fuels and explosives related to the defense and national security of the United States of America; and

Whereas, The contaminated groundwater in the Main San Gabriel Groundwater Basin is now spreading toward Los Angeles County's Central Groundwater Basin; and

Whereas, The spreading of contaminated groundwater into the massive Central Groundwater Basin will adversely affect the drinking water of over half of Los Angeles County; and

Whereas, The health and economy of the entire southern California region may be devastated by the continued presence and possible spreading of contaminated groundwater; and

Whereas, Perchlorate contamination of drinking water is a serious health-related problem in other areas of the United States outside southern California; and

Whereas, The application of treatment technology in the Main San Gabriel Groundwater Basin may be used as a model for areas in the United States with similar contamination problems; and

Whereas, All stakeholders affected by the contaminated groundwater have joined together to support a comprehensive plan to treat the contaminated groundwater and reclaim the Main San Gabriel Groundwater Basin for the storage of a safe, reliable drinking water source; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature respectfully memorializes the President and Congress of the United States to enact legislation to make available necessary funds to implement groundwater remediation in the Main San Gabriel Groundwater Basin; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President, to the Speaker of the House of Representatives, the majority leader of the Senate, and each Senator and Representative from California in the Congress of the United States.

POM–315. A joint resolution adopted by the Legislature of the State of California relative to an Orange County commissary; to the Committee on Armed Services.

SENATE JOINT RESOLUTION NO. 9

Whereas, The federal military base realignment and closure (BRAC) process will lead to the closing of the United States Marine Corps Air Station (MCAS) at El Toro, California, in June 1999, and the impending closure of its commissary in September 2000; and

Whereas, Over 1,000 active duty military personnel from all services will remain in the vicinity of MCAS at El Toro after the base closes; and

Whereas, Over 120,000 military retirees reside in the Orange County vicinity of MCAS at El Toro and are active customers of the commissary located there; and

Whereas, The active duty military personnel, members of the National Guard and reserves, and military retirees presently entitled to commissary privileges at MCAS at El Toro will suffer from a decreased quality of life and increased financial burdens if the commissary is closed; and

Whereas, The closure of the commissary will eliminate over 100 jobs; and

Whereas, The closest alternative commissaries are: March Air Force Base, Riverside, approximately 90 miles round-trip from El Toro; Camp Pendleton, United States Marine Corps, Oceanside, approximately 110 miles round-trip from El Toro; and Los Angeles Air Force Base, El Segundo, approximately 80 miles round-trip from El Toro; and

Whereas, These alternative locations pose a substantial hardship by requiring travel from one to two hours to use these facilities; and

Whereas, Four other bases in the State of California, March Air Force Base, Fort Ord, the Presidio of San Francisco, and McClellan Air Force Base, have been closed, but their exchange and commissary facilities have remained open; and

Whereas, United States Senators, Barbara Boxer and Dianne Feinstein; United States Representatives, Christopher Cox, Gary Miller, Ed Royce, and Loretta Sanchez; State Senators, Joe Dunn, Ross Johnson, John Lewis, and Bill Morrow; Assembly Members, Dick Ackerman, Pat Bates, Scott Baugh, Marilyn Brewer, Bill Campbell, Lou Correa, and Ken Maddox; and the Orange County Board of Supervisors, as the Local Redevelopment Authority (LRA), whose members are Cynthia Coad, James Silva, Charles Smith, Todd Spitzer, and Thomas Wilson, all support the continued operation of the commissary after base closure and have so petitioned the United States Secretary of Defense; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully requests the President and Congress of the United States, the Secretary of Defense, the Chairpersons of the Joint Chiefs of Staff, the Chief of Naval Operations, and the Marine Commandant to take immediate action to authorize the continued operation of a commissary in Orange County after the closure of the United States Marine Corps Air Station at El Toro; and be it further,

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the United States House of Representatives, each Senator and Representative from California in the Congress of the United States, the Secretary of Defense, the Chairperson of the Joint Chiefs of Staff, the Chief of Naval Operations, the Marine Commandant, and the Commissary Operating Board.

POM–316. A joint resolution adopted by the Legislature of the State of California relative to the Older Americans Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

SENATE JOINT RESOLUTION NO. 10

Whereas, the federal Older Americans Act of 1965 (42 U.S.C. Sec. 3001 et seq.) expired in October 1995, although funding for its programs has been authorized since that date on an annual basis; and

Whereas, The congressional appropriations staff continue to stress the tight spending caps on discretionary programs imposed by the Balanced Budget Act of 1997 (Public Law 105–33); and

Whereas, A substantial number of seniors living in the State of California will be at risk if there are significant reductions in allocated funds for Older Americans Act programs; and

Whereas, Further delay in the reauthorization of the federal Older Americans Act of 1965 will erode the capacity of the act's various structures to deliver services to meet the needs of older Americans; and

Whereas, The federal Older Americans Act of 1965 should immediately be reauthorized to preserve the aging network's role in home- and community-based services, maintain the advocacy and consumer directed focus on the act, and give area agencies on aging increased flexibility in planning and delivering services to vulnerable older Americans; and

Whereas, the federal Older Americans Act of 1965 should be funded in the same manner in which the act has been funded for the past 33 years; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation that would reauthorize the federal Older Americans Act of 1965 without further delay; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM–317. A joint resolution adopted by the Legislature of the State of California relative to housing; to the Committee on Banking, Housing, and Urban Affairs.

SENATE JOINT RESOLUTION NO. 12

Whereas, There are 240,000 people in California residing in federally assisted project-based Section 8 housing units. Forty-four percent of Section 8 residents are elderly, and the median income of Section 8 residents is $9,300. Without Section 8 and comparable assistance, many of these households will become homeless; and

Whereas, The Department of Housing and Urban Development (HUD) has typically provided all capital and operating subsidies for public housing. In 1974 Congress created the new housing production program known as the Section 8 New Construction and Substantial Rehabilitation Program, under which HUD typically provided a 20-year commitment for rental subsidies that assured owners a specified level of rental income; and

Whereas, Property owners may convert their properties to market-based housing when their Section 8 contracts expire with HUD. Dramatic rent increases occurring in a number of housing markets in this state have already inspired many property owners to opt out of Section 8 subsidies, thus eliminating vast resources for low-income housing and potentially increasing levels of homelessness throughout the state. In California, owners of approximately 10,500 formerly affordable HUD units have converted to market rate use in the past two years; and

Whereas, Every county in California has buildings with project-based Section 8 units, and will be severely affected by the loss of affordable units. The largest concentrations are in Los Angeles County, the San Francisco Bay Area, San Diego, and Sacramento; and

Whereas, Recent federal housing policy and budget decisions have led to uncertainty over the current federally assisted housing inventory in California. Those decisions will place increasing demands on the financial and administrative resources of the state to maintain that housing inventory; and

Whereas, The federal fiscal year 1999 budget provides insufficient funding to preserve most of the below market housing stock; and

Whereas, The federal fiscal year 2000 budget will need $1.3 billion in additional budget authority to fund all contract extensions on current Section 8 projects. HUD's initiative to provide $100 million to increase contract rents at below market properties was rejected by the Office of Management and Budget; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California memorializes the President and Congress of the United States and the Department of Housing and Urban Development to establish policies and funding priorities that will ensure the preservation of the inventory of federally assisted housing in California; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of the Department of Housing and Urban Development.

POM–318. A joint resolution adopted by the Legislature of the State of California relative to former military base property; to the Committee on Armed Services.

SENATE JOINT RESOLUTION NO. 13

Whereas, The President of the United States and the Secretary of Defense have announced that they will ask Congress for the authority to transfer former military base property to local communities at no cost if the local communities use the property for job-generating economic development; and

Whereas, These no-cost economic development conveyances would minimize time-consuming property appraisals and negotiations, thereby speeding property transfers and reuse of these properties, and reducing the Department of Defense's costs to maintain and operate excess property; and

Whereas, The Department of Defense is organizing a base-reuse ''Red Team'' to develop plans to implement the new economic development conveyances, with an emphasis on a rapid and smooth transition of property to productive reuse; and

Whereas, Proposed federal legislation would forgive lease payments for communities that have already entered into agreements with the Department of Defense, including communities in California; and

Whereas, This proposed legislation would benefit the State of California, which suffered disproportionately, compared to other states, by base closures in 1988, 1991, 1993, and 1995; and

Whereas, California shouldered 60 percent of the net cuts in military personnel as a result of those base closures, despite the fact that the state had just 15 percent of military personnel before the cuts began; and

Whereas, California suffered the closure or realignment of 29 bases, losing more than 186,000 jobs and almost $9.6 billion in economic activity; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the California Legislature respectfully memorializes Congress and the President of the United States to enact legislation to transfer former military base property to local communities at no cost if the local communities use the property for job-generating economic development, and to forgive lease payments for communities that have already entered into agreements with the Department of Defense; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States.

POM–319. A joint resolution adopted by the Legislature of the State of California relative to Filipino veterans' benefits; to the Committee on Veterans' Affairs.

SENATE JOINT RESOLUTION NO. 6

Whereas, The Philippine Islands became a United States possession in 1898 when they were ceded from Spain following the Spanish-American War and remained a possession of the United States until 1946; and

Whereas, In 1934, Congress passed Public Law 73–127, the Philippine Independence Act, that set a 10-year timetable for the eventual independence of the Philippines and in the interim established a Commonwealth of the Philippines with certain powers over its internal affairs; and

Whereas, The granting of full independence ultimately was delayed for two years until 1946 because of the Japanese occupation of the islands from 1942 to 1945; and

Whereas, During the interval between 1934 and the final independence in 1946, the United States retained certain sovereign powers over the Philippines, including the right, upon order of the President of the United States, to call into the service of the United States Armed Forces all military forces organized by the Commonwealth government; and

Whereas, President Roosevelt invoked this authority by Executive order of July 26, 1941, bringing the Philippine Commonwealth Army into the service of the United States Armed Forces of the Far East under the command of Lieutenant General Douglas MacArthur; and

Whereas, Two hundred thousand Filipino soldiers, driven by a sense of honor and dignity, battled under United States Command after 1941 to preserve our liberty; and

Whereas, Filipino gallantly served at Bataan and Corregidor, giving their toil, blood, and lives so as to provide the United States valuable time to rearm materiel and men to launch the counteroffensive in the Pacific war; and

Whereas, There are four groups of Filipino nationals who are entitled to all or some of the benefits to which United States veterans are entitled. These are:

(1) Filipinos who served in the regular components of the United States Armed Forces.

(2) Regular Philippine Scouts, called ''Old Scouts,'' who enlisted in Filipino-manned units of the United States Army prior to October 6, 1945.

(3) Special Philippine Scouts, called ''New Scouts,'' who enlisted in the United States Armed Forces between October 6, 1945, and June 30, 1947, primarily to perform occupation duty in the Pacific following World War II.

(4) Members of the Philippine Commonwealth Army who on July 26, 1941, were called into the service of the United States Armed Forces. This group includes organized guerrilla resistance units that were recognized by the United States Army; and

Whereas, The first two groups, Filipinos who served in the regular components of the United States Army and Old Scouts, are considered United States veterans and are generally entitled to the full range of United States veterans' benefits; and

Whereas, The other two groups, New Scouts and members of the Philippine Commonwealth Army, are eligible for certain benefits, and some of these benefits are paid at lower than full rates. United States veterans' medical benefits for the four groups of Filipino veterans vary depending upon whether the person resides in the United States or the Philippines; and

Whereas, The Old Scouts were created in 1901 pursuant to the act of February 2, 1901, that authorized the President of the United States ''to enlist natives [of the Philippines] . . . for service in the Army, to be organized as scouts . . . or as troops or companies, as authorized by this Act, for the regular Army''; and

Whereas, Prior to World War II, these troops assisted in the maintenance of domestic order in the Philippines and served as a combat-ready force to defend the Philippine Islands against foreign invasion; and

Whereas, During the war, they participated in the defense and retaking of the islands from Japanese occupation. The eligibility of Old Scouts for benefits based on military service in the United States Armed Forces, including veterans' benefits, has long been established; and

Whereas, The United States Department of Veterans Affairs operates a comprehensive program of veterans' benefits in the Republic of the Philippines, including the operation of a United States Department of Veterans Affairs office in Manila; and

Whereas, The United States Department of Veterans Affairs does not operate a program of this type in any other country; and

Whereas, The program in the Philippines evolved because the Philippines were a United States possession during the period 1898–1946, and many Filipinos have served in the United States Armed Forces, and because the preindependence Commonwealth Army of the Philippines was called into the service of the United States Armed Forces during World War II (1941–1945); and

Whereas, Our nation, however, has failed to meet the promise made to those Filipino soldiers who fought as American soldiers during World War II; and

Whereas, Many Filipino veterans have been discriminated against by the classification of their service as not being service rendered in the United States Armed Forces for purposes of benefits from the United States Department of Veterans Affairs; and

Whereas, All other nationals, even foreigners, who served in the United States Armed Forces have been recognized and granted full rights and benefits, but the Filipinos who actually were American nationals at that time were and are still denied recognition and singled out for exclusion, and this treatment is unfair and discriminatory; and

Whereas, On October 20, 1996, President Clinton issued a proclamation honoring the nearly 100,000 Filipino veterans of World War II, soldiers of the Philippine Commonwealth Army, who fought as a component of the United States Armed Forces alongside Allied Forces for four long years to defend and reclaim the Philippine Islands, and thousands more who joined the United States Armed Forces after the war; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to take action necessary to honor our country's moral obligation to provide Filipino veterans with the military benefits that they deserve, including, but not limited to, holding related hearings, and acting favorably on legislation pertaining to granting full veterans' benefits to Filipino veterans of the United States Armed Forces; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM–320. A joint resolution adopted by the Legislature of the State of California relative to the safe return of prisoners of war captured by Yugoslav armed forces in Macedonia; to the Committee on Foreign Relations.

SENATE JOINT RESOLUTION NO. 11

Whereas, California stands behind our armed forces whenever soldiers are in harm's way in the name of freedom and liberty; and

Whereas, Many valiant Californians join the United States Armed Forces to uphold freedom and liberty throughout the world; and

Whereas, One such brave individual, Staff Sergeant Andrew A. Ramirez, exemplifies the best qualities of California's commitment to freedom and liberty; and

Whereas, Staff Sergeant Andrew A. Ramirez was taken prisoner by Yugoslav Armed Forces while he, Staff Sergeant Christopher Stone, and Specialist Steven Gonzales were on a peace mission in Macedonia; and

Whereas, Staff Sergeant Andrew A. Ramirez originates from East Los Angeles in the 24th Senate District; and

Whereas, Staff Sergeant Andrew A. Ramirez joined the United States Army in July 1992 and is a cavalry scout in B Troop of the Fourth Cavalry of the First Infantry Division who was stationed in Schweinfurt, Germany, prior to deployment in Macedonia; and

Whereas, Communities in California and especially East Los Angeles anxiously await the safe release of Staff Sergeant Andrew A. Ramirez, Staff Sergeant Christopher Stone, and Specialist Steven Gonzales captured by the Yugoslav Armed Forces; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California commend Staff Sergeant Andrew A. Ramirez, Staff Sergeant Christopher Stone, and Specialist Steven Gonzales for courageously executing their duties as members of the United States Armed Forces; and be it further

Resolved, That the Legislature respectfully urges the President of the United States and the United States Congress to do all that is within their power to secure and expedite the safe return of Staff Sergeant Andrew A. Ramirez, Staff Sergeant Christopher Stone, and Specialist Steven Gonzales captured by the Yugoslav Armed Forces in Macedonia; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM–321. A joint resolution adopted by the Legislature of the State of Colorado relative to the Federal Unified Gift and Estate Tax; to the Committee on Finance.

SENATE JOINT MEMORIAL 99–004

Whereas, The Federal Unified Gift and Estate Tax, or ''Death Tax'', generates a minimal amount of federal revenue, especially considering the high cost of collection and compliance and in fact has been shown to decrease federal revenues from what they might otherwise have been; and

Whereas, This federal Death Tax has been identified as destructive to job opportunity and expansion, especially to minority entrepreneurs and family farmers; and

Whereas, This federal Death Tax causes severe hardship to growing family businesses and family farming operations, often to the point of partial or complete forced liquidation; and

Whereas, Critical state and local leadership assets are unnecessarily destroyed and forever lost to the future detriment of their communities through relocation or liquidation; and

Whereas, Local and state schools, churches, and numerous charitable organizations would greatly benefit from the increased employment and continued family business leadership that would result from the repeal of the federal Death Tax; now, therefore,

Be It Resolved by the Senate of the Sixty-second General Assembly of the State of Colorado, the House of Representatives concurring herein:

That the Congress of the United States is hereby memorialized to immediately repeal the Federal Unified Gift and Estate Tax.

Be It Further Resolved, That copies of this Joint Memorial be sent to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Colorado congressional delegation.

POM–322. A concurrent resolution adopted by the Legislature of the State of Texas relative to McGregor Range, Fort Bliss, TX; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 133

Whereas, Future military threats to the United States and its allies may come from technologically advanced rogue states that for the first time are armed with long-range missiles capable of delivering nuclear, chemical, or biological weapons to an increasingly wider range of countries; and

Whereas, The U.S. military strategy requires flexible and strong armed forces that are well-trained, well-equipped, and ready to defend our nation's interests against these devastating weapons of mass destruction; and

Whereas, Previous rounds of military base closures combined with the realignment of the Department of the Army force structure has established Fort Bliss as the Army's Air Defense Artillery Center of Excellence, thus making McGregor Range, which is a part of Fort Bliss, the nation's principal training facility for air defense systems; and

Wheares, McGregor Range is inextricably linked to the advanced missile defense testing network that includes Fort Bliss and the White Sands Missile Range, providing, verifying, and maintaining the highest level of missile defense testing for the Patriot, Avenger, Stinger, and other advanced missile defense systems; and

Whereas, The McGregor Range comprises more than half of the Fort Bliss installation land area, and the range and its restricted airspace in conjunction with the White Sands Missile Range, is crucial to the development and testing of the Army Tactical Missile System and the Theater High Altitude Area Defense System; and

Whereas, The high quality and unique training capabilities of the McGregor Range allow the verification of our military readiness in air-to-ground combat, including the Army's only opportunity to test the Patriot missile in live fire, tactical scenarios, as well as execute the ''Roving Sands'' joint training exercises held annually at Fort Bliss; and

Whereas, The Military Lands Withdrawal Act of 1986 requires that the withdrawal from public use of all military land governed by the Army, including McGregor Range, must be terminated on November 6, 2001, unless such withdrawal is renewed by an Act of Congress: now, therefore be it

Resolved, That the 76th Legislature of the State of Texas hereby support the U.S. Congress in ensuring that the critical infrastructure for the U.S. military defense strategy be maintained through the renewal of the withdrawal from public use of the McGregor Range land beyond 2001, and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered into the CONGRESSIONAL RECORD as a memorial to the Congress of the United States of America.

POM–323. A concurrent resolution adopted by the Legislature of the State of Texas relative to the Texas Gulf Coast; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION

Whereas, One of Texas' richest and most diverse areas is that of the Gulf Coast; the Coastal Bend abounds with treasures for all, and every year thousands of visitors flock to its beaches and wetlands to enjoy the sun, fish the waters, appreciate its unique scenery and wildlife, and bolster their spirits simply by being near such awe-inspiring beauty; and

Whereas, In addition to $7 billion per year generated by coastal tourism, the area is also home to half of the nation's petrochemical industry and over a quarter of its petroleum refining capacity; and

Whereas, Coastal tourism, the petrochemical and petroleum industries, a robust commercial and recreational fishing trade, and significant agricultural production make this region a vital economic and natural resource for both the state and the nation; and

Whereas, Like other coastal states located near offshore drilling activities, Texas provides workers, equipment, and ports of entry for oil and natural gas mined offshore; while these states derive numerous benefits from the offshore drilling industry, they also face great risks, such as coastline degradation and spill disasters, as well as the loss of nonrenewable natural resources; and

Whereas, Although state and local authorities have worked diligently to conserve and protect coastal resources, securing the funds needed to maintain air and water quality and to ensure the existence of healthy wetlands and beaches and protection of wildlife is a constant challenge; and

Whereas, The federal Land and Water Conservation fund was established by Congress in 1964 and has been one of the most successful and far-reaching pieces of conservation

and recreation legislation, using as its funding source the revenues from oil and gas activity on the Outer Continental Shelf; and

Whereas, The game and nongame wildlife resources of this state are a vital natural resource and provide enjoyment and other benefits for current and future generations; and

Whereas, The federal government has received more than $120 billion in offshore drilling revenue during the past 43 years, only five percent of which has been allotted to the states; it is fair and just that Texas and other coastal states should receive a dedicated share of the revenue they help generate; and

Whereas, Several bills are currently before the United States Congress that would allocate a portion of federal offshore drilling royalties to coastal states and local communities for wildlife protection, conservation, and coastal impact projects; and

Whereas, States and local communities know best how to allocate resources to address their needs, and block grants will provide the best means for distributing funds; and

Whereas, These funds would help support the recipients' efforts to renew and maintain their beaches, wetlands, urban waterfronts, parks, public harbors and fishing piers, and other elements of coastal infrastructure that are vital to the quality of life and economic and environmental well-being of these states and local communities; now, therefore, be it

Resolved, That the 76th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to pass legislation embodying these principles; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–324. A concurrent resolution adopted by the Legislature of the State of Texas relative to the Kerrville Veterans Administration Medical Center; to the Committee on Veteran's Affairs.

HOUSE CONCURRENT RESOLUTION NO. 112

Whereas, the Kerrville Veterans Administration Medical Center, which consistently ranks high among Texas-based veterans' hospitals, is a ''veteran-friendly'' facility offering the very best of medical care and an outstanding corps of affiliated physicians, nurses, and support personnel; and

Whereas, it is a valuable regional resource and a comfort to the many thousands of military retirees who have settled in the Texas Hill Country both for the allure of those environs and the close proximity in their older age to the expertise of highly qualified health practitioners; and

Whereas, the Kerrville institution has a long and successful history; begun in 1919, it opened its doors two years later after fundraising by the American Legion and appropriations from the 37th Legislature; the federal government bought the facility from the state in 1926, eventually to incorporate it within the Veterans Affairs Medical Center System; and

Whereas, over the last 10 years, the U.S. Department of Veterans Affairs has spent almost $20 million upgrading the center, installing the most modern equipment and enhancing its ability to treat and attend our veterans in a manner reciprocating their service in behalf of this nation; and

Whereas, absent a policy reversal, the center will be phased out for extended hospital care by May 1999, and will keep intensive care patients for only 24 hours before transferring them to another Department of Veterans Affairs medical center in San Antonio or, if that is full, to private hospitals in the Bexar County area; and

Whereas, given the investment in and improvements to the center in the past decade, these diminutions of service seem both a waste of money and federal resources and a creation of geographic inconvenience for veterans in Kerr County and surrounding communities;

Whereas, the continued vitality of the Kerrville Veterans Administration Medical Center as a first-class hospital is an issue of importance not only to the people of Kerrville and the Hill Country region but also to Texas generally because of its strategic role in meeting the health needs of the citizens of this state; now, therefore, be it

Resolved, That the 76th Legislature of the State of Texas hereby respectfully request the Congress of the United States to ensure the future of the Kerrville Veterans Administration Medical Center by providing that it be fully funded, staffed, and utilized, and by restoring and promoting the health rights and benefits of the Texas veterans who are its prospective patrons; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all the members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–325. A concurrent resolution adopted by the Legislature of the State of Texas relative to the Social Security Trust Fund; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 249

Whereas, by 2032, the federal Social Security Trust Fund will likely be unable to meet its obligations, and comprehensive reform is necessary to ensure its viability both for present and future beneficiaries; and

Whereas, legislation on the subject is anticipated in the 106th Congress, and with the Federal Government searching for avenues to restore solvency to the failing fund, attention has turned to the option of mandated coverage for newly hired employees of previously noncovered state and local governments; and

Whereas, such governments were initially excluded from Social Security participation when the system was established in 1935, as it was considered unconstitutional for the Federal Government to tax counterpart governments at the state and local levels; and

Whereas, consequently, Texas state and local governments established independent retirement plans to meet the needs of their employees, and local government participation in Social Security remains optional, although state employees are now covered by both Social Security and state retirement plans; and

Whereas, mandating coverage on newly hired employees of previously noncovered governments, according to the Social Security Advisory Council, would extend the solvency of the Social Security Trust Fund by a mere two years; and

Whereas, such mandated coverage would result in a tax increase of 6.2 percent each for local government employees and local government employers, for a combined tax increase of 12.4 percent; and

Whereas, there currently are over 562,000 noncovered public employees in Texas, including public school teachers and administrators, public safety officers, and large numbers of city, county, and special district employees; and

Whereas, estimates prepared by the Texas Association of Public Employees Retirement Systems project a cost of at least $6.87 billion to Texas local government employers, particularly school districts, and newly hired workers over the first 10 years of implementation; and

Whereas, city and county governments, in order to pay the new federal tax, might have no choice but to reduce services such as law enforcement, fire protection, libraries, public health, programs for senior citizens and the disabled, parks and recreation, and refuse collection and recycling; and

Whereas, school districts would experience a new source of pressure toward increasing property taxes, and local government retirement plans generally might need to be reduced due to the cost imposed by mandatory Social Security coverage; and

Whereas, the proposed new tax is a shift of a federal burden to local communities to solve a federal problem that our state and local governments had no hand in creating, and under which there would be no benefit paid to Texas workers for more than a generation; now, therefore, be it

Resolved, That the 76th Legislature of the State of Texas hereby memorialize the Congress of the United States and urge the President of the United States in the strongest possible terms to refrain from the inclusion of mandatory Social Security coverage for presently noncovered state and local government employees in any Social Security reform legislation; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the President of the United States, to the Speaker of the House of Representatives and the President of the Senate of the United States Congress, and to all the members of the Texas delegation to the Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–326. A concurrent resolution adopted by the Legislature of the State of Texas relative to veteran's benefits; to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION NO. 141

Whereas, military veterans who have served their country honorably and who were promised and earned health care and compensation and pension benefits from the federal government through the Department of Veterans Affairs are now in need of these benefits due to advancing age; and

Whereas, the proposed budget for the Department of Veterans Affairs Veterans Health Administration has for the fourth consecutive year proposed a straight-line budget for veterans health care that falls short of the needed funds to counter soaring medical care inflation and other costs associated with the aging veterans population; and

Whereas, the proposed budget calls for the elimination of nearly 8,000 full-time employees from veterans health care, which further threatens veterans health care service by

placing a greater strain on patient services and further endangers the quality of care for the sick and disabled veterans of this nation; and

Whereas, the processing of claims for service-connected compensation and pension benefits by the Department of Veterans Affairs Veterans Benefits Administration has also suffered from inadequate budgets resulting in backlogs in claims processing ranging in the hundreds of thousands; and

Whereas, the substantial backlog of service-connected compensation and pension claims by the Veterans Benefits Administration has been a serious and persistent problem resulting in extended waits for veterans and their families to receive decisions concerning application for needed benefits; and

Whereas, it is necessary to enact legislation to provide funding necessary to properly deliver earned health care and compensation and pension benefits to the aging veterans population of our nation; now, therefore, be it

Resolved, That the 76th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to maintain its commitment to the veterans of America and their families by providing sufficient funding to the Department of Veterans Affairs to address the above concerns; and, be it further

Resolved, that the Texas secretary of state forward official copies of this resolution to the president of the United States, the president of the senate and speaker of the house of representatives of the United States Congress, and all members of the Texas delegation to the congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM–327. A resolution adopted by the Town Board of the Town of North Hempstead, New York relative to the proposed ''Mandatory Gun Show Background Check Act''; to the Committee on the Judiciary.

POM–328. A resolution adopted by the Council of the City of Cincinnati, Ohio relative to the Community Reinvestment Act; to the Committee on Banking, Housing, and Urban Affairs.

POM–329. A resolution adopted by the International Association of Official Human Rights Agencies relative to the Federal Fair Housing Act; to the Committee on Appropriations.

POM–330. A resolution adopted by the National Conference of Insurance Legislators relative to multiple employer welfare arrangements and association health plans; to the Committee on Health, Education, Labor, and Pensions.

POM–331. A resolution adopted by the National Conference of Lieutenant Governors relative to the Visa Waiver Pilot Program; to the Committee on the Judiciary.

POM–332. A resolution adopted by the Pan Macedonian Association, Inc. relative to the ''Macedonia'' name issue; to the Committee on Foreign Relations.

POM–333. A resolution adopted by the Pan Macedonian Association, Inc. relative to developments in the Balkans; to the Committee on Foreign Relations.

POM–334. A petition from a citizen of the State of Minnesota relative to the human rights of Eritreans in Ethiopia; to the committee on Foreign Relations.

POM–335. A resolution adopted by the Council of the City of Naples, Florida relative to the Kosovo situation; to the Committee on Foreign Relations.

POM–336. A resolution adopted by the Pacific Fishery Management Council relative to the recovery of wild Snake River salmon and steelhead; to the Committee on Environment and Public works.

POM–337. A joint resolution adopted by the Legislature of the State of California relative to federal transportation funds; to the Committee on Environment and Public Works.

ASSEMBLY JOINT RESOLUTION NO. 6

Whereas, the allocation of federal transportation funds was reformed under the federal Transportation Equity Act for the 21st Century (P.L. 105–178), commonly known as TEA–21, in a manner that greatly increases the share of federal transportation dollars that states are eligible to receive; and

Whereas, the recent surge in the federal transportation fund, spurred by unexpected gas tax and car sales tax revenues, would mean that states would receive an additional eight hundred fifty-eight million dollars ($858,000,000) above and beyond the amount of funds that was expected under last year's agreement; and

Whereas, California's share of that transportation fund surplus would be one hundred twenty-one million dollars ($121,000,000) in additional funds under the TEA–21 formulas, which funds could be used for much needed transportation projects; and

Whereas, the United States Department of Transportation has proposed diverting the eight hundred fifty-eight million dollar surplus to federal programs; and

Whereas, State and local governments are best qualified to evaluate the specific transportation needs of their state local area; and

Whereas, the additional federal transportation funds could be used for projects such as road construction, reduction of traffic congestion, and air quality improvements; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature urges the Congress and the President of the United States to use the framework established under the Transportation Equity Act for the 21st Century when allocating federal transportation funds to California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM–338. A joint resolution adopted by the Legislature of the State of California relative to women in sports; to the Committee on Health, Education, Labor, and Pensions.

ASSEMBLY JOINT RESOLUTION NO. 20

Whereas, when the California Interscholastic Federation (CIF) was formed in 1914, girls' physical education did not include interscholastic sports teams; and

Whereas, in 1964, the CIF Federated Council adopted a set of bylaws for girls' interscholastic sports that stated that schools and school districts may organize girls' sports teams; and

Whereas, by the 1967–68 school year, almost half of California's secondary schools conducted CIF girls' interscholastic athletic program of some degree; and

Whereas, in 1972, the United States Congress enacted Title IX of the Education Amendments of 1972; and

Whereas, title IX of the Education Amendments of 1972 (hereafter Title IX) states, in part, as follows: ''No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance . . . .''; and

Whereas, prior to the enactment of Title IX, many schools refused to admit girls and women to, or imposed strict limits on their participation in, a wide range of sports; and

Whereas, since the enactment of Title IX, the participation and interest of girls and women in sports has soared. Only 300,000 girls participated in California high school sports prior to Title IX; today the number is in excess of 2.37 million; and

Whereas, title IX governs overall equity of opportunity in athletics, including areas such as equipment and supplies, travel, support services, and scholarships; and

Whereas, scholarship opportunities are an important way that educational institutions meet the needs and interests of student athletics; and

Resolved, That the CIF and California high schools and colleges are to be commended for the progress made already, and to encourage further efforts by all to meet the challenge of equality in sports and the greatest fulfillment of the hopes and dreams of girls and women in our school; and be it further

Resolved, That programs and projects that emphasize girls' and women's confidence building through fitness and physical challenges in sports and outdoor adventure, such as the Women's Sports Foundation, Girl Teams Adventure Training, Okinawan Karate, and the 50's Plus Fitness Association, be commended for their positive impact in carrying forward the fitness message for girls and women; and be it further

Resolved, That parents, families, businesses, women athletes who serve as positive role models, and all others who have contributed to girls' and women's leadership and team player skills through sports and fitness activities are to be commended; and be it further

Resolved, That the Legislature of the State of California, on June 23, 1999, commemorates the 27th Anniversary of Title IX, commends the movement toward increased equality and fair treatment of female athletes, and praises the goals of greater opportunities in sports for girls and young women in California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States.

POM–339. A joint resolution adopted by the Legislature of the State of California relative to poisonous and noxious weeds; to the Committee on Governmental Affairs.

ASSEMBLY JOINT RESOLUTION NO. 4

Whereas, poisonous and noxious weeds are spreading throughout the State of California due to the use of straw for soil-erosion control and road construction by California agencies, such as the Department of Transportation (CALTRANS), the Department of Fish and Game, and the Department of Forestry and Fire Protection, by federal agencies, such as the United States Forest Service and the United States Bureau of Land Management, and by other federal, state, and county agencies; and

Whereas, the grazing capacity of animals, wildlife habitat, and native plant species is being destroyed through the use of straw for these purposes; and

Whereas, it is in the best interest of the state for these agencies to use materials that are not detrimental to our wildlife, domestic animals, and plant species; and

Whereas, California-grown rice straw is produced in an aquatic environment and cannot coexist with the yellow star thistle and other terrestrial noxious weeds of concern; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, Jointly, That the Legislature of the State of California respectfully memorializes all government agencies, particularly the United States Forest Service, the United States Bureau of Land Management, CALTRANS, the Department of Fish and Game, and the Department of Forestry and Fire Protection, to abstain from using nonnative plant material and encourage the use of weed-free straw or California-grown rice straw in any of their programs within California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, each Senator and Representative from California in the Congress of the United States, the United States Forest Service, and the United States Bureau of Land Management, and to the Director of Transportation, the Director of Fish and Game, and the Director of Forestry and Fire Protection.

POM–340. A joint resolution adopted by the Legislature of the State of California relative to cold storms in California; to the Committee on Environment and Public Works.

Whereas, the cold storms and consequent frost damage that occurred in this state during December 1998 have affected virtually every geographic area of the state; and

Whereas, small businesses and farming entities have suffered actual physical damage and significant economic losses; and

Whereas, the residents of this state have suffered substantial losses as a result of the cold storms and frost damage and have financial and practical needs equal to or greater than other areas that have been declared as federal natural disaster areas; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the legislature of the State of California hereby respectfully memorializes the President of the United States to declare the affected portions of California as a federal natural disaster areas as a result of the cold storms and consequent frost damage that occurred in December 1998; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States.

REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Under the authority of the order of the Senate of August 5, 1999, the following reports of committees were submitted on August 27, 1999:

By Mr. THOMPSON, from the Committee on Governmental Affairs, without amendment:

H.R. 457: A bill to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes (Rept. No. 106–143).

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 28: A bill to authorize an interpretive center and related visitor facilities within the Four Corners Monument Tribal Park, and for other purposes (Rept. No. 106–144).

S. 400: A bill to provide technical corrections to the Native American Housing Assistance and Self-Determination Act of 1996, to improve the delivery of housing assistance to Indian tribes in a manner that recognizes the right of tribal self-governance, and for other purposes (Rept. No. 106–145).

By Mr. BOND, from the Committee on Small Business, with amendments:

S. 1346: A bill to ensure the independence and nonpartisan operation of the office of Advocacy of the Small Business Administration (Rept. No. 106–146).

By Mr. BOND, from the Committee on Small Business:

Special Report entitled ''Summary of Legislative and Oversight Activities During the 105th Congress'' (Rept. No. 106–147).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment:

S. 299. A bill to elevate the position of Director of the Indian Health Service within the Department of Health and Human Services to Assistant Secretary for Indian Health, and for other purposes (Rept. No. 106–148).

By Mr. CAMPBELL, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 401. A bill to provide for business development and trade promotion for native Americans, and for other purposes (Rept. No. 106–149).

S. 613. A bill to encourage Indian economic development, to provide for the disclosure of Indian tribal sovereign immunity in contracts involving Indian tribes, and for other purposes (Rept. No. 106–150).

S. 614. A bill to provide for regulatory reform in order to encourage investment, business, and economic development with respect to activities conducted on Indian lands (Rept. No. 106–151).

S. 406. A bill to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payors, and to expand the eligibility under such program to other tribes and tribal organizations (Rept. No. 106–152).

By Mr. BOND, from the Committee on Small Business, with amendments:

S. 1156. A bill to amend provisions of law enacted by the Small Business Regulatory Enforcement Fairness Act of 1996 to ensure full analysis of potential impacts on small entities of rules proposed by certain agencies, and for other purposes (Rept. No. 106–153).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. COVERDELL (for himself and Mr. CLELAND):

S. 1566. A bill to direct the Administrator of General Services to convey certain land to the United States Postal Service, and for other purposes; to the Committee on Governmental Affairs.

S. 1567. A bill to designate the United States courthouse located at 223 Broad Street in Albany, Georgia, as the ''C.B. King United States Courthouse''; to the Committee on Environment and Public Works.

By Mr. FEINGOLD (for himself, Mr. REED, Mr. LEAHY, Mr. WELLSTONE, Mrs. BOXER, Mr. KOHL, Mr. KERRY, Mr. KENNEDY, and Mr. TORRICELLI):

S. 1568. A bill imposing an immediate suspension of assistance to the Government of Indonesia until the results of the August 30, 1999, vote in East Timor have implemented, and for other purposes; to the Committee on Foreign Relations.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 1569. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LUGAR:

S. 1570. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to promote identification of children eligible for benefits under, and enrollment of children in, the medicaid and State Children's Health Insurance programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LOTT (for himself and Mr. COVERDELL):

S.J. Res. 33. A joint resolution deploring the actions of President Clinton regarding granting clemency to FALN terrorists; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BIDEN:

S. Res. 179. A resolution designating October 15, 1999, as ''National Mammography Day''; to the Committee on the Judiciary.

By Mr. BAUCUS:

S. Con. Res. 55. A concurrent resolution establishing objectives for the next round of multilateral trade negotiations; to the Committee on Finance.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COVERDELL (for himself and Mr. CLELAND):

S. 1566. A bill to direct the Administrator of General Services to convey certain land to the United States Postal Service, and for other purposes; to the Committee on Governmental Affairs.

THE ST. SIMONS LIGHTHOUSE PRESERVATION ACT

Mr. COVERDELL. Mr. President, I rise today to introduce legislation that guarantees the future of a great historic treasure in my state. For nearly

200 years, the lighthouse at St. Simons Island, Georgia, stood as a sentinel at the head of St. Simons Sound and guided ships safely through dangerous waters and into the port of nearby Brunswick. Although it is no longer used for this purpose, the lighthouse remains an integral part of the St. Simons Island community and is part of the rich heritage of this region. Unfortunately, events could soon take place which could do irrevocable harm to this site.

In 1961, the United States Postal Service (USPS) leased part of the lighthouse property and built a small post office for the community, which is no longer used by the USPS. The lease was signed between the USPS and a private citizen, who owned the property at the time. This agreement, which expires in 2011, gives the USPS seven options to purchase the land outright at a significant discount, with the next purchase option being in 2001.

Since the lease was signed, many things have changed. In 1984, the title to the lighthouse property was transferred to the Coastal Georgia Historical Society, an organization dedicated to preserving the lighthouse and Georgia's coastal heritage. While the CGHS holds the title, the lease with the USPS remains in effect.

It is very easy to see why many in the St. Simons community have grave concerns about the USPS exercising its right-to-buy option. The USPS has expressed its intent to exercise this option and immediately sell the land to a commercial developer for a huge profit. Many area residents do not appreciate the idea of placing a highrise hotel or a fast food restaurant next to the historic symbol of their community.

The bill I am introducing today seeks to rectify this situation by preserving the St. Simons Lighthouse without interfering with the profit maximization requirements placed on the USPS. The St. Simons Lighthouse Preservation Act states that the General Services Administration will locate a sufficient federal property of equal value to the leased property at St. Simons and deed it to the USPS. In exchange, the USPS will terminate its lease.

Passage of the St. Simons Lighthouse Preservation Act will ensure that future generations will be able to enjoy the Lighthouse and its environs. I encourage my colleagues to work with me to ensure quick passage of this important legislation.

By Mr. FEINGOLD (for himself, Mr. REED, Mr. LEAHY, Mr. WELLSTONE, Mrs. BOXER, Mr. KOHL, Mr. KERRY, Mr. KENNEDY, and Mr. TORRICELLI):

S. 1568. A bill imposing an immediate suspension of assistance to the Government of Indonesia until the results of the August 30, 1999, vote in East Timor have implemented, and for other purposes; to the Committee on Foreign Relations.

SUSPENSION OF ASSISTANCE TO THE GOVERNMENT OF INDONESIA

Mr. FEINGOLD. Mr. President, I rise today, along with a number of my colleagues, to introduce a bill in response to the ongoing violence in East Timor.

I am outraged at what is going on in East Timor today. The Indonesian government clearly has not lived up to its commitment to maintain security following the recent referendum. In fact it is openly supporting the militia violence against the majority of East Timorese, who have made clear their desire for an independent East Timor. If the Indonesian government cannot, or will not, maintain peace, I believe an international peacekeeping mission is the best option. The United States and the rest of the international community must exercise any and all leverage it has with the Indonesians to allow for this contingency. In addition, the United States provides a great deal of economic and military assistance to Indonesia. If the Indonesian government does not take steps to stop the violence occurring in East Timor, we should suspend these benefits.

For that reason, I am today introducing a bill which cuts off all military and most economic assistance to the government of Indonesia until the President determines and certifies to the Congress that a safe and secure environment exists in East Timor which will allow the East Timorese who have fled the militia-led violence to return to their homes, allow the United Nations Assistance Mission to East Timor, UNAMET, to resume its mandate, and allow the results of the August 30, 1999, referendum on East Timor's political status to be fully implemented.

At long last, on August 30, the people of East Timor went to the polls to express their will about the future of their homeland, choosing between a future as an autonomous part of Indonesia, or as an independent nation. The approximately 99 percent voter turnout in the face of intimidation from the pro-Jakarta militias is a credit to the dedication and courage of the East Timorese people to determine once and for all their own political status.

Ironically, the day of the ballot was relatively free of violence. But that was the calm before the storm. After the polls closed, the militias began a rampage throughout the territory that continues today. At least for UNAMET workers have been killed and at least six other are missing. Thousands of East Timorese have fled their homes, which are being looted and burned at will by the militias.

According to some estimates, in the past week alone, several hundred people have been killed, and more than 30,000 have been forced to flee their homes. Television news reports have shown desperate East Timorese citizens scaling the razor-sharp barbed wire fence surrounding the UNAMET mission in order to escape the automatic weapons of the advancing militias. There have been reports of beheadings. Nobel Laureate Bishop Carlos Belo and about six thousand East Timorese who sought refuge in his home in Dili were forced to flee when his home was burned to the ground. Bishop Belo, who has endured years of intimidation and countless threats on his life, has since fled to Australia. The United Nations is evacuating many of its workers and international observers.

The result of the ballot, which was announced on September 4, was overwhelming—78.5 percent of East Timorese voted for independence. This crushing defeat for the pro-Jakarta militias and their supporters sparked even more violence.

Unfortunately, this is just the latest in a wave of violence that has plagued East Timor for almost a quarter of a century. At this point, I would like to recount some of East Timor's history—the events that have brought the people of that territory to the horrific violence that is being unleashed upon them as I speak these words.

The East Timorese people have a long history of foreign domination. The Portuguese ruled there for four centuries. In 1975, less than a year after the Portuguese colonial rulers left East Timor, the Indonesian army occupied East Timor, and it remains there today. For 24 years, the people of East Timor have been subjugated by the Indonesian government and harassed by the Indonesian military.

The November 1991 massacre of nonviolent demonstrators in the East Timorese capital of Dili is but one example of Indonesia's repressive occupation of East Timor. Despite the harsh rule of the Suharto regime—or maybe in spite of it—the people of East Timor held on to their hope for self-determination. This dream is personified by people such as Nobel Peace Prize winners Jose Ramos Horta and Bishop Carlos Belo, who have worked tirelessly, and at great personal risk, for the liberation of the people of East Timor.

Following Suharto's resignation in 1998, it appeared that some positive changes were on the horizon for the people of East Timor. This comes after January 27, 1999, President B.J. Habibie announced that the government of Indonesia was finally willing to learn—and respect—the wishes of the people in that territory. On May 5, 1999, the governments of Indonesia and Portugal signed an agreement to hold a United Nations-supervised ''consultation'' on the future of East Timor.

Before the ink was even dry on this agreement, proJakarta militia groups—better described as lawless thugs—began a campaign of terror and intimidation against the East Timorese people aimed at quashing the independence movement. And these thugs

operated freely while the Indonesian military looked the other way, and in some cases, helped them.

In the weeks leading up to the historic referendum, the militias targeted supporters of East Timorese independence, and members of the UNAMET who were in the territory preparing for the vote.

And now, the implementation of the results of this ballot, an effort which has already been paid for by the blood of more than 200,000 East Timorese who have been killed since 1975, is being delayed by more violence from criminals who cannot accept the defeat they received at the polls.

Despite his promise to respect the wishes of the East Timorese people, President Habibie has done little to stop the violence. Yesterday, he imposed martial law in East Timor, but this announcement has not ended the militia rampage, and the Indonesian military has done nothing to halt the violence. I am concerned that martial law will only embolden the militias.

The bill which I am introducing today calls on the Indonesian government to foster an environment in which the result of the August 30 referendum can be fully implemented. And if the Indonesian government does not take steps to that end, all U.S. military and most economic assistance to Indonesia will be cut off. Period.

For too long, the Congress has allowed military and economic assistance to be awarded to the government of Indonesia, with few conditions, despite its miserable human rights record and its deplorable treatment of the people of East Timor. It is high time that the Indonesian government learns that the U.S. will not tolerate the violent suppression of the legitimate democratic aspiration of the people of East Timor.

Earlier this week, President Habibie asked the Indonesian people to remain calm in the face of the referendum results. It is past time for him to direct the Indonesian army to stop the militias and to discipline those army personnel who are in collusion with the militias in their rampage through East Timor.

It is imperative that President Habibie and his government understand that the United States Congress will not sit idly by while bands of thugs continue to loot and burn East Timor, kill innocent civilians, and drive people from their homes.

President Habibie said earlier this year that he would respect the wishes of the people of East Timor. His government also promised the World Bank that it would live up to its commitments to the United Nations. It is time he shows that these statements were more than just political rhetoric. He must stop the violence, and he must allow international peacekeepers to enter East Timor without the threat of attack from militias or members of the Indonesian army.

I hope the Senate will act on this important legislation at the earliest possible date. We must not allow the Indonesian government to continue to receive U.S. military and economic assistance so long as it is condoning the terror in East Timor.

So, Mr. President, I send a bill to the desk. Because of the urgency of the situation in East Timor, I ask that it be considered as soon as possible.

Mr. President, I am delighted that the next speaker will be a person who has devoted an incredible energy to this issue; in fact, who recently had the willingness and courage to go to East Timor, Senator REED of Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise in strong support of the legislation introduced by my colleague, Senator FEINGOLD of Wisconsin. I do so because of the gravity of the situation and also because of the fact that just 2 weeks ago I had the opportunity to travel, along with Senator HARKIN of Iowa and Congressman McGovern of Massachusetts, to East Timor.

We visited the town of Dili, the capital. Then we went into the countryside. We saw the bravery and courage of people who are willing, quite literally, to risk their lives to vote to determine their own future. We went to a town called Suai, which was a small village in the western part of East Timor. There we found 2,000 displaced persons huddled in the shadow of a half built Catholic church being protected from roving bands of militia, basically armed thugs, supported, encouraged, and, at times, directed by the Indonesian military authority. They were there not only for protection but also because they wanted to vote. They knew if they went back into the countryside, they might lose their chance to physically be present to vote.

As I stood before those thousands of poor people who have been denied water and food by the authorities, who literally were being starved away from their right to vote, I told them that the vote is more powerful than the army. They believed that. A few days later, with great courage, they went to the polls, and, in overwhelming numbers, they voted overwhelmingly for independence.

That vote now is being undermined systematically and deliberately by the military authority within Indonesia. Regretfully, we have just learned that the priest, Father Hilario, who was providing sanctuary in Swai, has been reported to have been killed by those violent militia bands.

This is an issue that should trouble every person of conscience throughout the world. It should particularly trouble the United States, because for many years we have maintained a relationship with the Government of Indonesia in an attempt to provide the kind of support that would allow them to evolve into a democratic country that would fulfill its promises.

The Government of Indonesia has pretensions of being a great power, but a great power keeps its word. The Government of Indonesia has not kept its word. It promised the United Nations that it would provide security and protection for the election. It promised it would respect the results of the election. It promised it would protect the lives and the property of the people of East Timor, and it has failed utterly and miserably in doing that.

The military of Indonesia has pretensions of being a professional military force, but a professional military force always follows legitimate orders of its civilian and military commanders. This army is failing miserably in doing that.

There is only one choice. They must either restore order, stability, and safety in East Timor, allow people to live freely and safely, respect the results of the election, or cooperate with the introduction of international peacekeepers.

At the heart of the bill Senator FEINGOLD, myself, and Senator LEAHY are introducing is a very clear message to the government and the military of Indonesia: Unless you restore order immediately or allow international peacekeepers to enter East Timor, we will cut off all multilateral assistance. We will cut off all bilateral assistance. We will cut off all military cooperation. Essentially, the future relationship of Indonesia with the world community depends fundamentally on whether or not they will respect their own agreement to provide safety and security for the people of East Timor and respect the results of this election.

I hope they do. If there is cooperation, if a United Nations peacekeeping force can enter that country, it is fortunate that our allies, the Australians and other countries, are ready, willing, and able at this moment to send personnel forward in this peacekeeping force. We should be able to assist this force with some of the unique capacities and capabilities we have: intelligence capabilities, satellite observation, air lifts, sea lift. I don't think it is necessary to commit our forces on the ground, but we should be part of this effort to secure the peace and stability and reaffirm the validity of this election.

While we were in East Timor, we had occasion to visit with Bishop Belo, the Nobel prize winner. We had supper with him, very humble fare from a very humble and saintly person. His house has already been destroyed by roving mobs. East Timorese who took sanctuary there have been scattered and slaughtered. Mercifully, Bishop Belo has been able to escape to Australia.

These scenes of carnage and mayhem and madness are convulsing East Timor. It is the responsibility of the Government of Indonesia to stop the violence or to allow international forces to enter at the soonest possible time to stop this violence. As I indicated initially, this referendum was not foisted upon the Government of Indonesia. It was agreed to by the Government of Indonesia. They made solemn pledges to the United Nations to respect the results of the vote, to conduct the vote fairly without intimidation. Now they must live up to their word or allow the United Nations and the world community to see that this vote is respected.

A final image I have of our time in East Timor is going to a polling place. This was days before the election. We were talking to these very brave international volunteers from many nations who have risked their lives, literally, to be in these small towns to take the registration. There was a young man who had come to make sure his name was on the rolls so he could vote. We spoke with him. We asked him if he was afraid.

He said: Yes, very much so, but I will vote. My friends will vote. We want to determine the future of our country. We want to determine the future of our families and our communities.

They did that. We have to respect that courage and that faith in democracy and the power of the vote. We have to, internationally and individually as a nation, prove that the vote is more powerful than the army.

I am pleased and proud to join my colleagues in this resolution. I urge its speedy consideration and passage.

I yield the floor.

Mr. KENNEDY. Mr. President, it is a privilege to join Senator FEINGOLD on this legislation to prohibit assistance to the Government of Indonesia until that nation permits the peaceful implementation of the results of the August 30 referendum, in which the people of East Timor overwhelmingly voted in favor of independence from Indonesia. This bill sends a clear and strong message to the Government of Indonesia that the United States will hold it responsible for the fate of the East Timorese people.

Tragically, we are now faced with a crisis of alarming proportions as a result of the Indonesian government's failure to disarm the militias and to guarantee the security of the East Timorese people. The militias, together with Indonesian military and security personnel, are committing gross violations of human rights. Hundreds of East Timorese have been killed and tens of thousands have been forced to flee their homes, seeking refuge in West Timor. Hundreds have sought asylum in the UN compound in the East Timorese capital of Dili. Bishop Belo's home was burned and he was forced to seek asylum in Australia. UN personnel have been attacked and two were killed. Journalists have been threatened and forced to leave East Timor. The militias and the Indonesian military and security personnel perpetrating this violence must be stopped.

All of us are deeply concerned over the violence and the likelihood of further bloodshed in the coming days. The Indonesian Government must take responsibility for the actions of its military and security personnel. If the Government of Indonesia cannot or will not stop the violence, it must permit the international community to do so. I strongly support the call for an international peacekeeping force, authorized by the United Nations Security Council, to intervene to restore security in East Timor and to implement the results of the referendum.

By stopping all U.S. assistance to Indonesia, this legislation will encourage the Indonesian government to meet its international commitments and to ensure that its military and security forces abide by international law. The United States and the international community must use their economic leverage to encourage the Indonesian government to stop the violence in East Timor and permit a peaceful transition to independence. As long as this crisis continues, international financial institutions must not permit additional resources to flow to the Indonesian government—resources which could be used by military and security forces to continue the violence. In particular, the International Monetary Fund should not approve the disbursement of the remaining $2 billion of an already-approved $12 billion loan.

The Indonesian government must know that these sanctions will remain in effect until it ensures the safety of the East Timorese people, permits the United Nations Assistance Mission in East Timor to implement the transition to independence, and ensures that its armed forces abide by the principles of international law.

The people of East Timor need our help. Despite grave threats, they demonstrated great courage and great faith in the democratic process by going to the polls and voting overwhelmingly in favor of independence. The Government of Indonesia has an obligation to respect that verdict and see that it is implemented peacefully. The international community should do all it can to stop the violence and facilitate the peaceful transition to independence.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 1569. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Taunton River in the Commonwealth of Massachusetts for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

TAUNTON RIVER WILD AND SCENIC RIVER STUDY ACT OF 1999

• Mr. KERRY. Mr. President, I rise to introduce the Taunton River Wild and Scenic River Study Act of 1999. The bill directs the Secretary of the Interior to study the Taunton River in Massachusetts for potential addition to the National Wild and Scenic Rivers Systems. The Taunton River is ecologically and historically significant, and this legislation is supported by local officials and residents. Senator KENNEDY is joining this bill as an original cosponsor.•

By Mr. LUGAR:

S. 1570. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to promote identification of children eligible for benefits under, and enrollment of children in, the medicaid and State Children's Health Insurance programs; to the Committee on Agriculture, Nutrition, and Forestry.

S-CHIP IMPROVEMENT ACT OF 1999

Mr. LUGAR. Mr. President, I rise today to introduce the Access to Children's Health Insurance Program Act. Joining me in this effort is my colleague from Indiana in the other body, Representative JULIA CARSON.

Congress created the S-CHIP program in the Balanced Budget Act of 1997 as a new federal-state partnership to expand health insurance coverage for low-income children not eligible for Medicaid. Under S-CHIP states may cover children in families up to 200 percent of the federal poverty level or, in states with Medicaid income levels for children already at or above 200 percent of poverty, within 50 percent over the state's current Medicaid income eligibility limit. Congress provided over $4 billion annually to match state expenditures for this program.

Implementation of the S-CHIP program has been slow. States have faced both normal start-up problems as well as other obstacles to identifying and enrolling eligible children. There are an estimated 11 million children who are uninsured with 7.5 million who could be eligible for the S-CHIP program. Congress envisioned that 5 million children would receive services under S-CHIP. As of July 1999, according to the Kaiser Family Foundation, only 1.3 million children were enrolled on S-CHIP, less than half the projected enrollment in 1999.

The federal child nutrition programs of school lunch, child care feeding and WIC are important sources of information on potentially eligible children as well as a contact point with their parents. Typically these programs collect income information that can be used to identify eligible children, and even enroll children into federal health insurance programs. However there are limits on the disclosure of school lunch

data. While state and local health programs and other means-tested nutrition programs may receive this data, Medicaid and S-CHIP may not.

Our bill will expand disclosure, subject to privacy provisions, to the state health agency running Medicaid and S-CHIP. As an added protection, both the State and local education authority must agree to this new disclosure.

The bill will also expand on a demonstration basis the use of WIC administrative funds. With the new authority, WIC clinics will be able to take a more active role in the identification and enrollment of children onto the S-CHIP and Medicaid programs. However, since funding for WIC is discretionary and funds for required program activities are tight, the number of sites will be limited. The General Accounting Office will be required to determine the added cost of the program.

Finally the bill will fund demonstration grants to states. The demonstration projects will integrate nutrition program grantees (schools, child care centers and WIC clinics) and other social service programs with the federal health care programs for low income children. States will form comprehensive informational and enrollment projects to be eligible for the funding.

Mr. President, this bill removes bureaucratic barriers so that more poor children may receive the health care they need. It does this by allowing one government entity to share information it possesses with another government entity responsible for health care. I urge my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1570

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''SCHIP Improvement Act of 1999''.

SEC. 2. LIMITED WAIVER OF CONFIDENTIALITY REQUIREMENT.

Section 9(b)(2)(C)(iii) of the National School Lunch Act (42 U.S.C. 1758(b)(2)(C)(iii)) is amended—

(1) in subclause (II), by striking ''and'' at the end;

(2) in subclause (III), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(IV) a person directly connected with the administration of a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or a State child health plan under title XXI of that Act (42 U.S.C. 1397aa et seq.) for the purpose of identifying children eligible for benefits under, and enrolling children in, any such plan, except that this subclause shall apply with respect to the agency from which the information would be obtained only if the State and the agency so elect.''.

SEC. 3. DEMONSTRATION PROJECT.

(a) IN GENERAL.—Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) is amended by adding at the end the following:

''(q) DEMONSTRATION PROJECT RELATING TO USE OF WIC FUNDS FOR IDENTIFICATION AND ENROLLMENT OF CHILDREN IN CERTAIN HEALTH PROGRAMS.—

''(1) IN GENERAL.—The Secretary shall establish a demonstration project in not more than 40 local agencies in not fewer than 2 States under which costs of nutrition services and administration (as defined in subsection (b)(4)) shall include the costs of identification of children eligible for benefits under, and enrollment of children in—

''(A) a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

''(B) a State child health plan under title XXI of that Act (42 U.S.C. 1397aa et seq.).

''(2) REPORT ON EVALUATION OF COSTS.—Not later than 18 months after the date of enactment of this subsection, the Comptroller General of the United States shall submit to Congress a report evaluating the costs associated with implementation of the demonstration project, including an evaluation of the Federal and State costs per child enrolled in a State plan described in paragraph (1).

''(3) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates September 30, 2003.''.

(b) TECHNICAL AMENDMENTS.—Section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786)—

(1) in subsection (b)(4), by striking ''(4)'' and all that follows through ''means'' and inserting ''(4) 'Costs of nutrition services and administration' or 'nutrition services and administration' means''; and

(2) in subsection (h)(1)(A), by striking ''costs incurred by State and local agencies for nutrition services and administration'' and inserting ''costs of nutrition services and administration incurred by State and local agencies''.

SEC. 3. GRANTS FOR IDENTIFICATION AND ENROLLMENT EFFORTS.

Section 12 of the National School Lunch Act (42 U.S.C. 1760) is amended by adding at the end the following:

''(p) GRANTS FOR IDENTIFICATION AND ENROLLMENT EFFORTS.—

''(1) IN GENERAL.—The Secretary shall make grants to States to carry out State plans to involve eligible entities described in paragraph (2) in the identification of children eligible for benefits under, and enrollment of children in—

''(A) a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

''(B) a State child health plan under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.).

''(2) ELIGIBLE ENTITIES.—An eligible entity referred to in paragraph (1) is—

''(A) a school or school food authority participating in the school lunch program under this Act;

''(B) an institution participating in the child and adult care food program under section 17;

''(C) a local agency participating in the special supplemental nutrition program for women, infants, and children under section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786); or

''(D) any other nongovernmental social service provider.

''(3) USE OF FUNDS FOR WIC DEMONSTRATION PROJECT.—The authorized uses of grant funds under this subsection shall include carrying out the demonstration project under section 17(q) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(q)).

''(4) FUNDING.—Out of any moneys in the Treasury not otherwise appropriated, the Secretary of the Treasury shall provide to the Secretary to carry out this subsection $6,000,000 for each of fiscal years 2000 through 2003. The Secretary shall be entitled to receive the funds and shall accept the funds, without further Act of appropriation.''.

ADDITIONAL COSPONSORS

S. 37

At the request of Mr. GRASSLEY, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from Nebraska (Mr. HAGEL), and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 37, a bill to amend title XVIII of the Social Security Act to repeal the restriction on payment for certain hospital discharges to post-acute care imposed by section 4407 of the Balanced Budget Act of 1997.

S. 121

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 121, a bill to amend certain Federal civil rights statutes to prevent the involuntary application of arbitration to claims that arise from unlawful employment discrimination based on race, color, religion, sex, age, or disability, and for other purposes.

S. 218

At the request of Mr. MOYNIHAN, the name of the Senator from Tennessee (Mr. THOMPSON) was added as a cosponsor of S. 218, a bill to amend the Harmonized Tariff Schedule of the United States to provide for equitable duty treatment for certain wool used in making suits.

S. 249

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 249, a bill to provide funding for the National Center for Missing and Exploited Children, to reauthorize the Runaway and Homeless Youth Act, and for other purposes.

S. 285

At the request of Mr. MCCAIN, the names of the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KERRY), and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 285, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 345

At the request of Mr. ALLARD, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 345, a bill to amend the Animal Welfare Act to remove the limitation that permits interstate movement

of live birds, for the purpose of fighting, to States in which animal fighting is lawful.

S. 391

At the request of Mr. KERREY, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Colorado (Mr. CAMPBELL), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Virginia (Mr. ROBB) were added as cosponsors of S. 391, A bill to provide for payments to children's hospitals that operate graduate medical education programs.

S. 406

At the request of Mr. MURKOWSKI, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 406, a bill to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of medicare, medicaid, and other third party payors, and to expand the eligibility under such program to other tribes and tribal organizations.

S. 484

At the request of Mr. CAMPBELL, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Montana (Mr. BURNS), and the Senator from South Carolina (Mr. THURMOND) were added as cosponsors of S. 484, a bill to provide for the granting of refugee status in the United States to nationals of certain foreign countries in which American Vietnam War POW/MIAs or American Korean War POW/MIAs may be present, if those nationals assist in the return to the United States of those POW/MIAs alive.

S. 486

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 486, a bill to provide for the punishment of methoamphetamine laboratory operators, provide additional resources to combat methamphetamine production, trafficking, and abuse in the United States, and for other purposes.

At the request of Mr. HATCH, the names of the Senator from Arkansas (Mr. HUTCHINSON), the Senator from Wisconsin (Mr. FEINGOLD), and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 486, supra.

S. 512

At the request of Mr. GORTON, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 512, a bill to amend the Public Health Service Act to provide for the expansion, intensification, and coordination of the activities of the Department of Health and Human Services with respect to research on autism.

S. 514

At the request of Mr. COCHRAN, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 514, a bill to improve the National Writing Project.

S. 541

At the request of Ms. COLLINS, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 541, a bill to amend title XVIII of the Social Security Act to make certain changes related to payments for graduate medical education under the medicare program.

S. 552

At the request of Mr. ALLARD, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 552, a bill to provide for budgetary reform by requiring a balanced Federal budget and the repayment of the national debt.

S. 726

At the request of Mr. CAMPBELL, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 726, a bill to establish a matching grant program to help State and local jurisdictions purchase bullet resistant equipment for use by law enforcement departments.

S. 783

At the request of Mrs. FEINSTEIN, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 783, a bill to limit access to body armor by violent felons and to facilitate the donation of Federal surplus body armor to State and local law enforcement agencies.

S. 800

At the request of Mr. GRAMS, his name was added as a cosponsor of S. 800, a bill to promote and enhance public safety through the use of 9-1-1 as the universal emergency assistance number, further deployment of wireless 9-1-1 service, support of States in upgrading 9-1-1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes.

S. 805

At the request of Mr. DURBIN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 805, a bill to amend title V of the Social Security Act to provide for the establishment and operation of asthma treatment services for children, and for other purposes.

S. 880

At the request of Mr. KERRY, his name was withdrawn as a cosponsor of S. 880, a bill to amend the Clean Air Act to remove flammable fuels from the list of substances with respect to which reporting and other activities are required under the risk management plan program

S. 954

At the request of Mr. THOMAS, his name was added as a cosponsor of S. 954, a bill to amend title 18, United States Code, to protect citizens' rights under the Second Amendment to obtain firearms for legal use, and for other purposes.

S. 956

At the request of Ms. SNOWE, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 956, a bill to establish programs regarding early detection, diagnosis, and interventions for newborns and infants with hearing loss.

S. 980

At the request of Mr. BAUCUS, the names of the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 980, a bill to promote access to health care services in rural areas.

S. 1003

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1003, a bill to amend the Internal Revenue Code of 1986 to provide increased tax incentives for the purchase of alternative fuel and electric vehicle, and for other purposes.

S. 1029

At the request of Mr. COCHRAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1029, a bill to amend title III of the Elementary and Secondary Education Act of 1965 to provide for digital education partnerships.

S. 1044

At the request of Mr. KENNEDY, the names of the Senator from North Carolina (Mr. EDWARDS), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Maine (Ms. SNOWE), the Senator from New York (Mr. SCHUMER), the Senator from Connecticut (Mr. LIEBERMAN), and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1044, a bill to require coverage for colorectal cancer screenings.

S. 1053

At the request of Mr. BOND, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 1053, a bill to amend the Clean Air Act to incorporate certain provisions of the transportation conformity regulations, as in effect on March 1, 1999.

S. 1070

At the request of Mr. BOND, the name of the Senator from Alaska (Mr. MURKOWSKI) was added as a cosponsor of S. 1070, a bill to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard, regulation or guideline on ergonomics.

S. 1075

At the request of Mrs. BOXER, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1075, a bill to promote research to identify and evaluate the health effects of silicone breast implants, and to insure that women and their doctors receive accurate information about such implants.

S. 1076

At the request of Mr. STEVENS, his name was added as a cosponsor of S. 1076, a bill to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to enhance programs providing health care, education, and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, and for other purposes.

S. 1196

At the request of Mr. COVERDELL, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 1196, a bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.

S. 1200

At the request of Ms. SNOWE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1200, a bill to require equitable coverage of prescription contraceptive drugs and devices, and contraceptive services under health plans.

S. 1220

At the request of Mr. GRAMS, his name was added as a cosponsor of S. 1220, a bill to provide additional funding to combat methamphetamine production and abuse, and for other purposes.

S. 1235

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 1235, a bill to amend part G of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to allow railroad police officers to attend the Federal Bureau of Investigation National Academy for law enforcement training.

S. 1244

At the request of Mr. THOMPSON, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1244, a bill to establish a 3-year pilot project for the General Accounting Office to report to Congress on economically significant rules of Federal agencies, and for other purposes.

S. 1255

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1255, a bill to protect consumers and promote electronic commerce by amending certain trademark infringement, dilution, and counterfeiting laws, and for other purposes.

S. 1262

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1262, a bill to amend the Elementary and Secondary Education Act of 1965 to provide up-to-date school library medial resources and well-trained, professionally certified school library media specialists for elementary schools and secondary schools, and for other purposes.

S. 1263

At the request of Mr. JEFFORDS, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Maine (Ms. SNOWE), the Senator from North Carolina (Mr. HELMS), and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 1263, a bill to amend the Balanced Budget Act of 1997 to limit the reductions in medicare payments under the prospective payment system for hospital outpatient department services.

S. 1268

At the request of Mr. HARKIN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1268, a bill to amend the Public Health Service Act to provide support for the modernization and construction of biomedical and behavioral research facilities and laboratory instrumentation.

S. 1269

At the request of Mr. MCCONNELL, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 1269, a bill to provide that the Federal Government and States shall be subject to the same procedures and substantive laws that would apply to persons on whose behalf certain civil actions may be brought, and for other purposes.

S. 1272

At the request of Mr. NICKLES, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1272, a bill to amend the Controlled Substances Act to promote pain management and palliative care without permitting assisted suicide and euthanasia, and for other purposes.

S. 1310

At the request of Ms. COLLINS, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 1310, a bill to amend title XVIII of the Social Security Act to modify the interim payment system for home health services, and for other purposes.

S. 1317

At the request of Mr. AKAKA, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1317, a bill to reauthorize the Welfare-To-Work program to provide additional resources and flexibility to improve the administration of the program.

S. 1332

At the request of Mr. BAYH, the name of the Senator from Georgia (Mr. COVERDELL) was added as a cosponsor of S. 1332, a bill to authorize the President to award a gold medal on behalf of Congress to Father Theodore M. Hesburg, in recognition of his outstanding and enduring contributions to civil rights, higher education, the Catholic Church, the Nation, and the global community.

S. 1358

At the request of Mr. JEFFORDS, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Mrs. MURRAY), and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 1358, a bill to amend title XVIII of the Social Security Act to provide more equitable payments to home health agencies under the medicare program.

S. 1400

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 1400, a bill to protect women's reproductive health and constitutional right to choice, and for other purposes.

S. 1420

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1420, a bill to establish a fund for the restoration and protection of ocean and coastal resources, to amend and reauthorize the Coastal Zone Management Act of 1972, and for other purposes.

S. 1454

At the request of Mr. BIDEN, his name was added as a cosponsor of S. 1454, a bill to amend the Internal Revenue Code of 1986 to expand the incentives for the construction and renovation of public schools and to provide tax incentives for corporations to participate in cooperative agreements with public schools in distressed areas.

S. 1459

At the request of Mr. MACK, the name of the Senator from Washington (Mr. GORTON) was added as a cosponsor of S. 1459, a bill to amend title XVIII of the Social Security Act to protect the right of a medicare beneficiary enrolled in a Medicare+Choice plan to receive services at a skilled nursing facility selected by that individual.

S. 1468

At the request of Mr. LOTT, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1468, a bill to authorize the minting and issuance of Capitol Visitor Center Commemorative coins, and for other purposes.

S. 1473

At the request of Mr. ROBB, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 1473, a bill to amend section 2007 of the Social Security Act to provide grant funding for additional Empowerment Zones, Enterprise Communities, and Strategic Planning Communities, and for other purposes.

S. 1487

At the request of Mr. AKAKA, the names of the Senator from Maine (Ms.

COLLINS) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 1487, a bill to provide for excellence in economic education, and for other purposes.

S. 1538

At the request of Mr. LEAHY, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 1538, a bill to amend the Communications Act of 1934 to clarify State and local authority to regulate the placement, construction, and modification of broadcast transmission and telecommunications facilities, and for other purposes.

S. 1550

At the request of Mr. WELLSTONE, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1550, a bill to extend certain Medicare community nursing organization demonstration projects.

SENATE JOINT RESOLUTION 26

At the request of Mr. SMITH, the name of the Senator from Minnesota (Mr. GRAMS) was added as a cosponsor of Senate Joint Resolution 26, a joint resolution expressing the sense of Congress with respect to the courtmartial conviction of the late Rear Admiral Charles Butler McVay, III, and calling upon the President to award a Presidential Unit Citation to the final crew of the U.S.S. *Indianapolis*.

SENATE CONCURRENT RESOLUTION 9

At the request of Ms. SNOWE, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of Senate Concurrent Resolution 9, a concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

SENATE RESOLUTION 92

At the request of Mrs. BOXER, the names of the Senator from Ohio (Mr. DEWINE), the Senator from North Dakota (Mr. CONRAD), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of Senate Resolution 92, a resolution expressing the sense of the Senate that funding for prostate cancer research should be increased substantially.

SENATE RESOLUTION 99

At the request of Mr. REID, the names of the Senator from Utah (Mr. HATCH), the Senator from North Dakota (Mr. CONRAD), and the Senator from New Jersey (Mr. TORRICELLI) were added as cosponsors of Senate Resolution 99, a resolution designating November 20, 1999, as ''National Survivors for Prevention of Suicide Day.''

AMENDMENT NO. 1493

At the request of Mr. BENNETT the names of the Senator from Connecticut (Mr. DODD) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of amendment No. 1493 intended to be proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

AMENDMENT NO. 1577

At the request of Mr. BAYH his name was added as a cosponsor of amendment No. 1577 proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

At the request of Mr. GRAHAM the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of amendment No. 1577 proposed to H.R. 2466, supra.

AMENDMENT NO. 1600

At the request of Mr. MURKOWSKI the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of Amendment No. 1600 intended to be proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

At the request of Mr. MURKOWSKI the name of the Senator from South Dakota (Mr. JOHNSON) was withdrawn as a cosponsor of amendment No. 1600 intended to be proposed to H.R. 2466, supra.

AMENDMENT NO. 1603

At the request of Mrs. HUTCHISON the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of amendment No. 1603 proposed to H.R. 2466, a bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

At the request of Mr. GRAMM his name was added as a cosponsor of amendment No. 1603 proposed to H.R. 2466, supra.

SENATE CONCURRENT RESOLUTION 55—ESTABLISHING OBJECTIVES FOR THE NEXT ROUND OF MULTILATERAL TRADE NEGOTIATIONS

Mr. BAUCUS submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 55

Whereas obtaining open, equitable, and reciprocal market access will benefit both the United States and its trading partners;

Whereas eliminating or reducing trade barriers and trade distorting practices will enhance export opportunities for American industry, agricultural products, and services;

Whereas strengthening international disciplines on restrictive or trade-distorting import and export practices will improve the global commercial environment;

Whereas preserving existing rules that prohibit unfair trade practices is a necessary adjunct to promoting commerce;

Whereas expanding trade will foster economic growth required for full employment in the United States and the global economy;

Whereas growth in international trade has immediate and significant consequences for sound natural resource use and environmental protection, and for the practice of sustainable development;

Whereas the World Trade Organization is the single most important mechanism by which global commerce is regulated; and

Whereas the United States will host the World Trade Organization Ministerial Meeting in Seattle in November 1999: Now, therefore, be it

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

SECTION 1. SENSE OF CONGRESS.

It is the sense of Congress that the executive branch of the Government should pursue the objectives described in this concurrent resolution in any negotiations undertaken with respect to the next round of multilateral trade negotiations at the World Trade Organization Ministerial Meeting in Seattle, Washington.

SEC. 2. AGRICULTURE.

The negotiating objectives of the United States with respect to agriculture should be the following:

(1) To eliminate all current and prohibit all future price subsidies and export taxes.

(2) To negotiate stronger disciplines on state-owned trading enterprises, including cross-subsidization, reserved market share, and price undercutting.

(3) With respect to tariffs, to pursue zero-for-zero or harmonization agreements for products where current tariff levels are so disparate that proportional reductions would yield an unbalanced result.

(4) To target peak tariffs for reduction on a specific timetable.

(5) To eliminate all tariffs that are less than 5 percent.

(6) To negotiate an agreement that binds all tariffs at zero wherever possible.

(7) To phase out all tariff rate quotas.

(8) To eliminate all market-distorting domestic subsidies.

(9) To eliminate technology-based discrimination of agricultural commodities.

(10) To negotiate agriculture and nonagriculture issues as a single undertaking, with full implementation of any early agreement contingent on an acceptable final package.

(11) To reach agreements to eliminate unilateral agricultural sanctions as a tool of foreign policy.

SEC. 3. SERVICES.

The negotiating objectives of the United States with respect to services should be the following:

(1) To achieve binding commitments on market access and national treatment.

(2) To achieve broad participation from all World Trade Organization members in the negotiation of any agreement.

(3) To proceed on a ''negative list'' basis so that all services will be covered unless specifically listed.

(4) To prevent discrimination based on the mode of delivery, including electronic delivery.

(5) To negotiate disciplines on transparency and responsiveness of domestic regulations of services.

SEC. 4. INDUSTRIAL MARKET ACCESS.

The negotiating objectives of the United States with respect to industrial market access should be the following:

(1) To pursue zero-for-zero or harmonization agreements for products where current tariff levels are so disparate that proportional reductions would yield an unbalanced result.

(2) To target peak tariffs for reduction on a specific timetable.

(3) To eliminate all tariffs that are less than 5 percent.

(4) To negotiate agreements that bind tariffs at zero wherever possible.

(5) To achieve broad participation in all harmonization efforts.

(6) To expand the Information Technology Agreement product coverage and participation.

(7) To make duty-free treatment of electronic transmissions permanent.

(8) To negotiate short timetables for accelerated tariff elimination in sectors identified in prior international trade meetings, particularly in environmental goods.

SEC. 5. OTHER TRADE-RELATED ISSUES.

The negotiating objectives of the United States with respect to other trade-related issues should be the following:

(1) To achieve broad participation in Mutual Recognition Agreements (MRA's) on product standards, conformity assessment, and certification procedures.

(2) To expand the scope of the Government Procurement Agreement and make it part of the World Trade Organization undertaking.

(3) To strengthen protection of intellectual property, including patents, trademarks, trade secrets, and industrial layout.

(4) To complete the harmonization of rules of origin.

(5) To strengthen prohibitions against mandatory technology transfer under the Trade-Related Investment Measures Agreement.

(6) To broaden agreements on customs-related issues to facilitate the rapid movement of goods.

(7) To make permanent and binding the moratorium on tariffs on electronic transmissions.

(8) To establish a consensus that electronic commerce is neither exclusively a good nor exclusively a service, and develop rules for transparency, notification, and review of domestic regulations.

(9) To reach a global agreement on liberal treatment of digital products in a technologically neutral manner.

(10) To negotiate an agreement for determining when multilateral environmental agreements are consistent with the principles of the World Trade Organization.

(11) To undertake early review of potential environmental impacts of all global agreements with a view toward mitigating any adverse effects.

(12) To reach agreement that goods and services produced by forced, prison, or child labor are not protected by international trade rules.

(13) To establish a mechanism for joint research and between the World Trade Organization and the International Labor Organization (ILO).

(14) To institute explicit procedures for inclusion of core labor standards in the country reports of the World Trade Organization Trade Policy Review Mechanism.

SEC. 6. WORLD TRADE ORGANIZATION INSTITUTIONAL ISSUES.

The negotiating objectives of the United States with respect to World Trade Organization institutional issues should be the following:

(1) To reach agreement not to implement any new trade restrictive measures during the 3-year negotiating period beginning with the Seattle Ministerial Meeting.

(2) To broaden membership in the World Trade Organization by accelerating accessions.

(3) To shorten the timeframes of dispute resolution.

(4) To increase transparency, citizen access, and responsiveness to submissions from nongovernmental organizations.

(5) To strengthen disciplines governing the coverage and implementation of free trade agreements.

(6) To reach an agreement to cooperate with the International Monetary Fund, the International Bank for Reconstruction and Development, United Nations organizations, and international economic institutions in trade-related policy matters.

SEC. 7. ISSUES NOT OPEN TO NEGOTIATION.

In all negotiations, the United States Trade Representative should ensure that the negotiations do not weaken existing agreements or create opportunities for the imposition of new barriers in the following areas:

(1) Dumping and antidumping.

(2) Competition policy.

(3) Investment.

(4) Textiles and apparel.

SEC. 8. TRANSMITTAL OF RESOLUTION.

The Secretary of the Senate shall transmit a copy of this concurrent resolution to the President.

Mr. BAUCUS. Mr. President, I send a concurrent resolution establishing U.S. goals for the next round of global negotiations in the World Trade Organization to the desk.

In 1994, seven hard years of talks culminated the Uruguay Round Agreement creating the WTO. The United States can point with pride to the results of American leadership on trade. Among the agreement's notable results were beginning new countries into the rule-based trade regime; establishing an institution for ongoing trade talks and dispute resolution; and addressing some key issues for the first time.

The 1994 WTO agreement left unfinished business in two of these key issues: agriculture and services. WTO members committed to return to the table in January 2000 to address barriers in these sectors, the so-called ''built-in agenda.'' It will be a major challenge. Trade-distorting domestic agricultural programs are politically sensitive, especially in the European Union, the world's biggest offender in this area. In services, efforts to open up trade run into difficult questions of domestic regulation and investment.

Over the past several months, Mr. President, WTO members have submitted proposals for dealing with agriculture, services, and many other issues in a new global round of negotiations, to be launched in Seattle this November when the United States hosts the third WTO Ministerial Meeting. I have read some of these proposals, including the proposals submitted by the Administration, and I have compared them two what I hear from various groups around the country.

I have concluded that the U.S. proposals are timid and lack specificity. I am very concerned about this. We can't build a strong global economy without a strong set of trade rules. We can't address emerging issues such as biotechnology and electronic commerce, areas where the United States has a commanding lead, unless we supply a concrete vision of the future. We won't reach our goals unless we can state our goals clearly. We need a clear set of goals for this round of trade talks. The American people expect us to show leadership in this area. Our trading partners expect America to show leadership, too.

We in the Congress have a constitutional responsibility in this regard. The resolution I am submitting today fulfills our obligation by giving the Executive Branch specific goals for the upcoming round of negotiations.

Mr. President, I would like to summarize briefly the main points of this resolution. It deals not only with agriculture and services, but also with manufactured products, institutional concerns, and a variety of other trade-related issues.

AGRICULTURE

America's farmers compete very effectively when world markets are not distorted by government intervention. Eliminating these distortions is not only good for the farm community, it will benefit U.S. consumers and our trading partners. It will stimulate demand for agricultural output, demand which American farmers are prepared to satisfy. My resolution instructs the Administration to seek elimination of export subsidies and trade-distorting domestic subsidies, to seek substantial tariff reductions, and for the first time to impose discipline on State Trading Enterprises.

SERVICES

Services comprise almost three quarters of American output. We are a net exporter of services, so increased trade in services will have a positive effect on our current account balance. My resolution instructs the Administration to reach a global agreement that trade in services is *free and open* unless otherwise specified. The current system is that trade in services is *closed* unless otherwise specified. Starting from this principal of openness, the Administration should seek board participation in an agreement on services trade.,

INDUSTRIAL GOODS

To establish a negotiating dynamic broad enough to allow for trade-offs, it is vital that the WTO talks include manufactured products. In this regard, there has been some confusion as to the U.S. strategy. The work begun in APEC to cut tarffs in nine sectors has moved into the WTO. The agriculture community feared that an early agreement to cut tariffs on manufactured products would rob the overall negotiation of the required breadth of issues. My resolution makes clear that this negotiation should be viewed as a single undertaking to be completed in three years. This does not mean that

we can have no results on tariffs at the Senate WTO Ministerial. But completing accelerated tariff elimination should be contingent on successfully concluding the entire package, including agriculture and services.

INSTITUTIONAL ISSUES

We now have almost five years of experience with the operation of the Uruguay Round agreement and the WTO. That experience has uncovered some areas for improvement. Chief among these is the need for greater transparency in WTO operations. In the state of Montana, we have a strong tradition of open government which serves us well. The WTO is a governmental body. The citizens of the nations which compose the WTO have a right to know what it is doing. We also need to speed up the WTO system for resolving trade disputes.

ISSUES NOT FOR NEGOTIATING

There are several issues which the Administration should not include in the overall negotiation. In some cases, including them would most likely weaken the results we obtained in the Uruguay Round. In other case, I do not believe that a global negotiation would benefit the United States. Issues such as textiles and apparel, antidumping rules, competition policy, and investment should not be part of the next round of negotiations.

OTHER TRADE ISSUES: ENVIRONMENT AND LABOR

Finally, Mr. President, my resolution lists a number of specific trade issues which the Administration should address in the next round of trade negotiations. These include questions such as government procurement and electronic commerce. Let me mention two particular matters which are especially important: the environment and labor.

My resolution instructs the Administration to make specific progress in both of these areas. On the environment, it requires an environmental assessment of any new global trade agreement, and a WTO consensus on determining when multilateral environmental agreements are consistent with international trade rules. It also requires tariff reductions on environmental products in order to increase the flow of environmental technology.

As to labor, my resolution requires the Administration to correct a deficiency which has existed in trade law since the United States signed the GATT in 1947: it does not allow countries to treat products made with forced labor or child labor differently. We should all have the right to prohibit such goods from entering our countries. It also calls for joint research between the WTO and the International Labor Organization, and for a regular examination of how WTO members are living up to their 1996 commitment on core labor standards. Rhetoric is not a substitute for action.

GOAL: IMPROVE QUALITY OF LIFE

Let me close, Mr. President, with a word about why this is important to all of us. Since the end of World War Two, we have come a long way in shaping the world economy. When the GATT was signed in 1947, the world was engaged in a bitter debate over fundamental values. The central question was whether national economies should be organized by market forces and open societies or by central government planners. Which is better: democracy or communism? The world now knows the answer to this question with absolutely no ambiguity. Today, anyone who thinks that central planning wins over market forces need only compare Seoul to Pyongyang.

In the past decade, the former Soviet bloc national have struggled to turn from central planning to market forces and citizen participation. Developing countries abandoned bankrupt nations like ''import substitution'' in favor of market-based solutions. OECD countries deregulated and dismantled trade barriers. New technology, especially information technology, provided the means to take advantage of newly opened markets. Goods and capital move with amazing speed.

Open markets make the global economy more efficient. But there's a distinction between efficiency and equity. Open markets do not make prosperity more fair. Many citizens believe it is not fair enough. They see widening income gaps, job insecurity, environmental damage, a less certain future.

The next round of global trade talks can't make opening markets an end in itself. We no longer have to convince the world that our economic system is more efficient. The task now is to show that our system also improves the quality of their lives. We need to show that our system delivers benefits to them. It has to make them better off. If we fail to do that, we will face a world polarized by poverty as it was once polarized by cold war ideology.

SENATE RESOLUTION 179—DESIGNATING OCTOBER 15, 1999, AS ''NATIONAL MAMMOGRAPHY DAY''

Mr. BIDEN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 179

Whereas according to the American Cancer Society, in 1999, 175,000 women will be diagnosed with breast cancer and 43,300 women will die from this disease;

Whereas in the decade of the 1990's, it is estimated that about 2,000,000 women will be diagnosed with breast cancer, resulting in nearly 500,000 deaths;

Whereas the risk of breast cancer increases with age, with a woman at age 70 years having twice as much of a chance of developing the disease as a woman at age 50 years;

Whereas at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide a safe and quick diagnosis;

Whereas experts agree that mammography is the best method of early detection of breast cancer, and early detection is the key to saving lives;

Whereas mammograms can reveal the presence of small cancers up to 2 years or more before a regular clinical breast examination or breast self-examination, reducing mortality by more than 30 percent; and

Whereas the 5-year survival rate for localized breast cancer is currently 97 percent: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 15, 1999, as ''National Mammography Day''; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe such day with appropriate programs and activities.

Mr. BIDEN. Mr. President, today I am submitting a resolution designating October 15, 1999, as ''National Mammography Day''. I have submitted a similar resolution each year since 1993, and on each occasion the Senate has shown its support for the fight against breast cancer by approving it.

Each year, as I prepare to submit this resolution, I look at the latest information from the American Cancer Society about breast cancer. This year, the news is depressingly familiar: in 1999, an estimated 175,000 women will be diagnosed with breast cancer and an estimated 43,300 women will die of this disease.

In the midst of these gloomy numbers, however, one statistic stands out like a beacon of hope: the 5-year survival rate for women with localized breast cancer is a whopping 97%. Moreover, we already know one sure-fire method for detecting breast cancer when it is at this early, highly curable stage: periodic mammograms for all women over age 40. Periodic mammography can detect a breast cancer almost 2 years earlier than it would have been detected by breast self-examination. The importance of periodic mammography for women's health is recognized by health plans and health insurers, and virtually all of them cover its cost. Low-income women who do not have health insurance can get free mammograms through a breast cancer screening program sponsored by the Centers for Disease Control and Prevention.

Given all this, that modern mammography is highly effective in discovering breast cancer at a very early stage, rarely causes any discomfort, and generally cost nothing, why aren't all women over 40 getting this valuable test every year? One answer is that we are human, and we all forget things, especially as we get older. Even if we remember that we need a mammogram, we often have so many things going on in our lives that we just keep putting the mammogram off for that ''less busy'' day that never comes. Consequently, we need a ''National Mammography Day'' to remind us that we

need to make sure all the women in our lives don't overlook this crucial preventive service.

How should we use ''National Mammography Day'' to achieve our goal of fighting breast cancer through early diagnosis? This year, National Mammography Day falls on Friday, October 15, right in the middle of National Breast Cancer Awareness month. On that day, let's make sure that each women we know picks a specific date on which to get a mammogram each year. I well understand how easy it is to forget do something that comes around only once per year, but for each of us there are certainly some dates that we don't forget: a child's birthday, an anniversary, perhaps even the day our taxes are due. On National Mammography Day, let's ask our loved ones: pick one of these dates, fix it in your mind along with a picture of your child, your wedding, or another symbol of that date, and promise yourself to get a mammogram on that date every year. Do it for yourself and for the others that love you and want you to be part of their lives for as long as possible.

Mr. President, I urge my colleagues to join me in the ongoing fight against breast cancer by cosponsoring this resolution to designate October 15, 1999, as National Mammography Day.

AMENDMENTS SUBMITTED

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

LOTT AMENDMENT NO. 1621

Mr. BOND (for Mr. LOTT) proposed an amendment to the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 62, line 10, add the following before the period '': *Provided*, That within the funds available, $250,000 shall be used to assess the potential hydrologic and biological impact of lead and zinc mining in the Mark Twain National Forest of Southern Missouri: *Provided further*, That none of the funds in this Act may be used by the Secretary of the Interior to issue a prospecting permit for hardrock mineral exploration on Mark Twain National Forest land in the Current River/Jack's Fork River—Eleven Point Watershed (not including Mark Twain National Forest land in Townships 31N and 32N, Range 2 and Range 3 West, on which mining activities are taking place as of the date of enactment of this Act); *Provided further*, That none of the funds in this Act may be used by the Secretary of the Interior to segregate or withdraw land in the Mark Twain National Forest, Missouri under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714)''

VETERANS COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 1999

ROCKEFELLER (AND SPECTER) AMENDMENT NO. 1622

Mr. BROWNBACK (for Mr. ROCKEFELLER (for himself and Mr. SPECTER)) proposed an amendment to the bill (S. 1076) to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to enhance programs providing health care, education, and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, and for other purposes; as follows:

On page 66, strike lines 9 through 19 and insert the following:

SEC. 101. CONTINUUM OF CARE FOR VETERANS.

(a) INCLUSION OF NONINSTITUTIONAL EXTENDED CARE SERVICES IN DEFINITION OF MEDICAL SERVICES.—Section 1701 is amended—

(1) in paragraph (6)(A)(i), by inserting ''noninstitutional extended care services,'' after ''preventive health services,''; and

(2) by adding at the end the following new paragraphs:

''(10) The term 'noninstitutional extended care services' includes—

''(A) home-based primary care;

''(B) adult day health care;

''(C) respite care;

''(D) palliative and end-of-life care; and

''(E) home health aide visits.

''(11) The term 'respite care' means hospital care, nursing home care, or residence-based care which—

''(A) is of limited duration;

''(B) is furnished in a Department facility or in the residence of an individual on an intermittent basis to an individual who is suffering from a chronic illness and who resides primarily at that residence; and

''(C) is furnished for the purpose of helping the individual to continue residing primarily at that residence.''.

(b) CONFORMING AMENDMENTS TO TITLE 38.—(1)(A) Section 1720 is amended by striking subsection (f).

(B) The section heading of such section is amended by striking ''**; adult day health care**''.

(2) Section 1720B is repealed.

(3) Chapter 17 is further amended by redesignating sections 1720C, 1720D, and 1720E as sections 1720B, 1720C, and 1720D, respectively.

(c) CLERICAL AMENDMENTS.—The table of sections for chapter 17 is amended—

(1) in the item relating to section 1720, by striking ''; adult day health care''; and

(2) by striking the items relating to sections 1720B, 1720C, 1720D, and 1720E and inserting the following:

''1720B. Noninstitutional alternatives to nursing home care.

''1720C. Counseling and treatment for sexual trauma.

''1720D. Nasopharyngeal radium irradiation.''.

(d) ADDITIONAL CONFORMING AMENDMENT.—Section 101(g)(2) of the Veterans Health Programs Extension Act of 1994 (Public Law 103–452; 108 Stat. 4785; 38 U.S.C. 1720D note) is amended by striking ''section 1720D'' both places it appears and inserting ''section 1720C''.

SEC. 102. PILOT PROGRAMS RELATING TO LONG-TERM CARE OF VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out three pilot programs for the purpose of determining the feasibility and practicability of a variety of methods of meeting the long-term care needs of eligible veterans. The pilot programs shall be carried out in accordance with the provisions of this section.

(b) LOCATIONS OF PILOT PROGRAMS.—(1) Each pilot program under this section shall be carried out in two designated health care regions of the Department of Veterans Affairs selected by the Secretary for purposes of this section.

(2) In selecting designated health care regions of the Department for purposes of a particular pilot program, the Secretary shall, to the maximum extent practicable, select designated health care regions containing a medical center or medical centers whose current circumstances and activities most closely mirror the circumstances and activities proposed to be achieved under such pilot program.

(3) The Secretary may not carry out more than one pilot program in any given designated health care region of the Department.

(c) SCOPE OF SERVICES UNDER PILOT PROGRAMS.—(1) The services provided under the pilot programs under this section shall include a comprehensive array of health care services and other services that meet the long-term care needs of veterans, including—

(A) inpatient long-term care in intermediate care beds, in nursing homes, and in domiciliary care facilities; and

(B) non-institutional long-term care, including hospital-based primary care, adult day health care, respite care, and other community-based interventions and care.

(2) As part of the provision of services under the pilot programs, the Secretary shall also provide appropriate case management services.

(3) In providing services under the pilot programs, the Secretary shall emphasize the provision of preventive care services, including screening and education.

(4) The Secretary may provide health care services or other services under the pilot programs only if the Secretary is otherwise authorized to provide such services by law.

(d) DIRECT PROVISION OF SERVICES.—Under one of the pilot programs under this section, the Secretary shall provide long-term care services to eligible veterans directly through facilities and personnel of the Department of Veterans Affairs.

(e) PROVISION OF SERVICES THROUGH COOPERATIVE ARRANGEMENTS.—(1) Under one of the pilot programs under this section, the Secretary shall provide long-term care services to eligible veterans through a combination (as determined by the Secretary) of—

(A) services provided under cooperative arrangements with appropriate public and private non-Governmental entities, including community service organizations; and

(B) services provided through facilities and personnel of the Department.

(2) The consideration provided by the Secretary for services provided by entities under cooperative arrangements under paragraph (1)(A) shall be limited to the provision by the Secretary of appropriate in-kind services to such entities.

(f) PROVISION OF SERVICES BY NON-DEPARTMENT ENTITIES.—(1) Under one of the pilot programs under this section, the Secretary shall provide long-term care services to eligible veterans through arrangements with appropriate non-Department entities under

which arrangements the Secretary acts solely as the case manager for the provision of such services.

(2) Payment for services provided to veterans under the pilot programs under this subsection shall be made by the Department to the extent that payment for such services is not otherwise provided by another government or non-government entity.

(g) DATA COLLECTION.—As part of the pilot programs under this section, the Secretary shall collect data regarding—

(1) the cost-effectiveness of such programs and of other activities of the Department for purposes of meeting the long-term care needs of eligible veterans, including any cost advantages under such programs and activities when compared with the Medicare program, Medicaid program, or other Federal program serving similar populations;

(2) the quality of the services provided under such programs and activities;

(3) the satisfaction of participating veterans, non-Department, and non-Government entities with such programs and activities; and

(4) the effect of such programs and activities on the ability of veterans to carry out basic activities of daily living over the course of such veterans' participation in such programs and activities.

(h) REPORT.—(1) Not later than six months after the completion of the pilot programs under subsection (i), the Secretary shall submit to Congress a report on the health services and other services furnished by the Department to meet the long-term care needs of eligible veterans.

(2) The report under paragraph (1) shall—

(A) describe the comprehensive array of health services and other services furnished by the Department under law to meet the long-term care needs of eligible veterans, including—

(i) inpatient long-term care in intermediate care beds, in nursing homes, and in domiciliary care facilities; and

(ii) non-institutional long-term care, including hospital-based primary care, adult day health care, respite care, and other community-based interventions and care;

(B) describe the case management services furnished as part of the services described in subparagraph (A) and assess the role of such case management services in ensuring that eligible veterans receive services to meet their long-term care needs; and

(C) in describing services under subparagraphs (A) and (B), emphasize the role of preventive services in the furnishing of such services.

(i) DURATION OF PROGRAMS.—(1) The Secretary shall commence carrying out the pilot programs required by this section not later than 90 days after the date of the enactment of this Act.

(2) The authority of the Secretary to provide services under the pilot programs shall cease on the date that is three years after the date of the commencement of the pilot programs under paragraph (1).

(j) DEFINITIONS.—In this section:

(1) ELIGIBLE VETERAN.—The term ''eligible veteran'' means the following:

(A) Any veteran eligible to receive hospital care and medical services under section 1710(a)(1) of title 38, United States Code.

(B) Any veteran (other than a veteran described in subparagraph (A)) if the veteran is enrolled in the system of annual patient enrollment under section 1705 of title 38, United States Code.

(2) LONG-TERM CARE NEEDS.—The term ''long-term care needs'' means the need by an individual for any of the following services:

(A) Hospital care.

(B) Medical services.

(C) Nursing home care.

(D) Case management and other social services.

(E) Home and community based services.

SEC. 103. PILOT PROGRAM RELATING TO ASSISTED LIVING SERVICES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a pilot program for the purpose of determining the feasibility and practicability of providing assisted living services to eligible veterans. The pilot program shall be carried out in accordance with this section.

(b) LOCATION.—The pilot program under this section shall be carried out at a designated health care region of the Department of Veterans Affairs selected by the Secretary for purposes of this section.

(c) SCOPE OF SERVICES.—(1) Subject to paragraph (2), the Secretary shall provide assisted living services under the pilot program to eligible veterans.

(2) Assisted living services may not be provided under the pilot program to a veteran eligible for care under section 1710(a)(3) of title 38, United States Code, unless such veteran agrees to pay the United States an amount equal to the amount determined in accordance with the provisions of section 1710(f) of such title.

(3) Assisted living services may also be provided under the pilot program to the spouse of an eligible veteran if—

(A) such services are provided coincidentally with the provision of identical services to the veteran under the pilot program; and

(B) such spouse agrees to pay the United States an amount equal to the cost, as determined by the Secretary, of the provision of such services.

(d) REPORTS.—(1) The Secretary shall annually submit to Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the pilot program under this section. The report shall include a detailed description of the activities under the pilot program during the one-year period ending on the date of the report and such other matters as the Secretary considers appropriate.

(2)(A) In addition to the reports required by paragraph (1), not later than 90 days before concluding the pilot program under this section, the Secretary shall submit to the committees referred to in that paragraph a final report on the pilot program.

(B) The report on the pilot program under this paragraph shall include the following:

(i) An assessment of the feasibility and practicability of providing assisted living services for veterans and their spouses.

(ii) A financial assessment of the pilot program, including a management analysis, cost-benefit analysis, Department cash-flow analysis, and strategic outlook assessment.

(iii) Recommendations, if any, regarding an extension of the pilot program, including recommendations regarding the desirability of authorizing or requiring the Secretary to seek reimbursement for the costs of the Secretary in providing assisted living services in order to reduce demand for higher-cost nursing home care under the pilot program.

(iv) Any other information or recommendations that the Secretary considers appropriate regarding the pilot program.

(e) DURATION.—(1) The Secretary shall commence carrying out the pilot program required by this section not later than 90 days after the date of the enactment of this Act.

(2) The authority of the Secretary to provide services under the pilot program shall cease on the date that is three years after the date of the commencement of the pilot program under paragraph (1).

(f) DEFINITIONS.—In this section:

(1) ELIGIBLE VETERAN.—The term ''eligible veteran'' means the following:

(A) Any veteran eligible to receive hospital care and medical services under section 1710(a)(1) of title 38, United States Code.

(B) Any veteran (other than a veteran described in subparagraph (A)) if the veteran is enrolled in the system of annual patient enrollment under section 1705 of title 38, United States Code.

(2) ASSISTED LIVING SERVICES.—The term ''assisted living services'' means services which provide personal care, activities, health-related care, supervision, and other assistance on a 24-hour basis within a residential or similar setting which—

(A) maximizes flexibility in the provision of such care, activities, supervision, and assistance;

(B) maximizes the autonomy, privacy, and independence of an individual; and

(C) encourages family and community involvement with the individual.

On page 85, between lines 4 and 5, insert the following:

(4) Renovations and environmental improvements at the Department of Veterans Affairs Medical Center, Atlanta, Georgia, in an amount not to exceed $12,400,000.

On page 85, line 9, strike ''$213,100,000'' and insert ''$225,500,000''.

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS

Mr. BOND. Mr. President, I wish to announce that the Committee on Small Business will hold a hearing entitled ''Slotting: Fair to Small Business & Consumers?'' The hearing will be held on Tuesday, September 14, 1999, beginning at 9:30 a.m. in room 608 Dirksen Senate Office Building.

For further information, please contact either Paul Cooksey or Paul Conlon at 224–5175.

SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, PRODUCTION AND REGULATION

Mr. NICKLES. Mr. President, I would like to announce that a subcommittee hearing has been scheduled before the Subcommittee on Energy Research, Development, Production and Regulation.

The hearing will take place Tuesday, September 14, 1999, at approximately 10:30 a.m. (or immediately following the 9:30 Full Committee hearing) in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on S. 1051, a bill to amend the Energy Policy and Conservation Act to manage the Strategic Petroleum Reserve more effectively, and for other purposes.

Those who wish to testify or to submit written testimony should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. Presentation of oral testimony is by Committee invitation only. For further information, please contact

Jo Meuse or Brian Malnak at (202) 224–6730.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a full committee hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will take place on Wednesday, September 15, 1999, at 10:00 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nominations of Sylvia Baca to be Assistant Secretary of the Interior for Land and Minerals Management, David Hayes to be Deputy Secretary of the Interior, and Ivan Itkin to be Director of the Department of Energy's Office of Civilian Radioactive Waste Management.

For further information, please contact David Dye of the Committee staff at (202) 224–0624.

SUBCOMMITTEE ON INVESTIGATIONS

Ms. COLLINS. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs, will hold a hearing entitled ''Day Trading: An Overview.'' This Subcommittee hearing will focus on the practices and operations of the securities day trading industry.

The hearing will take place on Thursday, September 16, 1999, at 9:30 a.m., in Room 628 of the Dirksen Senate Office Building. For further information, please contact Lee Blalack of the Subcommittee staff at 224–3721.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place Thursday, September 16, 1999 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on the Administration's Northwest Forest Plan.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please call Mark Rey at (202) 224–6170.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce for the public that a hearing has been scheduled before the Subcommittee on Forests and Public Land Management of the Senate Committee on Energy and Natural Resources.

The hearing will take place Thursday, September 30, 1999 at 2:30 p.m. in room SD–366 of the Dirsken Senate Office Building in Washington, D.C.

The purpose of this hearing is to receive testimony on S. 1457, Forest Resources for the Environment and the Economy Act.

Those who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C. 20510. For further information, please call Mark Rey at (202) 224–6170.

AUTHORITY FOR COMMITTEE TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. THOMAS. Mr. President, I ask unanimous consent that the Senate Foreign Relations Committee be authorized to meet during the session of the Senate on September 8, 1999 at 2:00 p.m. to hold a closed full committee briefing.

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

ADDITIONAL STATEMENTS

JOHN W. SMART, NATIONAL COMMANDER IN CHIEF OF VFW

• Mr. GREGG. Mr. President, I ask my fellow senators to join me in offering congratulations to John W. Smart of Nashua, New Hampshire, who is to be installed this month as National Commander-in-Chief of the Veterans of Foreign Wars of the United States in this the 100th Anniversary of the organization's founding.

John Smart's election to this position is only the latest in a long and distinguished career in service to our country and to his fellow veterans. Mr. Smart served in the United States Army from October 1970 to April 1973, in Vietnam, where he was assigned to the 176th Assault Helicopter Company (American Division) at Chu Lai. His meritorious service was recognized with the Republic of Vietnam Campaign Medal, a Vietnam Service Medal with four stars and a Presidential Unit Citation.

While serving in Vietnam, he joined VFW Post #2181 in Exeter, New Hampshire. Following his return from military service in 1973, he moved quickly through the VFW Department of New Hampshire chairs and earned recognition as an All-American Department Commander during the 1981–82 year. In 1983 he served as Chairman of the National Youth Activities Committee and from 1991–1993 as Chairman of the National Buddy Poppy Committee. In 1995 he was appointed to the position of National Chief of Staff.

Mr. Smart served his community of Nashua as a firefighter, retiring after 21 years. He has served as VFW New Hampshire Department Adjutant/Quartermaster since 1985. He is a Life Member of VFW Post #483 in Nashua and in addition to his service to the VFW he holds membership in the Military Order of the Cooties, American Legion, Elks, Retired Firefighters Association and the US Army Association. He has served as Chairman of the Board of Managers of the New Hampshire Veterans Home since 1987 and has served as a New Hampshire State Representative.

John Smart is the first member of the Department of New Hampshire Veterans of Foreign Wars to be elected to the office of National Commander-in-Chief. I can think of no New Hampshire citizen more dedicated to his country and to the cause of assisting his fellow veterans. His wife, Mary, his two children, John R. and Cheryl, and his five grandchildren have reason for great pride in this husband, father and grandfather who has so ably contributed his time and efforts toward the service of others. I have been honored to work with John Smart over my years here in the Senate, while serving as Governor in New Hampshire and earlier in the House of Representatives. I commend him to the Senate and know you will join me in extending to him and his family our congratulations, our thanks for his past accomplishments and continuing service and our best wishes during his year of service as the Veterans of Foreign Wars of the United States Commander-in-Chief.•

TRIBUTE TO BILL MULLEN, 1999 GRAND MARSHAL OF THE LABOR DAY MARCH

• Mr. TORRICELLI. Mr. President, I rise today in recognition of Mr. Bill Mullen, who has been chosen as the 1999 Grand Marshal of the Essex-West Hudson Labor Council AFL–CIO Labor Day March and Observance. The Labor Council is proud to honor Bill for his lifetime dedication to working families in the New Jersey Labor Movement, and especially Ironworkers Local 11. It is a pleasure for me to be able to honor his accomplishments.

Bill Mullen served in the United States Army during 1967 and 1968, and was stationed in Korea. He was later discharged with the rank of Sergeant. Returning to New Jersey, Bill completed his apprenticeship, and worked as an Ironworker, Shop Steward, Journeyman, Foreman, and Superintendent for various construction companies throughout the state.

For over thirty years Bill has been an active member in the labor movement. In 1981, Bill was elected by his fellow colleagues to be the Vice President of Ironworkers Local 11, and later became President in 1989. He has also served as Trustee of the Ironworkers of Northern New Jersey District Council Pension Fund and an active member of

the New Jersey Alliance for Action. Currently, he serves as President of the Essex County Building and Construction Trades Council, an organization with 17 affiliates that represents over 12,000 craftmembers throughout Essex County, New Jersey. Bill is a committed worker, colleague, and leader who exemplifies the best of New Jersey Labor Leaders.

It gives me great pleasure to recognize a leader of great stature in New Jersey's labor community. Through these years, fighting for the cause of working men and women, Bill has been known to stand on principle, loyalty, and hard work. It is with pride that I honor Bill on his selection as Grand Marshal.●

TRIBUTE TO YORK COUNTY, PENNSYLVANIA

● Mr. SANTORUM. Mr. President, this year marks the 250th anniversary of York County, Pennsylvania. Today, I rise to recognize the establishment and storied history of this county which contributed greatly to the founding of our Nation.

Established in 1749, York had formerly been a part of neighboring Lancaster County. The citizens of York had petitioned for their own county so that they could establish a courthouse in closer proximity to their jail. With the granting of the petition, York became the first county in Pennsylvania west of the Susquehanna River and the fifth county in Pennsylvania overall. Since that time, the county has developed rich and dynamic civic, social, political and economic institutions, including both durable agricultural and industrial bases, and serves as a model for communities across the Commonwealth and the Nation.

Mr. President, from September 1777 through June 1778, York served as the capital of our Nation. As British General Howe's army occupied Philadelphia, our early government, the Continental Congress, was first moved to Lancaster, Pennsylvania. After one day, the Continental Congress sought to place further distance between it and the British, so it crossed the Susquehanna river at Wrights' Ferry and resumed session in the Colonial Courthouse in Center Square, York.

Mr. President, it was during the time that the York hosted our nation's government that the Marquis de Lafayette made the famous ''toast that saved the nation.'' With this toast, Lafayette proclaimed his continued support for, and espoused the attributes of, General Washington at a time when certain factions were calling for the General to be replaced. This toast has been credited as saving George Washington's position as our first Commander in Chief. It was also during the time that the Continental Congress convened in York that it adopted the Articles of Confederation. This important document was the precursor to the Constitution and marked the first use of the term ''United States of America.''

Mr. President, the people of York County are proud of their history and their traditions. I am proud to join York in this celebration and ask my colleagues to join me in congratulating York on its 250th anniversary.●

A TRIBUTE TO BOB FERRELL

● Mr. ROCKEFELLER. Mr. President, I would like to take this opportunity to recognize a great patriot from my wonderful State of West Virginia, Mr. Robert ''Bob'' Ferrell. Bob retired from the U.S. Air Force with more than 21 years of active duty service. He bravely served his country during the Vietnam conflict on the C–130 Spectre Gunship as a gunner and instructor gunner. Over the course of many years of service, the Air Force honored Bob with numerous prestigious awards, including the coveted Distinguished Flying Cross.

After completing his tour in Vietnam, Bob returned to his lifelong home of Logan County, and began the hard work of a coal miner to support his family. Bob was an exemplary citizen and participated in many community activities. He was a lifetime member of the American Legion and the Veterans of Foreign Wars. After retiring from the mines in the mid 1980's, Bob traveled all over our State seeking the opportunity to speak to our school children about the importance of service to our country and to our state.

A devoted husband and father, Bob raised four wonderful and productive children, two boys and two girls. The example he set for his sons resulted in both of them following in his footsteps and enlisting in the armed forces. The eldest, Mike, is serving in the 101st Airborne division of Fort Campbell, KY, and Steve is a full-time member of the West Virginia Army National Guard. His daughters also are respected members of their communities. The oldest, LaRue, is a chiropractor, and her younger sister, Anitra, is a loving mother and housewife.

Bob passed away in May of this year, and was buried, so appropriately, on the day which commemorates the lives of all those who sacrificed so much for our nation, Memorial Day. Mr. President, as you know, I am the ranking member of the Senate Committee on Veterans' Affairs, and I take great pride in recognizing this wonderful and patriotic man from my state of West Virginia. Bob was one of more than 200,000 veterans from my home State, and represents the millions of Americans who served our country with pride and distinction. One of the best ways we can honor Bob's memory is to work diligently to ensure that the promises made by our government to all veterans are kept.

I would like to close by saying—thank you, Bob. Your outstanding attitude and unselfish lifestyle are an inspiration to the people of our State. You attained the goal all men strive for, in that, you left the world a better place for all of us.●

COLCHESTER LIONS CLUB

● Mr. LIEBERMAN. Mr. President, I rise today to honor the Colchester Lions Club of Colchester, CT. On October 30, they will be celebrating their 50th anniversary of service to the Colchester community.

The Colchester Lions Club was established on August 2, 1949, and through the support of area residents, they have reached out to assist many members of the community. The Lions Club has lent its support to such worthwhile local causes as the D.A.R.E. Program for schools, academic scholarships for local students, and area food banks, and senior centers. They also have reached far beyond the Town of Colchester by raising funds for organizations such as the Fidelco Guide Dog Foundation and Lions Clubs International.

As the Colchester Lions Club has grown over the years, their numerous good works have touched many lives and demonstrated the true value of volunteerism. The people of Connecticut thank the Colchester Lions Club and all its members for their service, dedication, and contribution to our State.●

IN RECOGNITION OF THE NORTH CATHOLIC GIRLS BASKETBALL TEAM

● Mr. SANTORUM. Mr. President, I rise today to recognize the North Catholic Girls Basketball team for their 25 years of outstanding accomplishments.

Over the past 25 years, the team has earned a record of 671 wins and 100 losses. Coach Don Barth, the team's coach during their first 23 years, took the team to the WPIAL championship game 21 times. Last year, the team again went to the championship game under their current coach, Molly Larkin Rothman.

Among the team's other accomplishments, they have won the state championships seven times, the conference championship 25 times, and they hold the record for the longest winning streak with 56 wins between 1987 and 1989.

Mr. President, I ask my colleagues to join with me in congratulating the North Catholic Girls Basketball team on their outstanding accomplishments over the past 25 years. They have provided an excellent example for youth in Pennsylvania and throughout the country.●

DEATH OF CLIF LEAR

• Mr. BINGAMAN. Mr. President, several weeks ago Cibola County in New Mexico lost one of its leading citizens when Clif Lear of Grants died of cancer.

A businessman, he took public service very seriously and served over the years as a city councilman and as the city manager. His contributions to economic development in an area hit hard when the mines closed made a huge difference to the people of Cibola County, as he worked tirelessly to attract new initiatives and new projects.

His wife and three daughters have the sympathy and appreciation of us all who are grateful for Clif's life and the effort he made to make his corner of New Mexico better.•

SENATE WILDERNESS AND PUBLIC LANDS CAUCUS

• Mr. MCCAIN. Mr. President, I proudly join my colleagues as a founding member of this newly created Senate Wilderness and Public Lands Caucus. I congratulate my friend, Senator FEINGOLD, for his bold spirit and commitment to the active protection of our public lands. I accepted Senator FEINGOLD's invitation to participate in this new Caucus because we share a responsibility to protect the natural resources that sustain our world and grace the quality of our lives.

On this day, we commemorate the success of the 1964 Wilderness Act with a renewed commitment to responsible preservation. More than 35 years since the Act's passage, Americans can more readily cherish and enjoy pristine lands in their natural state, unencumbered by growth and development. An important goal of this new Caucus is the desire to improve our process for making important land management decisions impacting our public lands.

Developing consensus policy for public lands protection is of particular necessity and importance for western states. In Arizona, more than 80 percent of lands are held in public ownership, with 4.5 million acres designated as wilderness. Arizonans enjoy wilderness in such places as the Superstition Mountains, Cabeza Prieta, Baboquivari Peak and the Red Rock Secret Mountain.

Many more difficult land management decisions will require our thoughtful consideration. For example, the state of Arizona has grappled for more than ten years over the question of wilderness suitability for the state's largest national park, the Grand Canyon National Park. Arizonans are still engaged in deliberations of this important decision, as well as determining appropriate land management decisions for other areas in our state.

Each of us is well aware that public land management is divisive and, if not carefully developed, can usually result in unfair games of give-and-take between land-users and conservationists. A fine balance between competing users has proved to be possible, and it is this balance toward which we must strive. I am joining with my colleagues in this Caucus because I believe that any decisions we make in the Congress for public land policy should heed the spirit of bipartisanship, promote the ethics of stewardship and multiple use, and protect individual rights. In general, we must ensure that all viewpoints on land-use issues are given fair opportunity to be heard.

We should find our inspiration in the example of a hero of mine, and a statesman of the highest virtue, Mo Udall, whose grace and wisdom should inspire every American. Mo once taught a freshman Congressman from the other side of the aisle a valuable lesson. He reached across party lines to enlist me in the effort to tackle environmental problems in our home state.

Mo's faith in the pursuit of cooperation and consensus enabled us to enact landmark legislation placing 3.5 million acres of pristine Arizona lands into the Wilderness Preservation System. Contrary to the predictions of naysayers and competing political interests, Mo Udall brought the Arizona congressional delegation together with broad support from the public. This was no simple task, but it worked, and Mo Udall demonstrated to his colleagues and constituents a successful formula for bringing together people of good faith and different perspectives to achieve a common purpose.

This new Caucus gives us an opportunity to uphold our commitment to responsible preservation while protecting the rights of all Americans for public use of lands. I encourage our colleagues, of all minds on this issue, to join in the Caucus so that our recommendations and discussions can be fully representative of all interested parties.•

• Mr. BAYH. Mr. President, I rise today to express my great pride in becoming a founding member of the newly-formed Senate Wilderness and Public Lands Caucus. The protection of public lands is critical to the preservation of our national heritage, the protection of our environmental health and the endurance of the American tradition of respect for natural resources.

In September of 1964, the Wilderness Protection Act was passed. It was a landmark in public land protection, establishing that some lands managed by the federal government should be preserved as wilderness for the benefit of all Americans. My father was among the Senators who worked to pass that legislation.

Today, wilderness areas are under even greater pressure from increasing development and expansion. As Governor of Indiana, I worked to protect state lands by establishing the Indiana Heritage Trust, which preserved sensitive areas with the proceeds from sales of environmental license plates. That initiative resulted in the protection of more than 5000 acres of threatened lands.

I am proud to join my colleagues in the Senate in starting the Wilderness and Public Lands Caucus and carrying forward the tradition of stewardship of federal lands reflected in the Wilderness Act of 1964. I would like to thank Senator FEINGOLD in particular for his leadership and dedication to this issue.

We have the obligation and the opportunity to protect the natural heritage that belongs to all Americans. The Wilderness and Public Lands Caucus will be an important asset in pursuing that goal by providing support and education regarding federal land management and wilderness areas.•

PROVIDING ASSISTANCE FOR POISON PREVENTION AND FUNDING OF REGIONAL POISON CENTERS—S. 632

On August 5, 1999, the Senate passed S. 632, as follows:

S. 632

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Poison Control Center Enhancement and Awareness Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Each year more than 2,000,000 poisonings are reported to poison control centers throughout the United States. More than 90 percent of these poisonings happen in the home. 53 percent of poisoning victims are children younger than 6 years of age.

(2) Poison control centers are a valuable national resource that provide life-saving and cost-effective public health services. For every dollar spent on poison control centers, $7 in medical costs are saved. The average cost of a poisoning exposure call is $32, while the average cost if other parts of the medical system are involved is $932. Over the last 2 decades, the instability and lack of funding has resulted in a steady decline in the number of poison control centers in the United States. Within just the last year, 2 poison control centers have been forced to close because of funding problems. A third poison control center is scheduled to close in April 1999. Currently, there are 73 such centers.

(3) Stabilizing the funding structure and increasing accessibility to poison control centers will increase the number of United States residents who have access to a certified poison control center, and reduce the inappropriate use of emergency medical services and other more costly health care services.

SEC. 3. DEFINITION.

In this Act, the term ''Secretary'' means the Secretary of Health and Human Services.

SEC. 4. ESTABLISHMENT OF A NATIONAL TOLL-FREE NUMBER.

(a) IN GENERAL.—The Secretary shall provide coordination and assistance to regional poison control centers for the establishment of a nationwide toll-free phone number to be used to access such centers.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as prohibiting the establishment or continued operation of any privately funded nationwide toll-free phone number used to provide advice and other assistance for poisonings or accidental exposures.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $2,000,000 for each of the fiscal years 2000 through 2004. Funds appropriated under this subsection shall not be used to fund any toll-free phone number described in subsection (b).

SEC. 5. ESTABLISHMENT OF NATIONWIDE MEDIA CAMPAIGN.

(a) IN GENERAL.—The Secretary shall establish a national media campaign to educate the public and health care providers about poison prevention and the availability of poison control resources in local communities and to conduct advertising campaigns concerning the nationwide toll-free number established under section 4.

(b) CONTRACT WITH ENTITY.—The Secretary may carry out subsection (a) by entering into contracts with 1 or more nationally recognized media firms for the development and distribution of monthly television, radio, and newspaper public service announcements.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $600,000 for each of the fiscal years 2000 through 2004.

SEC. 6. ESTABLISHMENT OF A GRANT PROGRAM.

(a) REGIONAL POISON CONTROL CENTERS.—The Secretary shall award grants to certified regional poison control centers for the purposes of achieving the financial stability of such centers, and for preventing and providing treatment recommendations for poisonings.

(b) OTHER IMPROVEMENTS.—The Secretary shall also use amounts received under this section to—

(1) develop standard education programs;

(2) develop standard patient management protocols for commonly encountered toxic exposures;

(3) improve and expand the poison control data collection systems;

(4) improve national toxic exposure surveillance; and

(5) expand the physician/medical toxicologist supervision of poison control centers.

(c) CERTIFICATION.—Except as provided in subsection (d), the Secretary may make a grant to a center under subsection (a) only if—

(1) the center has been certified by a professional organization in the field of poison control, and the Secretary has approved the organization as having in effect standards for certification that reasonably provide for the protection of the public health with respect to poisoning; or

(2) the center has been certified by a State government, and the Secretary has approved the State government as having in effect standards for certification that reasonably provide for the protection of the public health with respect to poisoning.

(d) WAIVER OF CERTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—The Secretary may grant a waiver of the certification requirement of subsection (c) with respect to a noncertified poison control center or a newly established center that applies for a grant under this section if such center can reasonably demonstrate that the center will obtain such a certification within a reasonable period of time as determined appropriate by the Secretary.

(2) RENEWAL.—The Secretary may only renew a waiver under paragraph (1) for a period of 3 years.

(e) SUPPLEMENT NOT SUPPLANT.—Amounts made available to a poison control center under this section shall be used to supplement and not supplant other Federal, State, or local funds provided for such center.

(f) MAINTENANCE OF EFFORT.—A poison control center, in utilizing the proceeds of a grant under this section, shall maintain the expenditures of the center for activities of the center at a level that is not less than the level of such expenditures maintained by the center for the fiscal year preceding the fiscal year for which the grant is received.

(g) MATCHING REQUIREMENT.—The Secretary may impose a matching requirement with respect to amounts provided under a grant under this section if the Secretary determines appropriate.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $25,000,000 for each of the fiscal years 2000 through 2004.

E–911 ACT OF 1999

On August 5, 1999, the Senate passed S. 800, as follows:

S. 800

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Wireless Communications and Public Safety Act of 1999''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) the establishment and maintenance of an end-to-end communications infrastructure among members of the public, emergency safety, fire service and law enforcement officials, emergency dispatch providers, transportation officials, and hospital emergency and trauma care facilities will reduce response times for the delivery of emergency care, assist in delivering appropriate care, and thereby prevent fatalities, substantially reduce the severity and extent of injuries, reduce time lost from work, and save thousands of lives and billions of dollars in health care costs;

(2) the rapid, efficient deployment of emergency telecommunications service requires statewide coordination of the efforts of local public safety, fire service and law enforcement officials, emergency dispatch providers, and transportation officials; the establishment of sources of adequate funding for carrier and public safety, fire service and law enforcement agency technology development and deployment; the coordination and integration of emergency communications with traffic control and management systems and the designation of 9–1–1 as the number to call in emergencies throughout the Nation;

(3) emerging technologies can be a critical component of the end-to-end communications infrastructure connecting the public with emergency medical service providers and emergency dispatch providers, public safety, fire service and law enforcement officials, and hospital emergency and trauma care facilities, to reduce emergency response times and provide appropriate care;

(4) improved public safety remains an important public health objective of Federal, State, and local governments and substantially facilitates interstate and foreign commerce;

(5) emergency care systems, particularly in rural areas of the Nation, will improve with the enabling of prompt notification of emergency services when motor vehicle crashes occur; and

(6) the construction and operation of seamless, ubiquitous, and reliable wireless telecommunications systems promote public safety and provide immediate and critical communications links among members of the public; emergency medical service providers and emergency dispatch providers; public safety, fire service and law enforcement officials; transportation officials, and hospital emergency and trauma care facilities.

(b) PURPOSE.—The purpose of this Act is to encourage and facilitate the prompt deployment throughout the United States of a seamless, ubiquitous, and reliable end-to-end infrastructure for communications, including wireless communications, to meet the Nation's public safety and other communications needs.

SEC. 3. UNIVERSAL EMERGENCY TELEPHONE NUMBER.

(a) ESTABLISHMENT OF UNIVERSAL EMERGENCY TELEPHONE NUMBER.—Section 251(e) of the Communications Act of 1934 (47 U.S.C. 251(e)) is amended by adding at the end the following new paragraph:

''(3) UNIVERSAL EMERGENCY TELEPHONE NUMBER.—The Commission and any agency or entity to which the Commission has delegated authority under this subsection shall designate 9–1–1 as the universal emergency telephone number within the United States for reporting an emergency to appropriate authorities and requesting assistance. The designation shall apply to both wireline and wireless telephone service. In making the designation, the Commission (and any such agency or entity) shall provide appropriate transition periods for areas in which 9–1–1 is not in use as an emergency telephone number on the date of enactment of the Wireless Communications and Public Safety Act of 1999.''.

(b) SUPPORT.—The Federal Communications Commission shall encourage and support efforts by States to deploy comprehensive end-to-end emergency communications infrastructure and programs, based on coordinated statewide plans, including seamless, ubiquitous, reliable wireless telecommunications networks and enhanced wireless 9–1–1 service. In encouraging and supporting that deployment, the Commission shall consult and cooperate with State and local officials responsible for emergency services and public safety, the telecommunications industry (specifically including the cellular and other wireless telecommunications service providers), the motor vehicle manufacturing industry, emergency medical service providers and emergency dispatch providers, transportation officials, special 9–1–1 districts, public safety, fire service and law enforcement officials, consumer groups, and hospital emergency and trauma care personnel (including emergency physicians, trauma surgeons, and nurses). The Commission shall encourage each State to develop and implement coordinated statewide deployment plans, through an entity designated by the governor, and to include representatives of the foregoing organizations and entities in development and implementation of such plans. Nothing in this subsection shall be construed to authorize or require the Commission to impose obligations or costs on any person.

SEC. 4. PARITY OF PROTECTION FOR PROVISION OR USE OF WIRELESS SERVICE.

(a) PROVIDER PARITY.—A wireless carrier, and its officers, directors, employees, vendors, and agents, shall have immunity or other protection from liability in a State of a scope and extent that is not less than the scope and extent of immunity or other protection from liability that any local exchange company, and its officers, directors, employees, vendors, or agents, have under Federal and State law (whether through statute, judicial decision, tariffs filed by such local exchange company, or otherwise) applicable in such State, including in connection with an act or omission involving the release to a PSAP, emergency medical service provider or emergency dispatch provider, public safety, fire service or law enforcement official, or hospital emergency or trauma care facility of subscriber information related to emergency calls or emergency services.

(b) USER PARITY.—A person using wireless 9–1–1 service shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law in similar circumstances of a person using 9–1–1 service that is not wireless.

(c) PSAP PARITY.—In matters related to wireless 9–1–1 communications, a PSAP, and its employees, vendors, agents, and authorizing government entity (if any) shall have immunity or other protection from liability of a scope and extent that is not less than the scope and extent of immunity or other protection from liability under applicable law accorded to such PSAP, employees, vendors, agents, and authorizing government entity, respectively, in matters related to 9–1–1 communications that are not wireless.

(d) BASIS FOR ENACTMENT.—This section is enacted as an exercise of the enforcement power of the Congress under section 5 of the Fourteenth Amendment to the Constitution and the power of the Congress to regulate commerce with foreign nations, among the several States, and with Indian tribes.

SEC. 5. AUTHORITY TO PROVIDE CUSTOMER INFORMATION.

Section 222 of the Communications Act of 1934 (47 U.S.C. 222) is amended—

(1) in subsection (d)—

(A) by striking ''or'' at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting a semicolon and ''and''; and

(C) by adding at the end the following:

''(4) to provide call location information concerning the user of a commercial mobile service (as such term is defined in section 332(d))—

''(A) to a public safety answering point, emergency medical service provider or emergency dispatch provider, public safety, fire service, or law enforcement official, or hospital emergency or trauma care facility, in order to respond to the user's call for emergency services;

''(B) to inform the user's legal guardian or members of the user's immediate family of the user's location in an emergency situation that involves the risk of death or serious physical harm; or

''(C) to providers of information or database management services solely for purposes of assisting in the delivery of emergency services in response to an emergency.''.

(2) by redesignating subsection (f) as subsection (h) and by inserting the following after subsection (e):

''(f) AUTHORITY TO USE WIRELESS LOCATION INFORMATION.—For purposes of subsection (c)(1), without the express prior authorization of the customer, a customer shall not be considered to have approved the use or disclosure of or access to—

''(1) call location information concerning the user of a commercial mobile service (as such term is defined in section 332(d)), other than in accordance with subsection (d)(4); or

''(2) automatic crash notification information to any person other than for use in the operation of an automatic crash notification system.

''(g) SUBSCRIBER LISTED AND UNLISTED INFORMATION FOR EMERGENCY SERVICES.—Notwithstanding subsections (b), (c), and (d), a telecommunications carrier that provides telephone exchange service shall provide information described in subsection (i)(3)(A) (including information pertaining to subscribers whose information is unlisted or unpublished) that is in its possession or control (including information pertaining to subscribers of other carriers) on a timely and unbundled basis, under nondiscriminatory and reasonable rates, terms, and conditions to providers of emergency services, and providers of emergency support services, solely for purposes of delivering or assisting in the delivery of emergency services.'';

(3) by inserting ''location,'' after ''destination,'' in subsection (h)(1)(A) (as redesignated by paragraph (2)); and

(4) by adding at the end of subsection (h) (as redesignated), the following:

''(4) PUBLIC SAFETY ANSWERING POINT.—The term 'public safety answering point' means a facility that has been designated to receive emergency calls and route them to emergency service personnel.

''(5) EMERGENCY SERVICES.—The term 'emergency services' means 9–1–1 emergency services and emergency notification services.

''(6) EMERGENCY NOTIFICATION SERVICES.—The term 'emergency notification services' means services that notify the public of an emergency.

''(7) EMERGENCY SUPPORT SERVICES.—The term 'emergency support services' means information or data base management services used in support of emergency services.''.

SEC. 6. DEFINITIONS.

As used in this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(2) STATE.—The term ''State'' means any of the several States, the District of Columbia, or any territory or possession of the United States.

(3) PUBLIC SAFETY ANSWERING POINT; PSAP.—The term ''public safety answering point'' or ''PSAP'' means a facility that has been designated to receive 9–1–1 calls and route them to emergency service personnel.

(4) WIRELESS CARRIER.—The term ''wireless carrier'' means a provider of commercial mobile services or any other radio communications service that the Federal Communications Commission requires to provide wireless 9–1–1 service.

(5) ENHANCED WIRELESS 9–1–1 SERVICE.—The term ''enhanced wireless 9–1–1 service'' means any enhanced 9–1–1 service so designated by the Federal Communications Commission in the proceeding entitled ''Revision of the Commission's Rules to Ensure Compatibility with Enhanced 9–1–1 Emergency Calling Systems'' (CC Docket No. 94–102; RM–8143), or any successor proceeding.

(6) WIRELESS 9–1–1 SERVICE.—The term ''wireless 9–1–1 service'' means any 9–1–1 service provided by a wireless carrier, including enhanced wireless 9–1–1 service.

(7) EMERGENCY DISPATCH PROVIDERS.—The term ''emergency dispatch providers'' shall include governmental and nongovernmental providers of emergency dispatch services.

CENTENNIAL OF FLIGHT COMMEMORATION ACT OF 1999

On August 5, 1999, the Senate passed S. 1072, as follows:

S. 1072

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

SECTION 1. CENTENNIAL OF FLIGHT COMMISSION.

The Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.) is amended—

(1) in section 4—

(A) in subsection (a)—

(i) in paragraphs (1) and (2) by striking ''or his designee'';

(ii) in paragraph (3) by striking '', or his designee'' and inserting ''to represent the interests of the Foundation''; and in paragraph (3) strike the word ''chairman'' and insert the word ''president'';

(iii) in paragraph (4) by striking '', or his designee'' and inserting ''to represent the interests of the 2003 Committee'';

(iv) in paragraph (5) by inserting before the period ''and shall represent the interests of such aeronautical entities''; and

(v) in paragraph (6) by striking '', or his designee'';

(B) by striking subsection (f);

(C) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively; and

(D) by inserting after subsection (a) the following:

''(b) ALTERNATES.—Each member described under subsection (a) may designate an alternate who may act in lieu of the member to the extent authorized by the member, including attending meetings and voting.'';

(2) in section 5—

(A) in subsection (a)—

(i) by inserting ''provide recommendations and advice to the President, Congress, and Federal agencies on the most effective ways to'' after ''The Commission shall'';

(ii) by striking paragraph (1); and

(iii) by redesignating paragraphs (2) through (7) as paragraphs (1) through (6), respectively;

(B) by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following:

''(b) INTERNATIONAL ACTIVITIES.—The Commission may—

''(1) advise the United States with regard to gaining support for and facilitating international recognition of the importance of aviation history in general and the centennial of powered flight in particular; and

''(2) attend international meetings regarding such activities as advisors to official United States representatives or to gain or provide information for or about the activities of the Commission.''; and

(C) by adding at the end the following:

''(d) ADDITIONAL DUTIES.—The Commission may—

''(1)(A) assemble, write, and edit a calendar of events in the United States (and significant events in the world) dealing with the commemoration of the centennial of flight or the history of aviation;

''(B) actively solicit event information; and

''(C) disseminate the calendar by printing and distributing hard and electronic copies

and making the calendar available on a web page on the Internet;

''(2) maintain a web page on the Internet for the public that includes activities related to the centennial of flight celebration and the history of aviation;

''(3) write and produce press releases about the centennial of flight celebration and the history of aviation;

''(4) solicit and respond to media inquiries and conduct media interviews on the centennial of flight celebration and the history of aviation;

''(5) initiate contact with individuals and organizations that have an interest in aviation to encourage such individuals and organizations to conduct their own activities in celebration of the centennial of flight;

''(6) provide advice and recommendations, through the Administrator of the National Aeronautics and Space Administration or the Administrator of the Federal Aviation Administration (or any employee of such an agency head under the direction of that agency head), to individuals and organizations that wish to conduct their own activities in celebration of the centennial of flight, and maintain files of information and lists of experts on related subjects that can be disseminated on request;

''(7) sponsor meetings of Federal agencies, State and local governments, and private individuals and organizations for the purpose of coordinating their activities in celebration of the centennial of flight; and

''(8) encourage organizations to publish works related to the history of aviation.'';

(3) in section 6(a)—

(A) in paragraph (2)—

(i) by striking the first sentence; and

(ii) in the second sentence—

(I) by striking ''the Federal'' and inserting ''a Federal''; and

(II) by striking ''the information'' and inserting ''information''; and

(B) in paragraph (3) by striking ''section 4(c)(2)'' and inserting ''section 4(d)(2)'';

(4) in section 6(c)(1) by striking ''the Commission may'' and inserting ''the Administrator of the National Aeronautics and Space Administration or the Administrator of the Federal Aviation Administration (or an employee of the respective administration as designated by either Administrator) may, on behalf of the Commission,'';

(5) in section 7—

(A) in subsection (a) in the first sentence—

(i) by striking ''There'' and inserting ''Subject to subsection (h), there''; and

(ii) by inserting before the period ''or represented on the Advisory Board under section 12(b)(1) (A) through (E)'';

(B) in subsection (b) by striking ''The Commission'' and inserting ''Subject to subsection (h), the Commission'';

(C) by striking subsection (g);

(D) by redesignating subsection (h) as subsection (g); and

(E) by adding at the end the following:

''(h) LIMITATION.—Each member of the Commission described under section 4(a) (3), (4), and (5) may not make personnel decisions, including hiring, termination, and setting terms and conditions of employment.'';

(6) in section 9—

(A) in subsection (a)—

(i) by striking ''The Commission may'' and inserting ''After consultation with the Commission, the Administrator of the National Aeronautics and Space Administration may''; and

(ii) by striking ''its duties or that it'' and inserting ''the duties under this Act or that the Administrator of the National Aeronautics and Space Administration'';

(B) in subsection (b)—

(i) in the first sentence by striking ''The Commission shall have'' and inserting ''After consultation with the Commission, the Administrator of the National Aeronautics and Space Administration may exercise''; and

(ii) in the second sentence by striking ''that the Commission lawfully adopts'' and inserting ''adopted under subsection (a)''; and

(C) by amending subsection (d) to read as follows:

''(d) USE OF FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), funds from licensing royalties received under this section shall be used by the Commission to carry out the duties of the Commission specified by this Act.

''(2) EXCESS FUNDS.—The Commission shall transfer any portion of funds in excess of funds necessary to carry out the duties described under paragraph (1), to the National Aeronautics and Space Administration to be used for the sole purpose of commemorating the history of aviation or the centennial of powered flight.'';

(7) in section 10—

(A) in subsection (a)—

(i) in the first sentence, by striking ''activities of the Commission'' and inserting ''actions taken by the Commission in fulfillment of the Commission's duties under this Act'';

(ii) in paragraph (3), by adding ''and'' after the semicolon;

(iii) in paragraph (4), by striking the semicolon and ''and'' and inserting a period; and

(iv) by striking paragraph (5); and

(B) in subsection (b)(1) by striking ''activities'' and inserting ''recommendations'';

(8) in section 12—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraphs (A), (C), (D), and (E), by striking '', or the designee of the Secretary'';

(II) in subparagraph (B), by striking '', or the designee of the Librarian''; and

(III) in subparagraph (F)—

(aa) in clause (i) by striking ''government'' and inserting ''governmental entity''; and

(bb) by amending clause (ii) to read as follows:

''(ii) shall be selected among individuals who—

''(I) have earned an advanced degree related to aerospace history or science, or have actively and primarily worked in an aerospace related field during the 5-year period before appointment by the President; and

''(II) specifically represent 1 or more of the persons or groups enumerated under section 5(a)(1).''; and

(ii) by adding at the end the following:

''(2) ALTERNATES.—Each member described under paragraph (1) (A) through (E) may designate an alternate who may act in lieu of the member to the extent authorized by the member, including attending meetings and voting.''; and

(B) in subsection (h) by striking ''section 4(e)'' and inserting ''section 4(d)''; and

(9) in section 13—

(A) by striking paragraph (4); and

(B) by redesignating paragraph (5) as paragraph (4).

ANTICYBERSQUATTING CONSUMER PROTECTION ACT

On August 5, 1999, the Senate passed S. 1255, as follows:

S. 1255

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

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''Anticybersquatting Consumer Protection Act.''.

(b) REFERENCES TO THE TRADEMARK ACT OF 1946.—Any reference in this Act to the Trademark Act of 1946 shall be a reference to the Act entitled ''An Act to provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of certain international conventions, and for other purposes'', approved July 5, 1946 (15 U.S.C. 1051 et seq.).

SEC. 2. FINDINGS.

Congress finds the following:

(1) The registration, trafficking in, or use of a domain name that is identical or confusingly similar to a trademark or service mark of another that is distinctive at the time of the registration of the domain name, or dilutive of a famous trademark or service mark of another that is famous at the time of the registration of the domain name, without regard to the goods or services of the parties, with the bad-faith intent to profit from the goodwill of another's mark (commonly referred to as ''cyberpiracy'' and ''cybersquatting'')—

(A) results in consumer fraud and public confusion as to the true source or sponsorship of goods and services;

(B) impairs electronic commerce, which is important to interstate commerce and the United States economy;

(C) deprives legitimate trademark owners of substantial revenues and consumer goodwill; and

(D) places unreasonable, intolerable, and overwhelming burdens on trademark owners in protecting their valuable trademarks.

(2) Amendments to the Trademark Act of 1946 would clarify the rights of a trademark owner to provide for adequate remedies and to deter cyberpiracy and cybersquatting.

SEC. 3. CYBERPIRACY PREVENTION.

(a) IN GENERAL.—Section 43 of the Trademark Act of 1946 (15 U.S.C. 1125) is amended by inserting at the end the following:

''(d)(1)(A) A person shall be liable in a civil action by the owner of a trademark or service mark if, without regard to the goods or services of the parties, that person—

''(i) has a bad faith intent to profit from that trademark or service mark; and

''(ii) registers, traffics in, or uses a domain name that—

''(I) in the case of a trademark or service mark that is distinctive at the time of registration of the domain name, is identical or confusingly similar to such mark; or

''(II) in the case of a famous trademark or service mark that is famous at the time of registration of the domain name, is dilutive of such mark.

''(B) In determining whether there is a bad-faith intent described under subparagraph (A), a court may consider factors such as, but not limited to—

''(i) the trademark or other intellectual property rights of the person, if any, in the domain name;

''(ii) the extent to which the domain name consists of the legal name of the person or a name that is otherwise commonly used to identify that person;

''(iii) the person's prior use, if any, of the domain name in connection with the bona fide offering of any goods or services;

''(iv) the person's legitimate noncommercial or fair use of the mark in a site accessible under the domain name;

''(v) the person's intent to divert consumers from the mark owner's online location to a site accessible under the domain name that could harm the goodwill represented by the mark, either for commercial gain or with the intent to tarnish or disparage the mark, by creating a likelihood of confusion as to the source, sponsorship, affiliation, or endorsement of the site;

''(vi) the person's offer to transfer, sell, or otherwise assign the domain name to the mark owner or any third party for substantial consideration without having used, or having an intent to use, the domain name in the bona fide offering of any goods or services;

''(vii) the person's intentional provision of material and misleading false contact information when applying for the registration of the domain name; and

''(viii) the person's registration or acquisition of multiple domain names which are identical or confusingly similar to trademarks or service marks of others that are distinctive at the time of registration of such domain names, or dilutive of famous trademarks or service marks of others that are famous at the time of registration of such domain names, without regard to the goods or services of such persons.

''(C) In any civil action involving the registration, trafficking, or use of a domain name under this paragraph, a court may order the forfeiture or cancellation of the domain name or the transfer of the domain name to the owner of the mark.

''(D) A use of a domain name described under subparagraph (A) shall be limited to a use of the domain name by the domain name registrant or the domain name registrant's authorized licensee.

''(2)(A) The owner of a mark may file an in rem civil action against a domain name if—

''(i) the domain name violates any right of the registrant of a mark registered in the Patent and Trademark Office, or section 43 (a) or (c); and

''(ii) the court finds that the owner has demonstrated due diligence and was not able to find a person who would have been a defendant in a civil action under paragraph (1).

''(B) The remedies of an in rem action under this paragraph shall be limited to a court order for the forfeiture or cancellation of the domain name or the transfer of the domain name to the owner of the mark.''.

(b) ADDITIONAL CIVIL ACTION AND REMEDY.—The civil action established under section 43(d)(1) of the Trademark Act of 1946 (as added by this section) and any remedy available under such action shall be in addition to any other civil action or remedy otherwise applicable.

SEC. 4. DAMAGES AND REMEDIES.

(a) REMEDIES IN CASES OF DOMAIN NAME PIRACY.—

(1) INJUNCTIONS.—Section 34(a) of the Trademark Act of 1946 (15 U.S.C. 1116(a)) is amended in the first sentence by striking ''section 43(a)'' and inserting ''section 43 (a), (c), or (d)''.

(2) DAMAGES.—Section 35(a) of the Trademark Act of 1946 (15 U.S.C. 1117(a)) is amended in the first sentence by inserting '', (c), or (d)'' after ''section 43 (a)''.

(b) STATUTORY DAMAGES.—Section 35 of the Trademark Act of 1946 (15 U.S.C. 1117) is amended by adding at the end the following:

''(d) In a case involving a violation of section 43(d)(1), the plaintiff may elect, at any time before final judgment is rendered by the trial court, to recover, instead of actual damages and profits, an award of statutory damages in the amount of not less than $1,000 and not more than $100,000 per domain name, as the court considers just. The court shall remit statutory damages in any case in which an infringer believed and had reasonable grounds to believe that use of the domain name by the infringer was a fair or otherwise lawful use.''.

SEC. 5. LIMITATION ON LIABILITY.

Section 32(2) of the Trademark Act of 1946 (15 U.S.C. 1114) is amended—

(1) in the matter preceding subparagraph (A) by striking ''under section 43(a)'' and inserting ''under section 43 (a) or (d)''; and

(2) by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

''(D)(i) A domain name registrar, a domain name registry, or other domain name registration authority that takes any action described under clause (ii) affecting a domain name shall not be liable for monetary relief to any person for such action, regardless of whether the domain name is finally determined to infringe or dilute the mark.

''(ii) An action referred to under clause (i) is any action of refusing to register, removing from registration, transferring, temporarily disabling, or permanently canceling a domain name—

''(I) in compliance with a court order under section 43(d); or

''(II) in the implementation of a reasonable policy by such registrar, registry, or authority prohibiting the registration of a domain name that is identical to, confusingly similar to, or dilutive of another's mark registered on the Principal Register of the United States Patent and Trademark Office.

''(iii) A domain name registrar, a domain name registry, or other domain name registration authority shall not be liable for damages under this section for the registration or maintenance of a domain name for another absent a showing of bad faith intent to profit from such registration or maintenance of the domain name.

''(iv) If a registrar, registry, or other registration authority takes an action described under clause (ii) based on a knowing and material misrepresentation by any person that a domain name is identical to, confusingly similar to, or dilutive of a mark registered on the Principal Register of the United States Patent and Trademark Office, such person shall be liable for any damages, including costs and attorney's fees, incurred by the domain name registrant as a result of such action. The court may also grant injunctive relief to the domain name registrant, including the reactivation of the domain name or the transfer of the domain name to the domain name registrant.

''(v) A domain name registrant whose domain name has been suspended, disabled, or transferred under a policy described under clause (ii)(II) may, upon notice to the mark owner, file a civil action to establish that the registration or use of the domain name by such registrant is not unlawful under this Act. The court may grant injunctive relief to the domain name registrant, including the reactivation of the domain name or transfer of the domain name to the domain name registrant.''.

SEC. 6. DEFINITIONS.

Section 45 of the Trademark Act of 1946 (15 U.S.C. 1127) is amended by inserting after the undesignated paragraph defining the term ''counterfeit'' the following:

''The term 'Internet' has the meaning given that term in section 230(f)(1) of the Communications Act of 1934 (47 U.S.C. 230(f)(1)).

''The term 'domain name' means any alphanumeric designation which is registered with or assigned by any domain name registrar, domain name registry, or other domain name registration authority as part of an electronic address on the Internet.''.

SEC. 7. SAVINGS CLAUSE.

Nothing in this Act shall affect any defense available to a defendant under the Trademark Act of 1946 (including any defense under section 43(c)(4) of such Act or relating to fair use) or a person's right of free speech or expression under the first amendment of the United States Constitution.

SEC. 8. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstances is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

SEC. 9. EFFECTIVE DATE.

This Act shall apply to all domain names registered before, on, or after the date of enactment of this Act, except that statutory damages under section 35(d) of the Trademark Act of 1946 (15 U.S.C. 1117), as added by section 4 of this Act, shall not be available with respect to the registration, trafficking, or use of a domain name that occurs before the date of enactment of this Act.

FOREIGN CURRENCY REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports(s) of standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBER AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY, FOR TRAVEL FROM MAR. 27, TO JUNE 3, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Forrign currency	U.S. dollar equivalent or U.S. currency
Senator J. Robert Kerrey:									
France	Franc	2,774	462.00		1,119.56	320	53.30		1,634.86
Debra A. Reed:									
France	Franc	716	119.00		3,123.93				3,242.93
Senator Patrick J. Leahy:									
Ireland	Pound	584.38	788.00		1.082.35				1,870.35
Senator Patrick J. Leahy:									
Northern Ireland	Dollar		254.00						254.00
John P. Dowd:									
Ireland	Pound	584.38	788.00		1,082.35				1,870.35
Northern Ireland	Dollar		254.00						254.00
Frederick S. Kenney II:									
Ireland	Pound	1,012.84	1,379.00		1,612.40				2991.40
Total			4,044.00		8,020.59		53.30		12,117.89

RICHARD G. LUGAR,
Chairman, Committee on Agriculture, Nutrition, and Forestry, July 1, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Ted Stevens:									
France	Franc	31.60	505.00					31.60	505.00
Senator Richard C. Shelby:									
France	Franc	31.60	505.00					31.60	505.00
Senator Ben Nighthorse Campbell:									
France	Franc	31.60	505.00					31.60	505.00
Steve Cortese:									
France	Franc	31.60	505.00					31.60	505.00
Gary Reese:									
France	Franc	31.60	505.00					31.60	505.00
John Young:									
France	Franc	31.60	505.00					31.60	505.00
Wally Burnett:									
France	Franc	31.60	505.00					31.60	505.00
Tammy Perrin:									
France	Franc	31.60	505.00					31.60	505.00
Senator Daniel K. Inouye:									
Japan	Yen	115,130	940.99					115,130	940.99
Charlie Houy:									
Japan	Yen	110,942	906.76					110,942	906.76
Total			5,887.75						5,887.75

TED STEVENS,
Chairman, Committee on Appropriations, July 20, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES, FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Charles S. Abell:									
Honduras	Lempira	423.00	30.00						30.00
Honduras	Dollar		356.00						356.00
Honduras	Dollar				1,328.40				1,328.40
Senator John Warner:									
United States	Dollar				4,150.88				4,150.88
United Kingdom	Pound		730.00						730.00
Belgium	Franc		479.00						479.00
Italy	Lira		325.00						325.00
Senator Tim Hutchinson:									
United States	Dollar				4,897.50				4,897.50
Italy	Lira	966,786	538.00						538.00
Belgium	Franc	8,674	232.00						232.00
United Kingdom	Pound	196.10	315.00						315.00
Todd B. Deatherage:									
United States	Dollar				4,897.50				4,897.50
Italy	Lira	966,786	538.00						538.00
Belgium	Franc	8,674	232.00						232.00
United Kingdom	Pound	196.10	315.00						315.00
Gary M. Hall:									
Israel	Dollar		10.00						10.00
Bahrain	Dollar		298.25						298.25
Patrick F. McCartan:									
Israel	Dollar		10.00						10.00
Bahrain	Dollar		387.25						387.25
Senator Olympia J. Snowe:									
Israel	Dollar		10.00						10.00
Bahrain	Dollar		284.25						284.25
Senator Jeff Sessions:									
Germany	Dollar		494.00						494.00
Czech Republic	Dollar		282.00						282.00
Turkey	Dollar		748.00						748.00
Italy	Dollar		734.00						734.00

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES, FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
France	Dollar		342.00						342.00
Senator Pat Roberts:									
France	Franc	31.60	505.00						505.00
Senator James M. Inhofe:									
United States	Dollar				4,930.67				4,930.67
Germany	Dollar		101.50						101.50
Northern Ireland	Dollar		274.00						274.00
Germany	Dollar		185.00						185.00
Albania	Dollar		170.00						170.00
United Kingdom	Dollar		670.00						670.00
France	Franc	31.60	505.00						505.00
Total			10,100.25						30,305.20

JOHN WARNER,
Chairman, Committee on Armed Services, June 30, 1999.

ADDENDUM TO 1ST QUARTER OF 1999.—CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES COMMITTEE FOR TRAVEL FROM JAN. 1, TO MAR. 31, 1999.

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Jack Reed:									
Cuba	Dollar		311.93						311.93
Neil D. Campbell:									
Cuba	Dollar		715.00						715.00
Total			1,026.93						1,026.93

JOHN WARNER,
Chairman, Committee on Armed Services, June 30, 1999

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Phil Gramm:									
Germany	Dollar		494.00						494.00
Czech	Dollar		282.00						282.00
Turkey	Dollar		748.00						748.00
Italy	Dollar		734.00						734.00
France	Dollar		342.00						342.00
Senator Wayne Allard:									
Germany	Dollar		494.00						494.00
Czech	Dollar		282.00						282.00
Turkey	Dollar		748.00						748.00
Italy	Dollar		734.00						734.00
France	Dollar		342.00						342.00
Senator Mike Enzi:									
Germany	Dollar		494.00						494.00
Czech	Dollar		282.00						282.00
Turkey	Dollar		748.00						748.00
Italy	Dollar		734.00						734.00
France	Dollar		342.00						342.00
Ms. Ruth Cymber:									
Germany	Dollar		494.00						494.00
Czech	Dollar		282.00						282.00
Turkey	Dollar		483.00						483.00
Italy	Dollar		539.00						539.00
France	Dollar		342.00						342.00
Senator Evan Bayh:									
Portugal	Dollar		837.00		4,084.00				4,921.00
Mr. Robert O'Quinn:									
England	Dollar		1,460.00						1,460.00
Philippines	Dollar		744.00						744.00
Total	Dollar		12,981.00		4,084.00				17,065.00

PHIL GRAMM,
Chairman, Committee on Banking, Housing, and Urban Affairs, July 30, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Randall Popelka:									
Switzerland	Franc	2,150.14	1,427.43					2,150.14	1,427.43

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				923.46				923.46
Total			1,427.43		923.46				2,350.89

JOHN McCAIN,
Chairman, Committee on Commerce, Science, and Transportation, July 23, 1999.

ADDENDUM TO 1ST QUARTER OF 1999.—CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE, FOR TRAVEL FROM JAN. 1, TO MAR. 31, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bob Graham:									
Honduras	Dollar		264.00						264.00
Nicaragua	Dollar		75.00						75.00
Robert Filippone:									
Honduras	Dollar		264.00						264.00
Nicaragua	Dollar		75.00						75.00
Gary Shiffman:									
Honduras	Dollar		264.00						264.00
Nicaragua	Dollar		75.00						75.00
Faryar Shirzad:									
Honduras	Dollar		191.06						191.06
Nicaragua	Dollar		6.00						6.00
Daniel Bob:									
Peru	Dollar		1,224.00		825.40				2,049.40
China	Dollar		738.98		469.00				1,207.98
Robert Six:									
Taiwan	Dollar		954.82						954.82
Japan	Dollar		2,066.91						2,066.91
China	Dollar		806.77						806.77
United States	Dollar				4,892.06				4,892.06
United States	Dollar				8,172.00				8,172.00
Senator John Rockefeller:									
United States	Dollar				15,531.00				15,531.00
Taiwan	Dollar		1,201.50						1,201.50
Japan	Dollar		624.00						624.00
Total			8,831.04		29,889.46				38,720.50

WILLIAM V. ROTH, JR.,
Chairman, Committee on Finance, July 28, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FINANCE, FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ian Brzezinski:									
Poland	Dollar		1,177.62						1,177.62
United States	Dollar				1,664.26				1664.26
Total			1,177.62		1,664.26				2,841.88

WILLIAM V. ROTH, JR.,
Chairman, Committee on Finance, July 28, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Joseph Biden:									
United States	Dollar				2,742.53				2,742,53
Senator Sam Brownback:									
Kenya	Dollar		1,470.00						1,470.00
United States	Dollar				6,961.15				6,961.15
Senator Christopher Dodd:									
Belgium	Dollar		100.00						100.00
United States	Dollar				5,975.97				5,975.97
United States	Dollar				3,029.00				3,029.00
Senator Chuck Hagel:									
United States	Dollar				4,971.37				4,971.37
Senator John Kerry:									
Thailand	Dollar		240.00						240.00
Cambodia	Dollar		121.00						121.00
Vietnam	Dollar		556.00						556.00
United Kingdom	Dollar		280.00						280.00
United States	Dollar				11,006.92				11,006.92
Frank Jannuzi:									
Taiwan	Dollar		955.50						955.50

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
United States	Dollar				3,277.55				3,277.55
Michael Miller:									
South Africa	Dollar		1,003.10						1,003.10
United States	Dollar				5,600.99				5,600.99
Janice O'Connell:									
Belgium	Dollar		150.00						150.00
France	Dollar		332.00						332.00
United States	Dollar				5,397.79				5,397.79
Nancy Stetson:									
Thailand	Dollar		240.00						240.00
Cambodia	Dollar		130.00						130.00
Vietnam	Dollar		393.00						393.00
United Kingdom	Dollar		281.00						281.00
United States	Dollar				6,959.40				6,959.40
Michael Westphal:									
South Africa	Dollar		914.78						914.78
United States	Dollar				5,600.99				5,600.99
Total			7,446.38		61,523.66				68,970.04

JESSE HELMS,
Chairman, Committee on Foreign Relations, July 27, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON GOVERNMENTAL AFFAIRS FOR TRAVEL FROM APR. 1 TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Fred Thompson:									
United States	Dollar				7,310.13				7,310.13
Italy	Lira		646.00						646.00
Germany	Deutschmark		420.00						420.00
Curtis Silvers:									
United States	Dollar				5,402.13				5,402.13
Italy	Lira		544.00						544.00
Germany	Deutschmark		420.00						420.00
Christopher Ford:									
United States	Dollar				5,402.13				5,402.13
Italy	Lira		544.00						544.00
Germany	Deutschmark		420.00						420.00
Senator Susan Collins:									
United States	Dollar				812.81				812.81
Northern Ireland	Pound	50.62	81.00						81.00
Ireland	Pound	172.17	229.00						229.00
England	Pound	171.31	273.00						273.00
Senator Thad Cochran:									
Scotland	Pound		273.00						273.00
Belgium	Franc		269.00						269.00
Dennis Ward:									
Scotland	Pound		362.00						362.00
Belgium	Franc		269.00						269.00
Dennis McDowell:									
Scotland	Pound		362.00						362.00
Belgium	Franc		269.00						269.00
Michael Loesch:									
Scotland	Pound		362.00						362.00
Belgium	Franc		269.00						269.00
Mitchel Kugler:									
United States	Dollar				4,882.76				4,882.76
United Kingdom	Pound		2,540.00		197.00				2,737.00
Total			8,552.00		24,006.96				32,558.96

FRED THOMPSON,
Chairman, Committee on Governmental Affairs, June 30, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tom Harkin:									
United states	Dollar				1,924.69				1,924.69
Rosemary Gutierrez:									
United states	Dollar				1,924.69				1,924.69
Total					3,849.38				3,849.38

JIM JEFFORDS,
Chairman, Committee on Health, Education, Labor, and Pensions, July 19, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON VETERANS' AFFAIRS FOR TRAVEL FROM APR. 1 TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Arlen Specter:									
Cuba	Dollar		216.00						216.00
David Urban:									
Cuba	Dollar		187.59		20.00		117.41		325.00
Charles Robbins:									
Cuba	Dollar		247.50		2.90		48.00		298.40
Anthony Cunningham:									
Cuba	Dollar		292.56		15.00		17.44		325.00
Total			943.65		37.90		182.85		1,164.40

ARLEN SPECTER,
Chairman, Committee on Veterans' Affairs, July 6, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), SELECT COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM APR. 1, TO JUNE 30, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Christopher Straub			730.00		4,668.50				5,398.50
Senator J. Robert Kerrey			730.00		4,750.50				5,480.50
Nicholas Rostow			453.00						453.00
Senator Bob Graham			20.50						20.50
Alfred Cumming			134.50						134.50
Bob Fillipone			135.50						135.50
Senator Richard G. Lugar			1,966.00		4,247.77				6,213.77
Kenneth Myers			2,140.00		4,247.77				6,387.77
Total			6,309.50		17,914.54				24,224.04

RICHARD SHELBY,
Chairman, Select Committee on Intelligence, July 15, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL AUTHORIZED BY THE MAJORITY AND DEMOCRATIC LEADERS FROM MAY 14 TO MAY 17, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Kay Bailey Hutchison:									
Bulgaria	Dollar		171.50						171.50
Belgium	Dollar		129.00						129.00
Senator Frank Lautenberg:									
Bulgaria	Dollar		171.50						171.50
Belgium	Dollar		122.00						122.00
Senator Tom Harkin:									
Bulgaria	Dollar		233.50						233.50
Belgium	Dollar		152.00						152.00
Senator Rod Grams:									
Bulgaria	Dollar		40.60						40.60
Belgium	Dollar		146.00						146.00
Senator Gordon Smith:									
Bulgaria	Dollar		233.50						233.50
Belgium	Dollar		133.00						133.00
Senator George Voinovich:									
Bulgaria	Dollar		171.50						171.50
Belgium	Dollar		122.00						122.00
James W. Ziglar:									
Bulgaria	Dollar		171.50						171.50
Belgium	Dollar		122.00						122.00
Frederic Baron:									
Bulgaria	Dollar		191.50						191.50
Belgium	Dollar		122.00						122.00
Dave Davis:									
Bulgaria	Dollar		187.50						187.50
Belgium	Dollar		165.00						165.00
Larry DiRita:									
Bulgaria	Dollar		171.50						171.50
Belgium	Dollar		191.00						191.00
Beth Stewart:									
Bulgaria	Dollar		204.50						204.50
Belgium	Dollar		122.00						122.00
Sally Walsh:									
Bulgaria	Dollar		171.50						171.50
Belgium	Dollar		122.00						122.00
Delegation expenses: [1]									
Hungary							435.61		435.61
Bulgaria							380.61		380.61
Albania							1,090.94		1,090.94
Macedonia							430.61		430.61
Belgium							522.17		522.17
Total			3,768.10				2,859.94		6,628.04

[1] Delegation expenses include direct payments and reimbursements to the Department of State and to the Department of Defense under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TRENT LOTT, Majority Leader,
TOM DASCHLE, Democratic Leader, July 1, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL AUTHORIZED BY THE MAJORITY AND DEMOCRATIC LEADERS FROM APR. 16 TO APR. 18, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Ted Stevens:									
Belgium	Franc		242.00						242.00
Senator Carl Levin:									
Belgium	Franc		242.00						242.00
Senator Don Nickles:									
Belgium	Franc		242.00						242.00
Senator Chuck Robb:									
Belgium	Franc		242.00						242.00
United States	Dollar				2,882.53				2,882.53
Senator Fred Thompson:									
Belgium	Franc		242.00						242.00
Senator Pat Roberts:									
Belgium	Franc		242.00						242.00
Senator Richard Durbin:									
Belgium	Franc		242.00						242.00
Senator Joe Biden:									
Belgium	Franc		242.00						242.00
Senator Max Baucus:									
Belgium	Franc		242.00						242.00
Mr. Steven Cortese:									
Belgium	Franc		242.00						242.00
Ms. Robin Cleveland:									
Belgium	Franc		242.00						242.00
Richard DeBobes:									
Belgium	Franc		196.00						196.00
Jim Jatras:									
Belgium	Franc		242.00						242.00
Terry Sauvain:									
Belgium	Franc		242.00						242.00
Total			3,342.00		2,882.53				6,224,53

TRENT LOTT, Majority Leader,
TIM DASCHLE, Democratic Leader, July 14, 1999.

CONSOLIDATED REPORT OF EXPENDITURE OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL AUTHORIZED BY THE DEMOCRATIC LEADER FROM APRIL 4, TO APRIL 11, 1999

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tom Daschle:									
Brazil	Real	1,442.55	815.00					1,442.55	815.00
Argentina	Dollar		744.00						744.00
Chile	Peso	288,712	604.00					288,712	604.00
Senator Harry Reid:									
Brazil	Real	1,442.55	815.00					1,442.55	815.00
Argentina	Dollar		744.00						744.00
Chile	Peso	288,712	604.00					288,712	604.00
Senator Byron Dorgan:									
Brazil	Real	1,442.55	815.00					1,442.55	815.00
Argentina	Dollar		744.00						744.00
Chile	Peso	288,712	604.00					288,712	604.00
Senator Ben Nighthorse Campbell:									
Brazil	Real	1,442.55	815.00					1,442.55	815.00
Argentina	Dollar		744.00						744.00
Chile	Peso	288,712	604.00					288,712	604.00
Sheila Murphy:									
Brazil	Real	877.92	496.00					877.92	496.00
Argentina	Dollar		744.00						744.00
Chile	Peso	180,206	377.00					180,206	377.00
Eric Washburn:									
Brazil	Real	1,154.04	652.00					1,154.04	652.00
Argentina	Dollar		744.00						744.00
Chile	Peso	193,112	404.00					193,112	404.00
Sally Walsh:									
Brazil	Real	1,088.55	615.00					1,088.55	615.00
Argentina	Dollar		744.00						744.00
Chile	Peso	239,956	502.00					239,956	502.00
Delegation expenses:[1]									
Brazil							4,501.31		4,501.31
Argentina							5,146.59		5,146.59
Chile							3,928.23		3,928.23
Total			13,930.00				13,576.13		27,506.13

[1] Delegation expenses include direct payments and reimbursements to the Department of State and to the Department of Defense under authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22. of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TOM DASCHLE,
Democratic Leader, June 25, 1999.

MEASURE READ FOR THE FIRST TIME—S.J. RES. 33

Mr. BROWNBACK. Madam President, I understand that S.J. Res. 33, introduced earlier by Senator LOTT, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the resolution for the first time.

The bill clerk read as follows:

A joint resolution (S.J. Res. 33) deploring the actions of President Clinton regarding granting clemency to FALN terrorists.

Mr. BROWNBACK. Madam President, I now ask for its second reading, and I object on behalf of the Democrats in the Senate.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

EXECUTIVE SESSION

NOMINATION OF CARLOS MURGUIA, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS

Mr. BROWNBACK. Madam President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on the executive calendar: No. 176, the nomination of Judge Carlos Murguia to be U.S. district judge for the district of Kansas.

I take this opportunity to inform my fellow Members a little bit about Judge Murguia. I went to school with Judge Murguia. I am delighted to see him join the bench in Kansas. I want to speak today for a few minutes and tell my colleagues about Judge Murguia, whose nomination to the Federal Judiciary I understand will be agreed to before the close of business today.

The Federal Judiciary is a truly high honor and responsibility. Those nominated to serve must be men and women of the highest professional and personal qualifications. I am privileged and pleased today to commend to the Senate Judge Carlos Murguia of Kansas City, KS. A native of Kansas City, Carlos Murguia is part of a remarkable family. Every one of his four siblings have earned a law degree from the University of Kansas. One sister works as deputy director of legislative affairs at the White House. Another sister is an assistant U.S. attorney in Arizona.

Judge Murguia has served as a Wyandotte County District judge since September of 1990. He is a graduate of the University of Kansas School of Journalism and a graduate of my alma mater, the University of Kansas School of Law.

Judge Murguia took an unusual career path upon graduating from that institution of legal scholarship that has turned out so many outstanding attorneys. He chose to use his newly minted legal skills to help others in a generally lower-income area of Kansas city. He chose to help others in this area who ordinarily would not have access to legal representation in situations others often take for granted.

Judge Murguia took his first step into the Judiciary while still in private practice, serving first as a part-time small claims judge for the Wyandotte County district court. Later in 1990, Kansas Republican Governor Mike Hayden appointed Mr. Murguia Wyandotte County District Judge, filling the reminder of a term of a judge who died in office. He was elected to his own 4-year terms in both 1992 and 1996. Judge Murguia served Wyandotte County with distinction in this office for 10 years.

Madam President, I am confident that Judge Murguia will bring to the Federal bench the skills and knowledge of an outstanding jurist of personal integrity and with the dedication of a man who took his law degree to help his fellow citizens.

On a personal note, when you see the demeanor of Judge Murguia and you are around his presence, you recognize and see the beauty of this person, the beauty of his soul, the beauty of the smile that goes on his face when he sees justice being done for others. And that smile mourns when he sees anyone treated unjustly. He lives in his heart for justice. I think he is probably one of the best embodiments of that frequently cited passage in Micah that reads, ''what does the Lord require of you but to do justice and to love mercy and to walk humbly with thy God''.

Judge Murguia fulfills that passage in Micah. For all these reasons, I am especially pleased to wholeheartedly commend to the Senate Judge Carlos Murguia nomination to the Federal district court.

Madam President, in that vein, I further ask unanimous consent that this nomination of Judge Murguia be confirmed, the motion to consider be laid upon the table, any statements relating to the nomination be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

THE JUDICIARY

Carlos Murguia, of Kansas, to be United States District Judge for the District of Kansas.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NOS. 106–6 AND 106–7

Mr. BROWNBACK. Madam President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on September 8, 1999, by the President of the United States: International Convention for the Expression of Terrorist Bombings (Treaty Document No. 106–6); and Treaty with Dominican Republic for Return of Stolen or Embezzled Vehicles, with Annexes, (Treaty Document No. 106–7).

I further ask that the treaties be considered as having been read the first time, they be referred with accompanying papers to the Committee on Foreign Relations, and the President's messages be printed in the RECORD.

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

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the International Convention for the Suppression of Terrorist Bombings, adopted by the United Nations General Assembly on December 15, 1997, and signed on behalf of the United States of America on January 12, 1998. The report of the Department of State with respect to the Convention is also transmitted for the information of the Senate.

In recent years, we have witnessed an unprecedented and intolerable increase in acts of terrorism involving bombings in public places in various parts of the world. The United States initiated the negotiation of this convention in the aftermath of the June 1996 bombing attack on U.S. military personnel in Dhahran, Saudi Arabia, in which 17 U.S. Air Force personnel were killed as the result of a truck bombing. That attack followed other terrorist attacks including poison gas attacks in Tokyo's subways; bombing attacks by HAMAS in Tel Aviv and Jerusalem; and a bombing attack by the IRA in Manchester, England. Last year's terrorist attacks upon United States embassies in Nairobi and Dar es Salaam are recent examples of such bombings, and no country or region is exempt from the human tragedy and immense costs that result from such criminal acts. Although the penal codes of most states contain provisions proscribing these kinds of attacks, this Convention provides, for the first time, an international framework for cooperation among states directed toward prevention of such incidents and ensuing punishment of offenders, wherever found.

In essence, the Convention imposes binding legal obligations upon States Parties either to submit for prosecution or to extradite any person within their jurisdiction who commits an offense as defined in Article 2, attempts to commit such an act, participates as an accomplice, organizes or directs others to commit such an offense, or in any other way contributes to the commission of an offense by a group of persons acting with a common purpose. A State Party is subject to these obligations without regard to the place where the alleged act covered by Article 2 took place.

Article 2 of the Convention declares that any person commits an offense within the meaning of the Convention if that person unlawfully and intentionally delivers, places, discharges or detonates an explosive or other lethal device in, into or against a place of public use, a state or government facility, a public transportation system, or

an infrastructure facility, with the intent (a) to cause death or serious bodily injury or (b) cause extensive destruction of such a place, facility or system, where such destruction results in or is likely to result in major economic loss. States Parties to the Convention will also be obligated to provide one another legal assistance in investigations or criminal or extradition proceedings brought in respect of the offenses set forth in Article 2.

The recommended legislation necessary to implement the Convention will be submitted to the Congress separately.

This Convention is a vitally important new element in the campaign against the scourge of international terrorism. I hope that all states will become Parties to this Convention, and that it will be applied universally. I recommend, therefore, that the Senate give early and favorable consideration to this Convention, subject to the understandings and reservation that are described in the accompanying State Department report.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 8, 1999.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the Government of the United States of America and the Government of the Dominican Republic for the Return of Stolen or Embezzled Vehicles, with Annexes, signed at Santo Domingo on April 30, 1996. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of stolen vehicles treaties being negotiated by the United States in order to eliminate the difficulties faced by owners of vehicles that have been stolen and transported across international borders. When it enters into force, it will be an effective tool to facilitate the return of U.S. vehicles that have been stolen or embezzled and taken to the Dominican Republic.

I recommend that the Senate give early and favorable consideration to the Treaty, with Annexes, and give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 8, 1999.*

TO INCREASE LEAVE TIME FOR FEDERAL EMPLOYEE ORGAN DONORS

Mr. BROWNBACK. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 264, H.R. 457.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 457) to amend title 5, United States Code, to increase the amount of leave time available to a Federal employee in any year in connection with serving as an organ donor, and for other purposes.

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

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

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

The bill (H.R. 457) was considered read the third time and passed.

VETERANS BENEFITS ACT OF 1999

Mr. BROWNBACK. I ask that the Senate proceed to the consideration of Calendar No. 230, S. 1076.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1076) to amend title 38, United States Code, to provide a cost-of-living adjustment in rates of compensation paid to veterans with service-connected disabilities, to enhance programs providing health care, education, and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Veterans' Affairs, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Benefits Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—MEDICAL CARE

Subtitle A—Long-Term Care

Sec. 101. Adult day health care.
Sec. 102. In-home respite care services.

Subtitle B—Management of Medical Facilities and Property

Sec. 111. Enhanced-use lease authority.
Sec. 112. Designation of hospital bed replacement building at Department of Veterans Affairs medical center in Reno, Nevada, after Jack Streeter.

Subtitle C—Homeless Veterans

Sec. 121. Extension of program of housing assistance for homeless veterans.
Sec. 122. Homeless veterans comprehensive service programs.
Sec. 123. Authorizations of appropriations for homeless veterans' reintegration projects.
Sec. 124. Report on implementation of General Accounting Office recommendations regarding performance measures.

Subtitle D—Other Health Care Provisions

Sec. 131. Emergency health care in non-Department of Veterans Affairs facilities for enrolled veterans.
Sec. 132. Improvement of specialized mental health services for veterans.
Sec. 133. Treatment and services for drug or alcohol dependency.
Sec. 134. Allocation to Department of Veterans Affairs health care facilities of amounts in Medical Care Collections Fund.
Sec. 135. Extension of certain Persian Gulf War authorities.
Sec. 136. Report on coordination of procurement of pharmaceuticals and medical supplies by the Department of Veterans Affairs and the Department of Defense.
Sec. 137. Reimbursement of medical expenses of veterans located in Alaska.
Sec. 138. Repeal of four-year limitation on terms of Under Secretary for Health and Under Secretary for Benefits.

Subtitle E—Major Medical Facility Projects Construction Authorization

Sec. 141. Authorization of major medical facility projects.

TITLE II—BENEFITS MATTERS

Sec. 201. Payment rate of certain burial benefits for certain Filipino veterans.
Sec. 202. Extension of authority to maintain a regional office in the Republic of the Philippines.
Sec. 203. Extension of Advisory Committee on Minority Veterans.
Sec. 204. Dependency and indemnity compensation for surviving spouses of former prisoners of war.
Sec. 205. Repeal of limitation on payments of benefits to incompetent institutionalized veterans.
Sec. 206. Clarification of veterans employment opportunities.

TITLE III—MEMORIAL AFFAIRS

Subtitle A—Arlington National Cemetery

Sec. 301. Short title.
Sec. 302. Persons eligible for burial in Arlington National Cemetery.
Sec. 303. Persons eligible for placement in the columbarium in Arlington National Cemetery.

Subtitle B—World War II Memorial

Sec. 311. Short title.
Sec. 312. Fund raising by American Battle Monuments Commission for World War II Memorial.
Sec. 313. General authority of American Battle Monuments Commission to solicit and receive contributions.
Sec. 314. Intellectual property and related items.

TITLE IV—UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

Sec. 401. Temporary service of certain judges of United States Court of Appeals for Veterans Claims upon expiration of their terms or retirement.
Sec. 402. Modified terms for certain judges of United States Court of Appeals for Veterans Claims.
Sec. 403. Temporary authority for voluntary separation incentives for certain judges on United States Court of Appeals for Veterans Claims.
Sec. 404. Definition.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—MEDICAL CARE

Subtitle A—Long-Term Care

SEC. 101. ADULT DAY HEALTH CARE.

Section 1720(f)(1)(A)(i) is amended by striking ''subsections (a) through (d) of this section'' and inserting ''subsections (b) through (d) of this section''.

SEC. 102. IN-HOME RESPITE CARE SERVICES.

Section 1720B(b) is amended—

(1) in the matter preceding paragraph (1), by striking ''or nursing home care'' and inserting '', nursing home care, or home-based care''; and

(2) in paragraph (2), by inserting ''or in the home of a veteran'' after ''in a Department facility''.

Subtitle B—Management of Medical Facilities and Property

SEC. 111. ENHANCED-USE LEASE AUTHORITY.

(a) MAXIMUM TERM OF LEASES.—Section 8162(b)(2) is amended by striking ''may not exceed—'' and all that follows through the end and inserting ''may not exceed 55 years.''.

(b) AVAILABILITY OF FUNDS FOR CERTAIN ACTIVITIES RELATING TO LEASES.—Section 8162(b)(4) is amended—

(1) by inserting ''(A)'' after ''(4)'';

(2) in subparagraph (A), as so designated—

(A) in the first sentence, by striking ''only''; and

(B) by striking the second sentence; and

(3) by adding at the end the following new subparagraph:

''(B) Any payment by the Secretary in contribution to capital activities on property that has been leased under this subchapter may be made from amounts appropriated to the Department for construction, minor projects.''.

(c) EXTENSION OF AUTHORITY.—Section 8169 is amended by striking ''December 31, 2001'' and inserting ''December 31, 2011''.

(d) TRAINING AND OUTREACH REGARDING AUTHORITY.—The Secretary of Veterans Affairs shall take appropriate actions to provide training and outreach to personnel at Department of Veterans Affairs medical centers regarding the enhanced-use lease authority under subchapter V of chapter 81 of title 38, United States Code. The training and outreach shall address methods of approaching potential lessees in the medical or commercial sectors regarding the possibility of entering into leases under that authority and other appropriate matters.

(e) INDEPENDENT ANALYSIS OF OPPORTUNITIES FOR USE OF AUTHORITY.—(1) The Secretary shall take appropriate actions to secure from an appropriate entity independent of the Department of Veterans Affairs an analysis of opportunities for the use of the enhanced-use lease authority under subchapter V of chapter 81 of title 38, United States Code.

(2) The analysis under paragraph (1) shall include—

(A) a survey of the facilities of the Department for purposes of identifying Department property that presents an opportunity for lease under the enhanced-use lease authority;

(B) an assessment of the feasibility of entering into enhanced-use leases under that authority in the case of any property identified under subparagraph (A) as presenting an opportunity for such lease; and

(C) an assessment of the resources required at the Department facilities concerned, and at the Department Central Office, in order to facilitate the entering into of enhanced-used leases in the case of property so identified.

(3) If as a result of the survey under paragraph (2)(A) the entity determines that a particular Department property presents no opportunities for lease under the enhanced-use lease authority, the analysis shall include the entity's explanation of that determination.

(4) If as a result of the survey the entity determines that certain Department property presents an opportunity for lease under the enhanced-use lease authority, the analysis shall include a single integrated business plan, developed by the entity, that addresses the strategy and resources necessary to implement the plan for all property determined to present an opportunity for such lease.

(f) AUTHORITY FOR ENHANCED-USE LEASE OF PROPERTY UNDER BUSINESS PLAN.—(1) The Secretary may enter into an enhanced-use lease of any property identified as presenting an opportunity for such lease under the analysis under subsection (e) if such lease is consistent with the business plan under paragraph (4) of that subsection.

(2) The provisions of subchapter V of chapter 81 of title 38, United States Code, shall apply with respect to any lease under paragraph (1).

SEC. 112. DESIGNATION OF HOSPITAL BED REPLACEMENT BUILDING AT DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN RENO, NEVADA, AFTER JACK STREETER.

The hospital bed replacement building under construction at the Ioannis A. Lougaris Department of Veterans Affairs Medical Center in Reno, Nevada, is hereby designated as the ''Jack Streeter Building''. Any reference to that building in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Jack Streeter Building.

Subtitle C—Homeless Veterans

SEC. 121. EXTENSION OF PROGRAM OF HOUSING ASSISTANCE FOR HOMELESS VETERANS.

Section 3735(c) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2001''.

SEC. 122. HOMELESS VETERANS COMPREHENSIVE SERVICE PROGRAMS.

(a) PURPOSES OF GRANTS.—Paragraph (1) of section 3(a) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (38 U.S.C. 7721 note) is amended by inserting '', and expanding existing programs for furnishing,'' after ''new programs to furnish''.

(b) EXTENSION OF AUTHORITY TO MAKE GRANTS.—Paragraph (2) of that section is amended by striking ''September 30, 1999'' and inserting ''September 30, 2001''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 12 of that Act (38 U.S.C. 7721 note) is amended in the first sentence by inserting ''and $50,000,000 for each of fiscal years 2000 and 2001'' after ''for fiscal years 1993 through 1997''.

SEC. 123. AUTHORIZATIONS OF APPROPRIATIONS FOR HOMELESS VETERANS' REINTEGRATION PROJECTS.

Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1) is amended by adding at the end the following:

''(H) $10,000,000 for fiscal year 2000.

''(I) $10,000,000 for fiscal year 2001.''.

SEC. 124. REPORT ON IMPLEMENTATION OF GENERAL ACCOUNTING OFFICE RECOMMENDATIONS REGARDING PERFORMANCE MEASURES.

(a) REPORT.—Not later than three months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report containing a detailed plan for the evaluation by the Department of Veterans Affairs of the effectiveness of programs to assist homeless veterans.

(b) OUTCOME MEASURES.—The plan shall include outcome measures which determine whether veterans are housed and employed within six months after housing and employment are secured for veterans under such programs.

Subtitle D—Other Health Care Provisions

SEC. 131. EMERGENCY HEALTH CARE IN NON-DEPARTMENT OF VETERANS AFFAIRS FACILITIES FOR ENROLLED VETERANS.

(a) DEFINITIONS.—Section 1701 is amended—

(1) in paragraph (6)—

(A) by striking ''and'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) emergency care, or reimbursement for such care, as described in sections 1703(a)(3) and 1728(a)(2)(E) of this title.''; and

(2) by adding at the end the following new paragraph:

''(10) The term 'emergency medical condition' means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in—

''(A) placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;

''(B) serious impairment to bodily functions; or

''(C) serious dysfunction of any bodily organ or part.''.

(b) CONTRACT CARE.—Section 1703(a)(3) is amended by striking ''medical emergencies'' and all that follows through ''health of a veteran'' and inserting ''an emergency medical condition of a veteran who is enrolled under section 1705 of this title or who is''.

(c) REIMBURSEMENT OF EXPENSES FOR EMERGENCY CARE.—Section 1728(a)(2) is amended—

(1) by striking ''or'' before ''(D)''; and

(2) by inserting before the semicolon at the end the following: '', or (E) for any emergency medical condition of a veteran enrolled under section 1705 of this title''.

(d) PAYMENT PRIORITY.—Section 1705 is amended by adding at the end the following new subsection:

''(d) The Secretary shall require in a contract under section 1703(a)(3) of this title, and as a condition of payment under section 1728(a)(2) of this title, that payment by the Secretary for treatment under such contract, or under such section, of a veteran enrolled under this section shall be made only after any payment that may be made with respect to such treatment under part A or part B of the Medicare program and after any payment that may be made with respect to such treatment by a third-party insurance provider.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to care or services provided on or after the date of the enactment of this Act.

SEC. 132. IMPROVEMENT OF SPECIALIZED MENTAL HEALTH SERVICES FOR VETERANS.

(a) IN GENERAL.—(1) Subchapter II of chapter 17 is amended by inserting after section 1712B the following new section:

''§ 1712C. Specialized mental health services

''(a) The Secretary shall carry out programs for purposes of enhancing the provision of specialized mental health services to veterans.

''(b) The programs carried out by the Secretary under subsection (a) shall include the following:

''(1) Programs relating to the treatment of Post Traumatic Stress Disorder (PTSD), including programs for—

''(A) the establishment and operation of additional outpatient and residential treatment facilities for Post Traumatic Stress Disorder in

areas that are underserved by existing programs relating to Post Traumatic Stress Disorder, as determined by qualified mental health personnel of the Department who oversee such programs;

''(B) the provision of services in response to the specific needs of veterans with Post Traumatic Stress Disorder and related disorders, including short-term or long-term care services that combine residential treatment of Post Traumatic Stress Disorder;

''(C) the provision of Post Traumatic Stress Disorder or dedicated case management services on an outpatient basis; and

''(D) the enhancement of staffing of existing programs relating to Post Traumatic Stress Disorder which have exceeded the projected workloads for such programs.

''(2) Programs relating to substance use disorders, including programs for—

''(A) the establishment and operation of additional Department-based or community-based residential treatment facilities;

''(B) the expansion of the provision of opioid treatment services, including the establishment and operation of additional programs for the provision of opioid treatment services; and

''(C) the reestablishment or enhancement of substance use disorder services at facilities at which such services have been eliminated or curtailed, with an emphasis on the reestablishment or enhancement of services at facilities where demand for such services is high or which serve large geographic areas.

''(c)(1) The Secretary shall provide for the allocation of funds for the programs carried out under this section in a centralized manner.

''(2) The allocation of funds for such programs shall—

''(A) be based upon an assessment of the need for funds conducted by qualified mental health personnel of the Department who oversee such programs; and

''(B) emphasize, to the maximum extent practicable, the availability of funds for the programs described in paragraphs (1) and (2) of subsection (b).''.

(2) The table of sections at the beginning of chapter 17 is amended by inserting after the item relating to section 1712B the following new item:

''1712C. Specialized mental health services.''.

(b) REPORT.—(1) Not later than March 1 of each of 2000, 2001, and 2002, the Secretary of Veterans Affairs shall submit to Congress a report on the programs carried out by the Secretary under section 1712C of title 38, United States Code (as added by subsection (a)).

(2) The report shall, for the period beginning on the date of the enactment of this Act and ending on the date of the report—

(A) describe the programs carried out under such section 1712C;

(B) set forth the number of veterans provided services under such programs; and

(C) set forth the amounts expended for purposes of carrying out such programs.

SEC. 133. TREATMENT AND SERVICES FOR DRUG OR ALCOHOL DEPENDENCY.

Section 1720A(c) is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking ''may not be transferred'' and inserting ''may be transferred''; and

(B) by striking ''unless such transfer is during the last thirty days of such member's enlistment or tour of duty''; and

(2) in the first sentence of paragraph (2), by striking ''during the last thirty days of such person's enlistment period or tour of duty''.

SEC. 134. ALLOCATION TO DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE FACILITIES OF AMOUNTS IN MEDICAL CARE COLLECTIONS FUND.

Section 1729A(d) is amended—

(1) by striking ''(1)'';

(2) by striking ''each designated health care region'' and inserting ''each Department health care facility'';

(3) by striking ''each region'' and inserting ''each facility'';

(4) by striking ''such region'' both places it appears and inserting ''such facility''; and

(4) by striking paragraph (2).

SEC. 135. EXTENSION OF CERTAIN PERSIAN GULF WAR AUTHORITIES.

(a) THREE-YEAR EXTENSION OF NEWSLETTER ON MEDICAL CARE.—Section 105(b)(2) of the Persian Gulf War Veterans' Benefits Act (title I of Public Law 103–446; 108 Stat. 4659; 38 U.S.C. 1117 note) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2002''.

(b) THREE-YEAR EXTENSION OF PROGRAM FOR EVALUATION OF HEALTH OF SPOUSES AND CHILDREN.—Section 107(b) of Persian Gulf War Veterans' Benefits Act (title I of Public Law 103–446; 38 U.S.C. 1117 note) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2002''.

SEC. 136. REPORT ON COORDINATION OF PROCUREMENT OF PHARMACEUTICALS AND MEDICAL SUPPLIES BY THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE.

(a) REQUIREMENT.—Not later than March 31, 2000, the Secretary of Veterans Affairs and the Secretary of Defense shall jointly submit to the Committees on Veterans' Affairs and Armed Services of the Senate and the Committees on Veterans' Affairs and Armed Services of the House of Representatives a report on the cooperation between the Department of Veterans Affairs and the Department of Defense in the procurement of pharmaceuticals and medical supplies.

(b) REPORT ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description of the current cooperation between the Department of Veterans Affairs and the Department of Defense in the procurement of pharmaceuticals and medical supplies.

(2) An assessment of the means by which cooperation between the departments in such procurement could be enhanced or improved.

(3) A description of any existing memoranda of agreement between the Department of Veterans Affairs and the Department of Defense that provide for the cooperation referred to in subsection (a).

(4) A description of the effects, if any, such agreements will have on current staffing levels at the Defense Supply Center in Philadelphia, Pennsylvania, and the Department of Veterans Affairs National Acquisition Center in Hines, Illinois.

(5) A description of the effects, if any, of such cooperation on military readiness.

(6) A comprehensive assessment of cost savings realized and projected over the five fiscal year period beginning in fiscal year 1999 for the Department of Veterans Affairs and the Department of Defense as a result of such cooperation, and the overall savings to the Treasury of the United States as a result of such cooperation.

(7) A list of the types of medical supplies and pharmaceuticals for which cooperative agreements would not be appropriate and the reason or reasons therefor.

(8) An assessment of the extent to which cooperative agreements could be expanded to include medical equipment, major systems, and durable goods used in the delivery of health care by the Department of Veterans Affairs and the Department of Defense.

(9) A description of the effects such agreements might have on distribution of items purchased cooperatively by the Department of Veterans Affairs and the Department of Defense, particularly outside the continental United States.

(10) An assessment of the potential to establish common pharmaceutical formularies between the Department of Veterans Affairs and the Department of Defense.

(11) An explanation of the current Uniform Product Number (UPN) requirements of each Department and of any planned standardization of such requirements between the Departments for medical equipment and durable goods manufacturers.

SEC. 137. REIMBURSEMENT OF MEDICAL EXPENSES OF VETERANS LOCATED IN ALASKA.

(a) PRESERVATION OF CURRENT REIMBURSEMENT RATES.—Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall, for purposes of reimbursing veterans in Alaska for medical expenses under section 1728 of title 38, United States Code, during the one-year period beginning on the date of the enactment of this Act, use the fee-for-service payment schedule in effect for such purposes on July 31, 1999, rather than the Participating Physician Fee Schedule under the Medicare program.

(b) REPORT.—(1) Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Health and Human Services shall jointly submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report and recommendation on the use of the Participating Physician Fee Schedule under the Medicare program as a means of calculating reimbursement rates for medical expenses of veterans located in Alaska under section 1728 of title 38, United States Code.

(2) The report shall—

(A) assess the differences between health care costs in Alaska and health care costs in the continental United States;

(B) describe any differences between the costs of providing health care in Alaska and the reimbursement rates for the provision of health care under the Participating Physician Fee Schedule; and

(C) assess the effects on health care for veterans in Alaska of implementing the Participating Physician Fee Schedule as a means of calculating reimbursement rates for medical expenses of veterans located in Alaska under section 1728 of title 38, United States Code.

SEC. 138. REPEAL OF FOUR-YEAR LIMITATION ON TERMS OF UNDER SECRETARY FOR HEALTH AND UNDER SECRETARY FOR BENEFITS.

(a) UNDER SECRETARY FOR HEALTH.—Section 305 is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(b) UNDER SECRETARY FOR BENEFITS.—Section 306 is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act and shall apply with respect to individuals appointed as Under Secretary for Health and Under Secretary for Benefits, respectively, on or after that date.

Subtitle E—Major Medical Facility Projects Construction Authorization

SEC. 141. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in the amount specified for that project:

(1) Construction of a long term care facility at the Department of Veterans Affairs Medical Center, Lebanon, Pennsylvania, in an amount not to exceed $14,500,000.

(2) Renovations and environmental improvements at the Department of Veterans Affairs Medical Center, Fargo, North Dakota, in an amount not to exceed $12,000,000.

(3) Construction of a surgical suite and post-anesthesia care unit at the Department of Veterans Affairs Medical Center, Kansas City, Missouri, in an amount not to exceed $13,000,000.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2000 for the Construction, Major Projects, Account $213,100,000 for the projects authorized in subsection (a) and for the continuation of projects authorized in section 701(a) of the Veterans Programs Enhancement Act of 1998 (Public Law 105–368; 112 Stat. 3348).

(2) LIMITATION ON FISCAL YEAR 2000 PROJECTS.—The projects authorized in subsection (a) may only be carried out using—

(A) funds appropriated for fiscal year 2000 pursuant to the authorizations of appropriations in subsection (a);

(B) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2000 that remain available for obligation; and

(C) funds appropriated for Construction, Major Projects, for fiscal year 2000 for a category of activity not specific to a project.

(c) AVAILABILITY OF FUNDS FOR FISCAL YEAR 1999 PROJECTS.—Section 703(b)(1) of the Veterans Programs Enhancement Act of 1998 (112 Stat. 3349) is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) funds appropriated for fiscal year 2000 pursuant to the authorization of appropriations in section 341(b)(1) of the Veterans Benefits Act of 1999;''.

TITLE II—BENEFITS MATTERS

SEC. 201. PAYMENT RATE OF CERTAIN BURIAL BENEFITS FOR CERTAIN FILIPINO VETERANS.

(a) PAYMENT RATE.—Section 107 is amended—

(1) in subsection (a), by striking ''Payments'' and inserting ''Subject to subsection (c), payments''; and

(2) by adding at the end the following:

''(c)(1) In the case of an individual described in paragraph (2), payments under section 2302 or 2303 of this title by reason of subsection (a)(3) shall be made at the rate of $1 for each dollar authorized.

''(2) Paragraph (1) applies to any individual whose service is described in subsection (a) and who dies after the date of the enactment of the Veterans Benefits Act of 1999 if the individual, on the individual's date of death—

''(A) is a citizen of the United States;

''(B) is residing in the United States; and

''(C) either—

''(i) is receiving compensation under chapter 11 of this title; or

''(ii) if such service had been deemed to be active military, naval, or air service, would have been paid pension under section 1521 of this title without denial or discontinuance by reason of section 1522 of this title.''.

(b) APPLICABILITY.—No benefits shall accrue to any person for any period before the date of the enactment of this Act by reason of the amendments made by subsection (a).

SEC. 202. EXTENSION OF AUTHORITY TO MAINTAIN A REGIONAL OFFICE IN THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2004''.

SEC. 203. EXTENSION OF ADVISORY COMMITTEE ON MINORITY VETERANS.

Section 544(e) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2004''.

SEC. 204. DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES OF FORMER PRISONERS OF WAR.

(a) ELIGIBILITY.—Section 1318(b) is amended—

(1) by striking ''that either—'' in the matter preceding paragraph (1) and inserting ''rated totally disabling if—''; and

(2) by adding at the end the following new paragraph:

''(3) the veteran was a former prisoner of war who died after September 30, 1999, and whose disability was continuously rated totally disabling for a period of one year immediately preceding death.''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in paragraph (1)—

(A) by inserting ''the disability'' after ''(1)''; and

(B) by striking ''or'' after ''death;''; and

(2) in paragraph (2)—

(A) by striking ''if so rated for a lesser period, was so rated continuously'' and inserting ''the disability was continuously rated totally disabling''; and

(B) by striking the period at the end and inserting ''; or''.

SEC. 205. REPEAL OF LIMITATION ON PAYMENTS OF BENEFITS TO INCOMPETENT INSTITUTIONALIZED VETERANS.

Section 5503 is amended—

(1) by striking subsections (b) and (c); and

(2) by redesignating subsections (d), (e), and (f) as subsections (b), (c), and (d), respectively.

SEC. 206. CLARIFICATION OF VETERANS EMPLOYMENT OPPORTUNITIES.

(a) CLARIFICATION.—Section 3304(f) of title 5, United States Code, is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) If selected, a preference eligible or veteran described in paragraph (1) shall acquire competitive status and shall receive a career or career-conditional appointment, as appropriate.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the amendment made to section 3304 of title 5, United States Code, by section 2 of the Veterans Employment Opportunities Act of 1998 (Public Law 105–339; 112 Stat. 3182), to which such amendments relate.

TITLE III—MEMORIAL AFFAIRS

Subtitle A—Arlington National Cemetery

SEC. 301. SHORT TITLE.

This subtitle may be cited as the ''Arlington National Cemetery Burial and Inurnment Eligibility Act of 1999''.

SEC. 302. PERSONS ELIGIBLE FOR BURIAL IN ARLINGTON NATIONAL CEMETERY.

(a) IN GENERAL.—(1) Chapter 24 is amended by adding at the end the following new section:

''§2412. Arlington National Cemetery: persons eligible for burial

''(a) PRIMARY ELIGIBILITY.—The remains of the following individuals may be buried in Arlington National Cemetery:

''(1) Any member of the Armed Forces who dies while on active duty.

''(2) Any retired member of the Armed Forces and any person who served on active duty and at the time of death was entitled (or but for age would have been entitled) to retired pay under chapter 1223 of title 10.

''(3) Any former member of the Armed Forces separated for physical disability before October 1, 1949, who—

''(A) served on active duty; and

''(B) would have been eligible for retirement under the provisions of section 1201 of title 10 (relating to retirement for disability) had that section been in effect on the date of separation of the member.

''(4) Any former member of the Armed Forces whose last active duty military service terminated honorably and who has been awarded one of the following decorations:

''(A) Medal of Honor.

''(B) Distinguished Service Cross, Air Force Cross, or Navy Cross.

''(C) Distinguished Service Medal.

''(D) Silver Star.

''(E) Purple Heart.

''(5) Any former prisoner of war who dies on or after November 30, 1993.

''(6) The President or any former President.

''(7) Any former member of the Armed Forces whose last discharge or separation from active duty was under honorable conditions and who is or was one of the following:

''(A) Vice President.

''(B) Member of Congress.

''(C) Chief Justice or Associate Justice of the Supreme Court.

''(D) The head of an Executive department (as such departments are listed in section 101 of title 5).

''(E) An individual who served in the foreign or national security services, if such individual died as a result of a hostile action outside the United States in the course of such service.

''(8) Any individual whose eligibility is authorized in accordance with subsection (b).

''(b) ADDITIONAL AUTHORIZATIONS OF BURIAL.—(1) In the case of a former member of the Armed Forces not otherwise covered by subsection (a) whose last discharge or separation from active duty was under honorable conditions, if the Secretary of Defense makes a determination referred to in paragraph (3) with respect to such member, the Secretary of Defense may authorize the burial of the remains of such former member in Arlington National Cemetery under subsection (a)(8).

''(2) In the case of any individual not otherwise covered by subsection (a) or paragraph (1), if the President makes a determination referred to in paragraph (3) with respect to such individual, the President may authorize the burial of the remains of such individual in Arlington National Cemetery under subsection (a)(8).

''(3) A determination referred to in paragraph (1) or (2) is a determination that the acts, service, or other contributions to the Nation of the former member or individual concerned are of equal or similar merit to the acts, service, or other contributions to the Nation of any of the persons listed in subsection (a).

''(4)(A) In the case of an authorization for burial under this subsection, the President or the Secretary of Defense, as the case may be, shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the authorization not later than 72 hours after the authorization.

''(B) Each report under subparagraph (A) shall—

''(i) identify the individual authorized for burial; and

''(ii) provide a justification for the authorization for burial.

''(5)(A) In the case of an authorization for burial under this subsection, the President or the Secretary of Defense, as the case may be, shall publish in the Federal Register a notice of the authorization as soon as practicable after the authorization.

''(B) Each notice under subparagraph (A) shall—

''(i) identify the individual authorized for burial; and

''(ii) provide a justification for the authorization for burial.

''(c) ELIGIBILITY OF FAMILY MEMBERS.—The remains of the following individuals may be buried in Arlington National Cemetery:

''(1)(A) Except as provided in subparagraph (B), the spouse, surviving spouse, minor child, and, at the discretion of the Superintendent,

unmarried adult child of a person listed in subsection (a), but only if buried in the same gravesite as that person.

''(B) In a case under subparagraph (A) in which the same gravesite may not be used due to insufficient space, a person otherwise eligible under that subparagraph may be interred in a gravesite adjoining the gravesite of the person listed in subsection (a) if space in such adjoining gravesite had been reserved for the burial of such person otherwise eligible under that subparagraph before January 1962.

''(2)(A) The spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a member of the Armed Forces on active duty if such spouse, minor child, or unmarried adult child dies while such member is on active duty.

''(B) The individual whose spouse, minor child, and unmarried adult child is eligible under subparagraph (A), but only if buried in the same gravesite as the spouse, minor child, or unmarried adult child.

''(3) The parents of a minor child or unmarried adult child whose remains, based on the eligibility of a parent, are already buried in Arlington National Cemetery, but only if buried in the same gravesite as that minor child or unmarried adult child.

''(4)(A) Subject to subparagraph (B), the surviving spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a member of the Armed Forces who was lost, buried at sea, or officially determined to be permanently absent in a status of missing or missing in action.

''(B) A person is not eligible under subparagraph (A) if a memorial to honor the memory of the member is placed in a cemetery in the national cemetery system, unless the memorial is removed. A memorial removed under this subparagraph may be placed, at the discretion of the Superintendent, in Arlington National Cemetery.

''(5) The surviving spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a member of the Armed Forces buried in a cemetery under the jurisdiction of the American Battle Monuments Commission.

''(d) SPOUSES.—For purposes of subsection (c)(1), a surviving spouse of a person whose remains are buried in Arlington National Cemetery by reason of eligibility under subsection (a) who has remarried is eligible for burial in the same gravesite of that person. The spouse of the surviving spouse is not eligible for burial in such gravesite.

''(e) DISABLED ADULT UNMARRIED CHILDREN.—In the case of an unmarried adult child who is incapable of self-support up to the time of death because of a physical or mental condition, the child may be buried under subsection (c) without requirement for approval by the Superintendent under that subsection if the burial is in the same gravesite as the gravesite in which the parent, who is eligible for burial under subsection (a), has been or will be buried.

''(f) FAMILY MEMBERS OF PERSONS BURIED IN A GROUP GRAVESITE.—In the case of a person eligible for burial under subsection (a) who is buried in Arlington National Cemetery as part of a group burial, the surviving spouse, minor child, or unmarried adult child of the member may not be buried in the group gravesite.

''(g) EXCLUSIVE AUTHORITY FOR BURIAL IN ARLINGTON NATIONAL CEMETERY.—Eligibility for burial of remains in Arlington National Cemetery prescribed under this section is the exclusive eligibility for such burial.

''(h) APPLICATION FOR BURIAL.—A request for burial of remains of an individual in Arlington National Cemetery made before the death of the individual may not be considered by the Secretary of the Army, the Secretary of Defense, or any other responsible official.

''(i) REGISTER OF BURIED INDIVIDUALS.—(1) The Secretary of the Army shall maintain a register of each individual buried in Arlington National Cemetery and shall make such register available to the public.

''(2) With respect to each such individual buried on or after January 1, 1998, the register shall include a brief description of the basis of eligibility of the individual for burial in Arlington National Cemetery.

''(j) DEFINITIONS.—For purposes of this section:

''(1) The term 'retired member of the Armed Forces' means—

''(A) any member of the Armed Forces on a retired list who served on active duty and who is entitled to retired pay;

''(B) any member of the Fleet Reserve or Fleet Marine Corps Reserve who served on active duty and who is entitled to retainer pay; and

''(C) any member of a reserve component of the Armed Forces who has served on active duty and who has received notice from the Secretary concerned under section 12731(d) of title 10 of eligibility for retired pay under chapter 1223 of title 10.

''(2) The term 'former member of the Armed Forces' includes a person whose service is considered active duty service pursuant to a determination of the Secretary of Defense under section 401 of Public Law 95–202 (38 U.S.C. 106 note).

''(3) The term 'Superintendent' means the Superintendent of Arlington National Cemetery.''.

(2) The table of sections at the beginning of chapter 24 is amended by adding at the end the following new item:

''2412. Arlington National Cemetery: persons eligible for burial.''.

(b) PUBLICATION OF UPDATED PAMPHLET.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Army shall publish an updated pamphlet describing eligibility for burial in Arlington National Cemetery. The pamphlet shall reflect the provisions of section 2412 of title 38, United States Code, as added by subsection (a).

(c) TECHNICAL AMENDMENTS.—Section 2402(7) is amended—

(1) by inserting ''(or but for age would have been entitled)'' after ''was entitled'';

(2) by striking ''chapter 67'' and inserting ''chapter 1223''; and

(3) by striking ''or would have been entitled to'' and all that follows and inserting a period.

(d) EFFECTIVE DATE.—Section 2412 of title 38, United States Code, as added by subsection (a), shall apply with respect to individuals dying on or after the date of the enactment of this Act.

SEC. 303. PERSONS ELIGIBLE FOR PLACEMENT IN THE COLUMBARIUM IN ARLINGTON NATIONAL CEMETERY.

(a) IN GENERAL.—(1) Chapter 24 is amended by adding after section 2412, as added by section 302(a)(1) of this Act, the following new section:

''§2413. Arlington National Cemetery: persons eligible for placement in columbarium

''(a) ELIGIBILITY.—The cremated remains of the following individuals may be placed in the columbarium in Arlington National Cemetery:

''(1) A person eligible for burial in Arlington National Cemetery under section 2412 of this title.

''(2)(A) A veteran whose last period of active duty service (other than active duty for training) ended honorably.

''(B) The spouse, surviving spouse, minor child, and, at the discretion of the Superintendent of Arlington National Cemetery, unmarried adult child of such a veteran.

''(b) SPOUSE.—Section 2412(d) of this title shall apply to a spouse under this section in the same manner as it applies to a spouse under section 2412 of this title.''.

(2) The table of sections at the beginning of chapter 24 is amended by adding after section 2412, as added by section 302(a)(2) of this Act, the following new item:

''2413. Arlington National Cemetery: persons eligible for placement in columbarium.''.

(b) EFFECTIVE DATE.—Section 2413 of title 38, United States Code, as added by subsection (a), shall apply with respect to individuals dying on or after the date of the enactment of this Act.

Subtitle B—World War II Memorial

SEC. 311. SHORT TITLE.

This subtitle may be cited as the ''World War II Memorial Completion Act''.

SEC. 312. FUND RAISING BY AMERICAN BATTLE MONUMENTS COMMISSION FOR WORLD WAR II MEMORIAL.

(a) CODIFICATION OF EXISTING AUTHORITY; EXPANSION OF AUTHORITY.—(1) Chapter 21 of title 36, United States Code, is amended by adding at the end the following new section:

''§2113. World War II memorial in the District of Columbia

''(a) DEFINITIONS.—In this section:

''(1) The term 'World War II memorial' means the memorial authorized by Public Law 103–32 (107 Stat. 90) to be established by the American Battle Monuments Commission on Federal land in the District of Columbia or its environs to honor members of the Armed Forces who served in World War II and to commemorate the participation of the United States in that war.

''(2) The term 'Commission' means the American Battle Monuments Commission.

''(3) The term 'memorial fund' means the fund created by subsection (c).

''(b) SOLICITATION AND ACCEPTANCE OF CONTRIBUTIONS.—Consistent with the authority of the Commission under section 2103(e) of this title, the Commission shall solicit and accept contributions for the World War II memorial.

''(c) CREATION OF MEMORIAL FUND.—(1) There is hereby created in the Treasury a fund for the World War II memorial, which shall consist of the following:

''(A) Amounts deposited, and interest and proceeds credited, under paragraph (2).

''(B) Obligations obtained under paragraph (3).

''(C) The amount of surcharges paid to the Commission for the World War II memorial under the World War II 50th Anniversary Commemorative Coins Act.

''(D) Amounts borrowed using the authority provided under subsection (e).

''(E) Any funds received by the Commission under section 2103(l) of this title in exchange for use of, or the right to use, any mark, copyright or patent.

''(2) The Chairman of the Commission shall deposit in the memorial fund the amounts accepted as contributions under subsection (b). The Secretary of the Treasury shall credit to the memorial fund the interest on, and the proceeds from sale or redemption of, obligations held in the memorial fund.

''(3) The Secretary of the Treasury shall invest any portion of the memorial fund that, as determined by the Chairman of the Commission, is not required to meet current expenses. Each investment shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to principal and interest by the United States that, as determined by the Chairman of the Commission, has a maturity suitable for the memorial fund.

''(d) USE OF MEMORIAL FUND.—The memorial fund shall be available to the Commission for—

''(1) the expenses of establishing the World War II memorial, including the maintenance

and preservation amount provided for in section 8(b) of the Commemorative Works Act (40 U.S.C. 1008(b));

''(2) such other expenses, other than routine maintenance, with respect to the World War II memorial as the Commission considers warranted; and

''(3) to secure, obtain, register, enforce, protect, and license any mark, copyright or patent that is owned by, assigned to, or licensed to the Commission under section 2103(l) of this title to aid or facilitate the construction of the World War II memorial.

''(e) SPECIAL BORROWING AUTHORITY.—(1) To assure that groundbreaking, construction, and dedication of the World War II memorial are completed on a timely basis, the Commission may borrow money from the Treasury of the United States in such amounts as the Commission considers necessary, but not to exceed a total of $65,000,000. Borrowed amounts shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the month in which the obligations of the Commission are issued. The interest payments on such obligations may be deferred with the approval of the Secretary of the Treasury, but any interest payment so deferred shall also bear interest.

''(2) The borrowing of money by the Commission under paragraph (1) shall be subject to such maturities, terms, and conditions as may be agreed upon by the Commission and the Secretary of the Treasury, except that the maturities may not exceed 20 years and such borrowings may be redeemable at the option of the Commission before maturity.

''(3) The obligations of the Commission shall be issued in amounts and at prices approved by the Secretary of the Treasury. The authority of the Commission to issue obligations under this subsection shall remain available without fiscal year limitation. The Secretary of the Treasury shall purchase any obligations of the Commission to be issued under this subsection, and for such purpose the Secretary of the Treasury may use as a public debt transaction of the United States the proceeds from the sale of any securities issued under chapter 31 of title 31. The purposes for which securities may be issued under such chapter are extended to include any purchase of the Commission's obligations under this subsection.

''(4) Repayment of the interest and principal on any funds borrowed by the Commission under paragraph (1) shall be made from amounts in the memorial fund. The Commission may not use for such purpose any funds appropriated for any other activities of the Commission.

''(f) TREATMENT OF BORROWING AUTHORITY.—In determining whether the Commission has sufficient funds to complete construction of the World War II memorial, as required by section 8 of the Commemorative Works Act (40 U.S.C. 1008), the Secretary of the Interior shall consider the funds that the Commission may borrow from the Treasury under subsection (e) as funds available to complete construction of the memorial, whether or not the Commission has actually exercised the authority to borrow such funds.

''(g) VOLUNTARY SERVICES.—(1) Notwithstanding section 1342 of title 31, the Commission may accept from any person voluntary services to be provided in furtherance of the fund-raising activities of the Commission relating to the World War II memorial.

''(2) A person providing voluntary services under this subsection shall be considered to be a Federal employee for purposes of chapter 81 of title 5, relating to compensation for work-related injuries, and chapter 171 of title 28, relating to tort claims. A volunteer who is not otherwise employed by the Federal Government shall not be considered to be a Federal employee for any other purpose by reason of the provision of such voluntary service, except that any volunteers given responsibility for the handling of funds or the carrying out of a Federal function are subject to the conflict of interest laws contained in chapter 11 of title 18, and the administrative standards of conduct contained in part 2635 of title 5, Code of Federal Regulations.

''(3) The Commission may provide for reimbursement of incidental expenses which are incurred by a person providing voluntary services under this subsection. The Commission shall determine which expenses are eligible for reimbursement under this paragraph.

''(4) Nothing in this subsection shall be construed to require Federal employees to work without compensation or to allow the use of volunteer services to displace or replace Federal employees.

''(h) TREATMENT OF CERTAIN CONTRACTS.—A contract entered into by the Commission for the design or construction of the World War II memorial is not a funding agreement as that term is defined in section 201 of title 35.

''(i) EXTENSION OF AUTHORITY TO ESTABLISH MEMORIAL.—Notwithstanding section 10 of the Commemorative Works Act (40 U.S.C. 1010), the legislative authorization for the construction of the World War II memorial contained in Public Law 103–32 (107 Stat. 90) shall not expire until December 31, 2005.''.

(2) The table of sections at the beginning of chapter 21 of title 36, United States Code, is amended by adding at the end the following new item:

''2113. World War II memorial in the District of Columbia.''.

(b) CONFORMING AMENDMENTS.—Public Law 103–32 (107 Stat. 90) is amended by striking sections 3, 4, and 5.

(c) EFFECT OF REPEAL OF CURRENT MEMORIAL FUND.—Upon the date of the enactment of this Act, the Secretary of the Treasury shall transfer amounts in the fund created by section 4(a) of Public Law 103–32 (107 Stat. 91) to the fund created by section 2113 of title 36, United States Code, as added by subsection (a).

SEC. 313. GENERAL AUTHORITY OF AMERICAN BATTLE MONUMENTS COMMISSION TO SOLICIT AND RECEIVE CONTRIBUTIONS.

Subsection (e) of section 2103 of title 36, United States Code, is amended to read as follows:

''(e) SOLICITATION AND RECEIPT OF CONTRIBUTIONS.—(1) The Commission may solicit and receive funds and in-kind donations and gifts from any State, municipal, or private source to carry out the purposes of this chapter. The Commission shall deposit such funds in a separate account in the Treasury. Funds from this account shall be disbursed upon vouchers approved by the Chairman of the Commission as well as by a Federal official authorized to sign payment vouchers.

''(2) The Commission shall establish written guidelines setting forth the criteria to be used in determining whether the acceptance of funds and in-kind donations and gifts under paragraph (1) would—

''(A) reflect unfavorably on the ability of the Commission, or any employee of the Commission, to carry out the responsibilities or official duties of the Commission in a fair and objective manner; or

''(B) compromise the integrity or the appearance of the integrity of the programs of the Commission or any official involved in those programs.''.

SEC. 314. INTELLECTUAL PROPERTY AND RELATED ITEMS.

Section 2103 of title 36, United States Code, is amended by adding at the end the following new subsection:

''(l) INTELLECTUAL PROPERTY AND RELATED ITEMS.—(1) The Commission may—

''(A) adopt, use, register, and license trademarks, service marks, and other marks;

''(B) obtain, use, register, and license the use of copyrights consistent with section 105 of title 17;

''(C) obtain, use, and license patents; and

''(D) accept gifts of marks, copyrights, patents and licenses for use by the Commission.

''(2) The Commission may grant exclusive and nonexclusive licenses in connection with any mark, copyright, patent, or license for the use of such mark, copyright or patent, except to extent the grant of such license by the Commission would be contrary to any contract or license by which the use of such mark, copyright or patent was obtained.

''(3) The Commission may enforce any mark, copyright, or patent by an action in the district courts under any law providing for the protection of such marks, copyrights, or patents.

''(4) The Attorney General shall furnish the Commission with such legal representation as the Commission may require under paragraph (3). The Secretary of Defense shall provide representation for the Commission in administrative proceedings before the Patent and Trademark Office and Copyright Office.

''(5) Section 203 of title 17 shall not apply to any copyright transferred in any manner to the Commission.''.

TITLE IV—UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SEC. 401. TEMPORARY SERVICE OF CERTAIN JUDGES OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS UPON EXPIRATION OF THEIR TERMS OR RETIREMENT.

(a) AUTHORITY FOR TEMPORARY SERVICE.—(1) Notwithstanding subsection (c) of section 7253 of title 38, United States Code, and subject to the provisions of this section, a judge of the Court whose term on the Court expires in 2004 or 2005 and completes such term, or who retires from the Court under section 7296(b)(1) of such title, may continue to serve on the Court after the expiration of the judge's term or retirement, as the case may be, without reappointment for service on the Court under such section 7253.

(2) A judge may continue to serve on the Court under paragraph (1) only if the judge submits to the chief judge of the Court written notice of an election to so serve 30 days before the earlier of—

(A) the expiration of the judge's term on the Court as described in that paragraph; or

(B) the date on which the judge meets the age and service requirements for eligibility for retirement set forth in section 7296(b)(1) of such title.

(3) The total number of judges serving on the Court at any one time, including the judges serving under this section, may not exceed 7.

(b) PERIOD OF TEMPORARY SERVICE.—(1) The service of a judge on the Court under this section may continue until the earlier of—

(A) the date that is 30 days after the date on which the chief judge of the Court submits to the President and Congress a written certification based on the projected caseload of the Court that the work of the Court can be performed in a timely and efficient manner by judges of the Court under this section who are senior on the Court to the judge electing to continue to provide temporary service under this section or without judges under this section; or

(B) the date on which the person appointed to the position on the Court occupied by the judge under this section is qualified for the position.

(2) Subsections (f) and (g) of section 7253 of title 38, United States Code, shall apply with respect to the service of a judge on the Court under this section.

(c) TEMPORARY SERVICE IN OTHER POSITIONS.—(1) If on the date that the person appointed to the position on the Court occupied by a judge under this section is qualified another position on the Court is vacant, the judge may serve in such other position under this section.

(2) If two or more judges seek to serve in a position on the Court in accordance with paragraph (1), the judge senior in service on the Court shall serve in the position under that paragraph.

(d) COMPENSATION.—(1) Notwithstanding any other provision of law, a person whose service as a judge of the Court continues under this section shall be paid for the period of service under this section an amount as follows:

(A) In the case of a person eligible to receive retired pay under subchapter V of chapter 72 of title 38, United States Code, or a retirement annuity under subchapter III of chapter 83 or subchapter II of chapter 84 of title 5, United States Code, as applicable, an amount equal to one-half of the amount of the current salary payable to a judge of the Court under chapter 72 of title 38, United States Code, having a status on the Court equivalent to the highest status on the Court attained by the person.

(B) In the case of a person not eligible to receive such retired pay or such retirement annuity, an amount equal to the amount of current salary payable to a judge of the Court under such chapter 72 having a status on the Court equivalent to the highest status on the Court attained by the person.

(2) Amounts paid under this subsection to a person described in paragraph (1)(A)—

(A) shall not be treated as—

(i) compensation for employment with the United States for purposes of section 7296(e) of title 38, United States Code, or any provision of title 5, United States Code, relating to the receipt or forfeiture of retired pay or retirement annuities by a person accepting compensation for employment with the United States; or

(ii) pay for purposes of deductions or contributions for or on behalf of the person to retired pay under subchapter V of chapter 72 of title 38, United States Code, or under chapter 83 or 84 of title 5, United States Code, as applicable; but

(B) may, at the election of the person, be treated as pay for purposes of deductions or contributions for or on behalf of the person to a retirement or other annuity, or both, under subchapter V of chapter 72 of title 38, United States Code, or under chapter 83 or 84 of title 5, United States Code, as applicable.

(3) Amounts paid under this subsection to a person described in paragraph (1)(B) shall be treated as pay for purposes of deductions or contributions for or on behalf of the person to retired pay or a retirement or other annuity under subchapter V of chapter 72 of title 38, United States Code, or under chapter 83 or 84 of title 5, United States Code, as applicable.

(4) Amounts paid under this subsection shall be derived from amounts available for payment of salaries and benefits of judges of the Court.

(e) CREDITABLE SERVICE.—(1) The service as a judge of the Court under this section of a person who makes an election provided for under subsection (d)(2)(B) shall constitute creditable service toward the judge's years of judicial service for purposes of section 7297 of title 38, United States Code, with such service creditable at a rate equal to the rate at which such service would be creditable for such purposes if served by a judge of the Court under chapter 72 of that title.

(2) The service as a judge of the Court under this section of a person paid salary under subsection (d)(1)(B) shall constitute creditable service of the person toward retirement under subchapter V of chapter 72 of title 38, United States Code, or subchapter III of chapter 83 or subchapter II of chapter 84 of title 5, United States Code, as applicable.

(f) ELIGIBILITY FOR ADDITIONAL SERVICE.—The service of a person as a judge of the Court under this section shall not affect the eligibility of the person for appointment to an additional term or terms on the Court, whether in the position occupied by the person under this section or in another position on the Court.

(g) TREATMENT OF PARTY MEMBERSHIP.—For purposes of determining compliance with the last sentence of section 7253(b) of title 38, United States Code, the party membership of a judge serving on the Court under this section shall not be taken into account.

SEC. 402. MODIFIED TERMS FOR CERTAIN JUDGES OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

(a) MODIFIED TERMS.—Notwithstanding section 7253(c) of title 38, United States Code, the term of any judge of the Court who is appointed to a position on the Court that becomes vacant in 2004 shall be 13 years.

(b) ELIGIBILITY FOR RETIREMENT.—(1) For purposes of determining the eligibility to retire under section 7296 of title 38, United States Code, of a judge appointed as described in subsection (a)—

(A) the age and service requirements in the table in paragraph (2) shall apply to the judge instead of the age and service requirements in the table in subsection (b)(1) of that section that would otherwise apply to the judge; and

(B) the minimum years of service applied to the judge for eligibility to retire under the first sentence of subsection (b)(2) of that section shall be 13 years instead of 15 years.

(2) The age and service requirements in this paragraph are as follows:

The judge has attained age:	***And the years of service as a judge are at least***
65	*13*
66	*13*
67	*13*
68	*12*
69	*11*
70	*10*

SEC. 403. TEMPORARY AUTHORITY FOR VOLUNTARY SEPARATION INCENTIVES FOR CERTAIN JUDGES ON UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

(a) TEMPORARY AUTHORITY.—A voluntary separation incentive payment may be paid in accordance with this section to any judge of the Court described in subsection (c).

(b) AMOUNT OF INCENTIVE PAYMENT.—The amount of a voluntary separation incentive payment paid to a judge under this section shall be $25,000.

(c) COVERED JUDGES.—A voluntary separation incentive payment may be paid under this section to any judge of the Court who—

(1) meets the age and service requirements for retirement set forth in section 7296(b)(1) of title 38, United States Code, as of the date on which the judge retires from the Court;

(2) submits a notice of an intent to retire in accordance with subsection (d); and

(3) retires from the Court under that section not later than 30 days after the date on which the judge meets such age and service requirements.

(d) NOTICE OF INTENT TO RETIRE.—(1) A judge of the Court seeking payment of a voluntary separation incentive payment under this section shall submit to the President and Congress a timely notice of an intent to retire from the Court, together with a request for payment of the voluntary separation incentive payment.

(2) A notice shall be timely submitted under paragraph (1) only if submitted—

(A) not later than one year before the date of retirement of the judge concerned from the Court; or

(B) in the case of a judge whose retirement from the Court will occur less than one year after the date of the enactment of this Act, not later than 30 days after the date of the enactment of this Act.

(e) DATE OF PAYMENT.—A voluntary separation incentive payment may be paid to a judge of the Court under this section only upon the retirement of the judge from the Court.

(f) TREATMENT OF PAYMENT.—A voluntary separation incentive payment paid to a judge under this section shall not be treated as pay for purposes of contributions for or on behalf of the judge to retired pay or a retirement or other annuity under subchapter V of chapter 72 of title 38, United States Code.

(g) ELIGIBILITY FOR TEMPORARY SERVICE ON COURT.—A judge seeking payment of a voluntary separation incentive payment under this section may serve on the Court under section 401 if eligible for such service under that section.

(h) SOURCE OF PAYMENTS.—Amounts for voluntary separation incentive payments under this section shall be derived from amounts available for payment of salaries and benefits of judges of the Court.

(i) EXPIRATION OF AUTHORITY.—A voluntary separation incentive payment may not be paid under this section to a judge who retires from the Court after December 31, 2002.

SEC. 404. DEFINITION.

In this title, the term ''Court'' means the United States Court of Appeals for Veterans Claims.

Amend the title so as to read: ''A bill To amend title 38, United States Code, to enhance programs providing health care and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, and for other purposes.''.

AMENDMENT NO. 1622

(Purpose: To improve the provisions relating to long-term health care for veterans and for other purposes)

Mr. BROWNBACK. Senators ROCKEFELLER and SPECTER have an amendment at the desk, and I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK], for Mr. ROCKEFELLER and Mr. SPECTER, proposes an amendment numbered 1622.

(The text of the amendment is printed in today's RECORD under ''Amendments Submitted.'')

Mr. SPECTER. Madam President, as chairman of the Senate Committee on Veterans' Affair, I am pleased to report to the Senate on the features of S. 1076, the ''Veterans Benefits Act of 1999,'' as amended. This is a very important bill, and I direct the Senate's attention to some of its more salient features.

As is explained in detail in the Committee Report which accompanies this legislation, S. 1076 would improve and enhance the ability of the Department of Veterans Affairs (VA) to address a variety of the needs of the Nation's veterans. It would enhance VA's ability to provide long term care services to

aging veterans, and housing, training and other services to homeless veterans. It would extend VA programs to provide outreach and medical monitoring services to Persian Gulf War veterans and their families. It would improve and expand VA's authority to enter into ''enhanced use leases''—leases which permit VA to more effectively manage its large and costly infrastructure—and it would authorize needed construction projects. Further, S. 1076 would improve benefits provided to institutionalized veterans, to the survivors of former prisoners of war, and to certain Filipino veterans. Finally, it would clarify and codify standards governing burial in Arlington National Cemetery and provide statutory authority needed to permit the timely construction in Washington of a World War II Memorial.

One matter that has not yet been resolved prior to the reporting of this bill—how proposed pilot programs to provide long term care and assisted living services to veterans ought to be structured—merits explanation now. The Ranking Minority Member of the Committee, Senator Rockefeller, and I have now resolved that matter and our agreement is reflected in an amendment to the bill that we offer jointly today. As amended, S. 1076 would instruct VA to initiate pilot programs to provide veterans long term care and assisted living services.

The long term care pilot programs mandated by this legislation would require that VA—without interrupting current services—provide and report on long term care services offered in separate VA ''designated health care regions'' (Veterans Integrated Service Networks or ''VISNs'' under VA's current organizational structure) using three models: an ''in house'' model; a community-based cooperative model; and a model representing a hybrid of the VA-staffed and community-based approaches. We hope to demonstrate that VA can offer the Nation a meaningful methodology for managing comprehensive care to an aging clientele, and identify the model or models by which such care can be provided most cost-effectively.

The second pilot program mandated by this legislation would direct VA to develop an appropriate model for furnishing assisted living services to veterans, as recommended by the Federal Advisory Committee on Long Term Care. This pilot program would empower VA to provide services to aged and disabled veterans in their homes or in other residential settings to assist them with their activities of daily living—and to assist them in avoiding or deferring more costly hospital or nursing home care. The Ranking Member and I hope to thrust VA into the forefront of this growing and challenging field of health care and foster the development of new and cost-effective solutions to challenges which all aging Americans face.

I urge the immediate passage of this bill as amended. And I thank the Senate for its attention to the needs of the Nation's veterans.

Mr. ROCKEFELLER. Madam President, as ranking member of the Senate Committee on Veterans' Affairs, I am pleased to support this comprehensive bill, which would make valuable changes to a wide range of veterans' benefits and services.

The bill we consider today, S. 1076, the Veterans Benefits Act of 1999, addresses many initiatives—from ensuring that the surviving spouses of ex-POW's will be provided for compensated to furnishing job training to homeless veterans. I will mention here only a few of the issues which are of particular interest to me.

The first is long-term care for veterans.

S. 1076, as amended, represents a comprehensive effort to address the long-term care needs of our veterans. Title I includes provisions based on the ''Veterans' Long-Term Care Enhancement Act of 1999,'' which I introduced earlier in the session. In my view, we must take a first step to reach out to veterans who presently need long-term care services, or will in the future. I am glad that we have done so.

At the outset, I want to say that my wish would be for VA to provide long-term care to all veterans who need and want it. While the provisions now included in S. 1076 are only one step toward determining what VA should be doing to meet the needs of veterans for long-term care, I believe that it is an important step in that regard.

There is no doubt that demand for long-term care—for veterans and non-veterans alike—is increasing. In the Department of Veterans Affairs (VA), however, we face an even more pressing demand.

I am proud of VA's work in responding to current demand for long-term care services. VA has developed geriatric evaluation teams, home-based primary care, and adult day health care—all cost-effective ways to assess and care for veterans. But to quote from the Report of the Federal Advisory Committee on the Future of VA Long-Term Care, despite VA's high quality and long tradition, ''VA long-term care is marginalized and unevenly funded.''

There are three key elements to Subtitle A of Title I. The first includes provisions which clarify that long-term care is not only nursing home care, and that existing differences in law between eligibility for institutional long-term care and other types of care offered by VA do not affect VA's ability to furnish a full array of noninstitutional long-term care services.

Specifically, the provision would add ''noninstitutional extended care services'' to the definition of ''medical services,'' thereby removing any doubt about VA's authority to furnish such services to veterans enrolled in VA care. The term would be defined to include the following: home-based primary care; adult day health care; respite care; palliative and end-of-life care; and homemaker or home health care aide visits. Veterans would have unfettered access to these needed and cost-effective long-term care services.

Second, S. 1076, as amended, would add clear authority for VA to furnish assisted living services, including to the spouses of veterans. VA already furnishes a form of assisted living services through its domiciliary care program, but the provisions in the bill would provide express authority to furnish this modality of care to older veterans within the confines of a demonstration project at a Veterans Integrated Service Network.

The Report of the Federal Advisory Committee on the Future of VA Long-Term Care specifically notes that while many state programs are moving in the direction of assisted living—to cut costs and to provide the most appropriate level of care—VA cannot do so. The results of the demonstration project will provide VA and Congress with a rational basis from which to proceed to authorize assisted living for all veterans.

Third, VA would be mandated to carry out a series of pilot programs, over a period of 3 years, which would be designed to gauge the best way for VA to meet veterans' long-term care needs—either directly, through cooperative arrangements with community providers, or by purchasing services from non-VA providers.

While VA has developed significant expertise in long-term care over the past 20-plus years, it has not done so with any mandate to share its learning with others, nor has it pushed its program development beyond that which met the current needs at the time. Some experts even believe that VA's expertise is gradually eroding.

For VA's expertise to be of greatest use to others, it needs both to better capture what it has done and to develop new learning that would be most applicable to other health care entities. Those who would benefit by further action to develop and capitalize on VA's long-term care expertise include older veterans, primarily our honored World War II veterans; those health organizations, including academic medicine and research entities, with which VA is now connected; and finally, the rest of the U.S. health care system, and ultimately all Americans who will need some form of long-term care services.

Each element of the pilot program would establish and carry out a comprehensive long-term care program, with a full array of services, ranging from inpatient long-term care—in intermediate care beds, nursing homes,

and domiciliary care facilities—to comprehensive noninstitutional services, which include hospital-based home care, adult day health care, respite care, and other community-base interventions.

In each element of the pilot programs, VA would also be mandated to furnish case management services to ensure that veterans participating in the pilot programs receive the optimal treatment and placement for services. Preventive health care services, such as screening and patient education, and a particular focus on end-of-life care are also emphasized. In my view, VA must have ready access to all of these services.

Finally, a key purpose of the pilot program would be to test and evaluate various approaches to meeting the long-term care needs of eligible veterans, both to develop approaches that could be expanded across VA, as well as to demonstrate to others outside of VA the effectiveness and impact of various approaches to long-term care. To this end, the pilot program within S. 1076 would include specific data collection on matters such as cost effectiveness, quality of health care services provided, enrollee and health care provider satisfaction, and the ability of participants to carry out basic activities of daily living.

I look forward to working with the chairman and the members of the Committee on Veterans' Affairs in the House of Representatives to advance the cause of long-term care in VA. And I thank Senator SPECTER for his willingness to undertake these advancements in veterans' long-term care programs.

Another major issue of great interest to me which S. 1076 addresses are specialized mental health services for veterans.

Last year, I directed my staff on the Committee on Veterans' Affairs to undertake a study of the services the Department of Veterans Affairs offers to veterans with special needs. Earlier this summer, I released the report my Committee staff wrote based on their 8-month oversight investigation, which sought to determine if VA is complying with a Congressional mandate to maintain capacity in five of the specialized programs: Prosthetics and Sensory Aids Services, Blind Rehabilitation, Spinal Cord Injury (SCI), Post-Traumatic Stress Disorders (PTSD), and Substance Use Disorders.

In summary, my staff determined that field personnel have just barely been able to maintain the level of services in the Prosthetics, Blind Rehabilitation, and SCI programs, but that the PTSD and substance use disorder programs are not being maintained in accordance with the mandates in law. Because of staff and funding reductions, and the resulting increases in workloads and excessive waiting times, the latter two programs are failing to sustain services at the needed levels.

This is particularly troubling because from its inception, the Department of Veterans Affairs' health care system has developed widely recognized expertise in providing services to meet the special needs of veterans with spinal cord injuries, amputations, blindness, and post-traumatic stress disorder.

With specific regard to PTSD, VA has been moving to reduce inpatient treatment of PTSD, while expanding its use of outpatient programs. VA's decision has been fueled in part by studies of the cost effectiveness of various treatment approaches. The potential to stretch limited VA dollars to be able to treat more veterans is appealing. However, VA needs to be cautious before subscribing to the idea that outpatient care is as good as inpatient care for all veterans with PTSD. For some of the more seriously affected veterans—who have not succeeded in shorter inpatient or outpatient programs, are homeless or unemployed, or have dual diagnoses—longer inpatient or bed-based care may be a necessity.

Substance use disorders also present complex treatment problems and have taken perhaps the hardest hit of all the specialized programs. It is not surprising that treatment has shifted from an emphasis on inpatient to outpatient care. Some substance use disorder programs have terminated inpatient treatment completely, except for veterans requiring short detoxifications in extreme situations. while some medical centers have closed inpatient substance use disorder beds, they have worked to provide alternative, sheltered living arrangements. Unfortunately, not all facilities have made these efforts. Many have moved directly to the closure of inpatient units without first developing these other alternatives.

Section 132 of S. 1076, as amended, mandates that the Secretary of Veterans Affairs carry out programs to enhance the provision of specialized mental health services to veterans. The ''Veterans Benefits Act of 1999'' specifically targets services for those afflicted with PTSD and substance use disorders. The legislation before us also requires that funding will be available, in a centralized manner, to fund proposals from the Veterans Integrated Service Networks and the individual facilities to provide specialized mental health services. Qualified mental health personnel at the VA who oversee these programs shall conduct an assessment of need for the funds.

I must stress that these provisions are not aimed at rebuilding the traditional inpatient infrastructure. Instead, the focus is on expanding outpatient and residential treatment facilities, developing better case management, and generally improving the availability of services.

In my view, VA's mental health treatment programs, in general, have been eroded to the point that veterans in some areas of the country are suffering needlessly. That is why I am so pleased that S. 1076 includes provisions to prompt VA to begin to rebuild some of what has been lost.

The third major issue of particular concern to me which S. 1076 addresses is emergency care for veterans. I am very pleased that it includes provisions drawn directly from the ''Veterans' Access to Emergency Care Act of 1999,'' which would authorize VA to cover emergency care at non-VA facilities for those veterans who have enrolled with VA for their health care. I thank my colleague, Senator DASCHLE, for his leadership on this issue.

While VA provides a very generous standard benefits package for all veterans who are enrolled with the VA for their health care, enrolled veterans do not have comprehensive emergency care. This is a serious gap in coverage for veterans, as large and unexpected emergency medical care bills can present a significant financial burden. That is why I offered this proposal at a Committee meeting. I am gratified that my colleagues on the Committee chose to support it.

Coverage of emergency care services for all veterans is supported by the consortium of veterans services organizations that authored the Independent Budget for Fiscal Year 2000—AMVETS, the Disabled American Veterans, the Paralyzed Veterans of America, and the Veterans of Foreign Wars. The concept is also included in the Administration's FY 2000 budget request for VA and the Consumer Bill of Rights, which President Clinton has directed every federal agency engaged in managing or delivering health care to adopt.

To quote from the Consumer Bill of rights:

> Consumers have the right to access emergency health care services when and where the need arises. Health plans should provide payment when a consumer presents to an emergency department with acute symptoms of sufficient severity—including severe pain—such that a ''prudent layperson'' could reasonably expect the absence of medical attention to result in placing their health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part.

S. 1076 adopts this ''prudent layperson'' standard, which is intended to protect both the veteran and the VA.

I look forward to working with my colleagues on the House Committees on Veterans' Affairs to make this proposal a reality. Through their service to our country, our veterans have earned comprehensive, high quality health care, and that must include emergency care, as well.

The final issue contained in S. 1076 to which I wish to draw attention is a provision to improve VA's enhanced

use lease authority, because I believe it is a critical component of VA's management strategy for its property. Many terrific projects that better serve veterans and assist the VA have been developed under this authority. I believe it is vital for VA to develop more enhanced use lease projects to leverage its assets, before it begins to dispose of irreplaceable property. I thank Senator Specter for accepting these provisions.

Since VA received enhanced use authority, it has been used to lease land to companies that build nursing homes where VA can place veterans at discounted rates, resulting in savings of millions of dollars. Another use has been to provide transitional housing for homeless veterans. Other projects have created reliable child care and adult day care facilities for VA employees' families, so that they can care for veterans without having to worry about the health and safety of their loved ones. In other locations, VA regional offices are moving onto VA medical center campuses, resulting in more convenient access for veterans and better cooperation between the Veterans Benefits Administration and the Veterans Health Administration.

Section 111 of S. 1076 would remove many of the current barriers preventing VA from having an even more successful enhanced use lease program. It would allow VA to enter into leases of up to 55-year terms, rather than the current 20 and 35 years, while eliminating the distinction in lease terms that exists between leases involving new construction or substantial renovation, and those involving current structures. Section 111 would also authorize VA to use appropriated funds from its minor construction account for contributions to capital activities in order to secure the best lease terms possible.

Current authority for VA to enter into enhanced use leases is set to expire on December 31, 2001. Projects that are currently in development face the possibility of negotiations not being completed prior to the expiration date. Therefore, S. 1076 extends VA's authority by a sufficient length of time—until December 31, 2011—so as not to chill negotiations in the near future.

I am very interested in seeing VA engage in more of these projects, so I am pleased to see that S. 1076 would require the Secretary to provide training and outreach regarding enhanced use leasing to personnel at VA medical centers. The bill also requires the Secretary to contract for an independent assessment of opportunities for enhanced use leases. This assessment would include a survey of suitable facilities, a determination of the feasibility of projects at those facilities, and an analysis of the resources required to enter into a lease. I hope that more training—which until now has been sporadic and primarily on a by-request basis—and a more systematic and centralized approach would assist the VA in maximizing its enhanced use lease opportunities.

In conclusion, I believe that S. 1076 represents a real step forward in providing veterans with the type of care that they require, and in giving VA the legislative tools to carry out that care—be it emergency care, long-term care, or specialized mental health treatment. When Congress passed VA health care eligibility reform in 1996, we told veterans that VA would be their comprehensive health care provider; but since its enactment, we have found significant limitations and barriers to providing the types of care veterans need. S. 1076 tears down many of those barriers.

I urge my colleagues in the House to carefully examine these critical provisions and to work with Senator SPECTER and me to implement them. America's veterans deserve nothing less.

Mr. CLELAND. Mr. President, I am very pleased to endorse S. 1076, the Veterans' Benefit Act of 1999. I want to thank the distinguished Chairman and Ranking Member of the Senate Committee on Veterans' Affairs for all their hard work to maintain and enhance veterans' benefits and for including the much needed construction renovation at the Atlanta VA Medical Center. Senators SPECTOR and ROCKEFELLER have provided excellent leadership during these challenging times of matching current budget levels with the provision of promised benefits.

The Atlanta VA Medical Center renovation will be critical to providing care for all of our veterans, men and women, in the new millennium. S. 1076 proposes other needed benefits in the areas of service-connected disability compensation, health and education, medical facility construction and burial entitlements.

Again, I salute the work of Senate Veterans' Committee and I am pleased to support S. 1076.

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

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

The amendment (No. 1622) was agreed to.

The committee substitute, as amended, was agreed to.

The bill (S. 1076), as amended, was considered read the third time, and passed, as follows:

S. 1076

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Benefits Act of 1999''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.

TITLE I—MEDICAL CARE

Subtitle A—Long-Term Care

Sec. 101. Continuum of care for veterans.
Sec. 102. Pilot programs relating to long-term care of veterans.
Sec. 103. Pilot program relating to assisted living services.

Subtitle B—Management of Medical Facilities and Property

Sec. 111. Enhanced-use lease authority.
Sec. 112. Designation of hospital bed replacement building at Department of Veterans Affairs medical center in Reno, Nevada, after Jack Streeter.

Subtitle C—Homeless Veterans

Sec. 121. Extension of program of housing assistance for homeless veterans.
Sec. 122. Homeless veterans comprehensive service programs.
Sec. 123. Authorizations of appropriations for homeless veterans' reintegration projects.
Sec. 124. Report on implementation of General Accounting Office recommendations regarding performance measures.

Subtitle D—Other Health Care Provisions

Sec. 131. Emergency health care in non-Department of Veterans Affairs facilities for enrolled veterans.
Sec. 132. Improvement of specialized mental health services for veterans.
Sec. 133. Treatment and services for drug or alcohol dependency.
Sec. 134. Allocation to Department of Veterans Affairs health care facilities of amounts in Medical Care Collections Fund.
Sec. 135. Extension of certain Persian Gulf War authorities.
Sec. 136. Report on coordination of procurement of pharmaceuticals and medical supplies by the Department of Veterans Affairs and the Department of Defense.
Sec. 137. Reimbursement of medical expenses of veterans located in Alaska.
Sec. 138. Repeal of four-year limitation on terms of Under Secretary for Health and Under Secretary for Benefits.

Subtitle E—Major Medical Facility Projects Construction Authorization

Sec. 141. Authorization of major medical facility projects.

TITLE II—BENEFITS MATTERS

Sec. 201. Payment rate of certain burial benefits for certain Filipino veterans.
Sec. 202. Extension of authority to maintain a regional office in the Republic of the Philippines.
Sec. 203. Extension of Advisory Committee on Minority Veterans.
Sec. 204. Dependency and indemnity compensation for surviving spouses of former prisoners of war.
Sec. 205. Repeal of limitation on payments of benefits to incompetent institutionalized veterans.
Sec. 206. Clarification of veterans employment opportunities.

TITLE III—MEMORIAL AFFAIRS

Subtitle A—Arlington National Cemetery

Sec. 301. Short title.

Sec. 302. Persons eligible for burial in Arlington National Cemetery.
Sec. 303. Persons eligible for placement in the columbarium in Arlington National Cemetery.
Subtitle B—World War II Memorial
Sec. 311. Short title.
Sec. 312. Fund raising by American Battle Monuments Commission for World War II Memorial.
Sec. 313. General authority of American Battle Monuments Commission to solicit and receive contributions.
Sec. 314. Intellectual property and related items.
TITLE IV—UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS
Sec. 401. Temporary service of certain judges of United States Court of Appeals for Veterans Claims upon expiration of their terms or retirement.
Sec. 402. Modified terms for certain judges of United States Court of Appeals for Veterans Claims.
Sec. 403. Temporary authority for voluntary separation incentives for certain judges on United States Court of Appeals for Veterans Claims.
Sec. 404. Definition.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—MEDICAL CARE

Subtitle A—Long-Term Care

SEC. 101. CONTINUUM OF CARE FOR VETERANS.

(a) INCLUSION OF NONINSTITUTIONAL EXTENDED CARE SERVICES IN DEFINITION OF MEDICAL SERVICES.—Section 1701 is amended—

(1) in paragraph (6)(A)(i), by inserting ''noninstitutional extended care services,'' after ''preventive health services,''; and

(2) by adding at the end the following new paragraphs:

''(10) The term 'noninstitutional extended care services' includes—

''(A) home-based primary care;

''(B) adult day health care;

''(C) respite care;

''(D) palliative and end-of-life care; and

''(E) home health aide visits.

''(11) The term 'respite care' means hospital care, nursing home care, or residence-based care which—

''(A) is of limited duration;

''(B) is furnished in a Department facility or in the residence of an individual on an intermittent basis to an individual who is suffering from a chronic illness and who resides primarily at that residence; and

''(C) is furnished for the purpose of helping the individual to continue residing primarily at that residence.''.

(b) CONFORMING AMENDMENTS TO TITLE 38.—(1)(A) Section 1720 is amended by striking subsection (f).

(B) The section heading of such section is amended by striking ''**; adult day health care**''.

(2) Section 1720B is repealed.

(3) Chapter 17 is further amended by redesignating sections 1720C, 1720D, and 1720E as sections 1720B, 1720C, and 1720D, respectively.

(c) CLERICAL AMENDMENTS.—The table of sections for chapter 17 is amended—

(1) in the item relating to section 1720, by striking ''; adult day health care''; and

(2) by striking the items relating to sections 1720B, 1720C, 1720D, and 1720E and inserting the following:

''1720B. Noninstitutional alternatives to nursing home care.
''1720C. Counseling and treatment for sexual trauma.
''1720D. Nasopharyngeal radium irradiation.''.

(d) ADDITIONAL CONFORMING AMENDMENT.—Section 101(g)(2) of the Veterans Health Programs Extension Act of 1994 (Public Law 103–452; 108 Stat. 4785; 38 U.S.C. 1720D note) is amended by striking ''section 1720D'' both places it appears and inserting ''section 1720C''.

SEC. 102. PILOT PROGRAMS RELATING TO LONG-TERM CARE OF VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out three pilot programs for the purpose of determining the feasibility and practicability of a variety of methods of meeting the long-term care needs of eligible veterans. The pilot programs shall be carried out in accordance with the provisions of this section.

(b) LOCATIONS OF PILOT PROGRAMS.—(1) Each pilot program under this section shall be carried out in two designated health care regions of the Department of Veterans Affairs selected by the Secretary for purposes of this section.

(2) In selecting designated health care regions of the Department for purposes of a particular pilot program, the Secretary shall, to the maximum extent practicable, select designated health care regions containing a medical center or medical centers whose current circumstances and activities most closely mirror the circumstances and activities proposed to be achieved under such pilot program.

(3) The Secretary may not carry out more than one pilot program in any given designated health care region of the Department.

(c) SCOPE OF SERVICES UNDER PILOT PROGRAMS.—(1) The services provided under the pilot programs under this section shall include a comprehensive array of health care services and other services that meet the long-term care needs of veterans, including—

(A) inpatient long-term care in intermediate care beds, in nursing homes, and in domiciliary care facilities; and

(B) non-institutional long-term care, including hospital-based primary care, adult day health care, respite care, and other community-based interventions and care.

(2) As part of the provision of services under the pilot programs, the Secretary shall also provide appropriate case management services.

(3) In providing services under the pilot programs, the Secretary shall emphasize the provision of preventive care services, including screening and education.

(4) The Secretary may provide health care services or other services under the pilot programs only if the Secretary is otherwise authorized to provide such services by law.

(d) DIRECT PROVISION OF SERVICES.—Under one of the pilot programs under this section, the Secretary shall provide long-term care services to eligible veterans directly through facilities and personnel of the Department of Veterans Affairs.

(e) PROVISION OF SERVICES THROUGH COOPERATIVE ARRANGEMENTS.—(1) Under one of the pilot programs under this section, the Secretary shall provide long-term care services to eligible veterans through a combination (as determined by the Secretary) of—

(A) services provided under cooperative arrangements with appropriate public and private non-Governmental entities, including community service organizations; and

(B) services provided through facilities and personnel of the Department.

(2) The consideration provided by the Secretary for services provided by entities under cooperative arrangements under paragraph (1)(A) shall be limited to the provision by the Secretary of appropriate in-kind services to such entities.

(f) PROVISION OF SERVICES BY NON-DEPARTMENT ENTITIES.—(1) Under one of the pilot programs under this section, the Secretary shall provide long-term care services to eligible veterans through arrangements with appropriate non-Department entities under which arrangements the Secretary acts solely as the case manager for the provision of such services.

(2) Payment for services provided to veterans under the pilot programs under this subsection shall be made by the Department to the extent that payment for such services is not otherwise provided by another government or non-government entity.

(g) DATA COLLECTION.—As part of the pilot programs under this section, the Secretary shall collect data regarding—

(1) the cost-effectiveness of such programs and of other activities of the Department for purposes of meeting the long-term care needs of eligible veterans, including any cost advantages under such programs and activities when compared with the Medicare program, Medicaid program, or other Federal program serving similar populations;

(2) the quality of the services provided under such programs and activities;

(3) the satisfaction of participating veterans, non-Department, and non-Government entities with such programs and activities; and

(4) the effect of such programs and activities on the ability of veterans to carry out basic activities of daily living over the course of such veterans' participation in such programs and activities.

(h) REPORT.—(1) Not later than six months after the completion of the pilot programs under subsection (i), the Secretary shall submit to Congress a report on the health services and other services furnished by the Department to meet the long-term care needs of eligible veterans.

(2) The report under paragraph (1) shall—

(A) describe the comprehensive array of health services and other services furnished by the Department under law to meet the long-term care needs of eligible veterans, including—

(i) inpatient long-term care in intermediate care beds, in nursing homes, and in domiciliary care facilities; and

(ii) non-institutional long-term care, including hospital-based primary care, adult day health care, respite care, and other community-based interventions and care;

(B) describe the case management services furnished as part of the services described in subparagraph (A) and assess the role of such case management services in ensuring that eligible veterans receive services to meet their long-term care needs; and

(C) in describing services under subparagraphs (A) and (B), emphasize the role of preventive services in the furnishing of such services.

(i) DURATION OF PROGRAMS.—(1) The Secretary shall commence carrying out the pilot

programs required by this section not later than 90 days after the date of the enactment of this Act.

(2) The authority of the Secretary to provide services under the pilot programs shall cease on the date that is three years after the date of the commencement of the pilot programs under paragraph (1).

(j) DEFINITIONS.—In this section:

(1) ELIGIBLE VETERAN.—The term ''eligible veteran'' means the following:

(A) Any veteran eligible to receive hospital care and medical services under section 1710(a)(1) of title 38, United States Code.

(B) Any veteran (other than a veteran described in subparagraph (A)) if the veteran is enrolled in the system of annual patient enrollment under section 1705 of title 38, United States Code.

(2) LONG-TERM CARE NEEDS.—The term ''long-term care needs'' means the need by an individual for any of the following services:

(A) Hospital care.

(B) Medical services.

(C) Nursing home care.

(D) Case management and other social services.

(E) Home and community based services.

SEC. 103. PILOT PROGRAM RELATING TO ASSISTED LIVING SERVICES.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall carry out a pilot program for the purpose of determining the feasibility and practicability of providing assisted living services to eligible veterans. The pilot program shall be carried out in accordance with this section.

(b) LOCATION.—The pilot program under this section shall be carried out at a designated health care region of the Department of Veterans Affairs selected by the Secretary for purposes of this section.

(c) SCOPE OF SERVICES.—(1) Subject to paragraph (2), the Secretary shall provide assisted living services under the pilot program to eligible veterans.

(2) Assisted living services may not be provided under the pilot program to a veteran eligible for care under section 1710(a)(3) of title 38, United States Code, unless such veteran agrees to pay the United States an amount equal to the amount determined in accordance with the provisions of section 1710(f) of such title.

(3) Assisted living services may also be provided under the pilot program to the spouse of an eligible veteran if—

(A) such services are provided coincidentally with the provision of identical services to the veteran under the pilot program; and

(B) such spouse agrees to pay the United States an amount equal to the cost, as determined by the Secretary, of the provision of such services.

(d) REPORTS.—(1) The Secretary shall annually submit to Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the pilot program under this section. The report shall include a detailed description of the activities under the pilot program during the one-year period ending on the date of the report and such other matters as the Secretary considers appropriate.

(2)(A) In addition to the reports required by paragraph (1), not later than 90 days before concluding the pilot program under this section, the Secretary shall submit to the committees referred to in that paragraph a final report on the pilot program.

(B) The report on the pilot program under this paragraph shall include the following:

(i) An assessment of the feasibility and practicability of providing assisted living services for veterans and their spouses.

(ii) A financial assessment of the pilot program, including a management analysis, cost-benefit analysis, Department cash-flow analysis, and strategic outlook assessment.

(iii) Recommendations, if any, regarding an extension of the pilot program, including recommendations regarding the desirability of authorizing or requiring the Secretary to seek reimbursement for the costs of the Secretary in providing assisted living services in order to reduce demand for higher-cost nursing home care under the pilot program.

(iv) Any other information or recommendations that the Secretary considers appropriate regarding the pilot program.

(e) DURATION.—(1) The Secretary shall commence carrying out the pilot program required by this section not later than 90 days after the date of the enactment of this Act.

(2) The authority of the Secretary to provide services under the pilot program shall cease on the date that is three years after the date of the commencement of the pilot program under paragraph (1).

(f) DEFINITIONS.—In this section:

(1) ELIGIBLE VETERAN.—The term ''eligible veteran'' means the following:

(A) Any veteran eligible to receive hospital care and medical services under section 1710(a)(1) of title 38, United States Code.

(B) Any veteran (other than a veteran described in subparagraph (A)) if the veteran is enrolled in the system of annual patient enrollment under section 1705 of title 38, United States Code.

(2) ASSISTED LIVING SERVICES.—The term ''assisted living services'' means services which provide personal care, activities, health-related care, supervision, and other assistance on a 24-hour basis within a residential or similar setting which—

(A) maximizes flexibility in the provision of such care, activities, supervision, and assistance;

(B) maximizes the autonomy, privacy, and independence of an individual; and

(C) encourages family and community involvement with the individual.

Subtitle B—Management of Medical Facilities and Property

SEC. 111. ENHANCED-USE LEASE AUTHORITY.

(a) MAXIMUM TERM OF LEASES.—Section 8162(b)(2) is amended by striking ''may not exceed—'' and all that follows through the end and inserting ''may not exceed 55 years.''.

(b) AVAILABILITY OF FUNDS FOR CERTAIN ACTIVITIES RELATING TO LEASES.—Section 8162(b)(4) is amended—

(1) by inserting ''(A)'' after ''(4)'';

(2) in subparagraph (A), as so designated—

(A) in the first sentence, by striking ''only''; and

(B) by striking the second sentence; and

(3) by adding at the end the following new subparagraph:

''(B) Any payment by the Secretary in contribution to capital activities on property that has been leased under this subchapter may be made from amounts appropriated to the Department for construction, minor projects.''.

(c) EXTENSION OF AUTHORITY.—Section 8169 is amended by striking ''December 31, 2001'' and inserting ''December 31, 2011''.

(d) TRAINING AND OUTREACH REGARDING AUTHORITY.—The Secretary of Veterans Affairs shall take appropriate actions to provide training and outreach to personnel at Department of Veterans Affairs medical centers regarding the enhanced-use lease authority under subchapter V of chapter 81 of title 38, United States Code. The training and outreach shall address methods of approaching potential lessees in the medical or commercial sectors regarding the possibility of entering into leases under that authority and other appropriate matters.

(e) INDEPENDENT ANALYSIS OF OPPORTUNITIES FOR USE OF AUTHORITY.—(1) The Secretary shall take appropriate actions to secure from an appropriate entity independent of the Department of Veterans Affairs an analysis of opportunities for the use of the enhanced-use lease authority under subchapter V of chapter 81 of title 38, United States Code.

(2) The analysis under paragraph (1) shall include—

(A) a survey of the facilities of the Department for purposes of identifying Department property that presents an opportunity for lease under the enhanced-use lease authority;

(B) an assessment of the feasibility of entering into enhanced-use leases under that authority in the case of any property identified under subparagraph (A) as presenting an opportunity for such lease; and

(C) an assessment of the resources required at the Department facilities concerned, and at the Department Central Office, in order to facilitate the entering into of enhanced-used leases in the case of property so identified.

(3) If as a result of the survey under paragraph (2)(A) the entity determines that a particular Department property presents no opportunities for lease under the enhanced-use lease authority, the analysis shall include the entity's explanation of that determination.

(4) If as a result of the survey the entity determines that certain Department property presents an opportunity for lease under the enhanced-use lease authority, the analysis shall include a single integrated business plan, developed by the entity, that addresses the strategy and resources necessary to implement the plan for all property determined to present an opportunity for such lease.

(f) AUTHORITY FOR ENHANCED-USE LEASE OF PROPERTY UNDER BUSINESS PLAN.—(1) The Secretary may enter into an enhanced-use lease of any property identified as presenting an opportunity for such lease under the analysis under subsection (e) if such lease is consistent with the business plan under paragraph (4) of that subsection.

(2) The provisions of subchapter V of chapter 81 of title 38, United States Code, shall apply with respect to any lease under paragraph (1).

SEC. 112. DESIGNATION OF HOSPITAL BED REPLACEMENT BUILDING AT DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN RENO, NEVADA, AFTER JACK STREETER.

The hospital bed replacement building under construction at the Ioannis A. Lougaris Department of Veterans Affairs Medical Center in Reno, Nevada, is hereby designated as the ''Jack Streeter Building''. Any reference to that building in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Jack Streeter Building.

Subtitle C—Homeless Veterans

SEC. 121. EXTENSION OF PROGRAM OF HOUSING ASSISTANCE FOR HOMELESS VETERANS.

Section 3735(c) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2001''.

SEC. 122. HOMELESS VETERANS COMPREHENSIVE SERVICE PROGRAMS.

(a) PURPOSES OF GRANTS.—Paragraph (1) of section 3(a) of the Homeless Veterans Comprehensive Service Programs Act of 1992 (38

U.S.C. 7721 note) is amended by inserting '', and expanding existing programs for furnishing,'' after ''new programs to furnish''.

(b) EXTENSION OF AUTHORITY TO MAKE GRANTS.—Paragraph (2) of that section is amended by striking ''September 30, 1999'' and inserting ''September 30, 2001''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 12 of that Act (38 U.S.C. 7721 note) is amended in the first sentence by inserting ''and $50,000,000 for each of fiscal years 2000 and 2001'' after ''for fiscal years 1993 through 1997''.

SEC. 123. AUTHORIZATIONS OF APPROPRIATIONS FOR HOMELESS VETERANS' REINTEGRATION PROJECTS.

Section 738(e)(1) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11448(e)(1) is amended by adding at the end the following:

''(H) $10,000,000 for fiscal year 2000.

''(I) $10,000,000 for fiscal year 2001.''.

SEC. 124. REPORT ON IMPLEMENTATION OF GENERAL ACCOUNTING OFFICE RECOMMENDATIONS REGARDING PERFORMANCE MEASURES.

(a) REPORT.—Not later than three months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report containing a detailed plan for the evaluation by the Department of Veterans Affairs of the effectiveness of programs to assist homeless veterans.

(b) OUTCOME MEASURES.—The plan shall include outcome measures which determine whether veterans are housed and employed within six months after housing and employment are secured for veterans under such programs.

Subtitle D—Other Health Care Provisions

SEC. 131. EMERGENCY HEALTH CARE IN NON-DEPARTMENT OF VETERANS AFFAIRS FACILITIES FOR ENROLLED VETERANS.

(a) DEFINITIONS.—Section 1701 is amended—

(1) in paragraph (6)—

(A) by striking ''and'' at the end of subparagraph (A);

(B) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) emergency care, or reimbursement for such care, as described in sections 1703(a)(3) and 1728(a)(2)(E) of this title.''; and

(2) by adding at the end the following new paragraph:

''(10) The term 'emergency medical condition' means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to result in—

''(A) placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;

''(B) serious impairment to bodily functions; or

''(C) serious dysfunction of any bodily organ or part.''.

(b) CONTRACT CARE.—Section 1703(a)(3) is amended by striking ''medical emergencies'' and all that follows through ''health of a veteran'' and inserting ''an emergency medical condition of a veteran who is enrolled under section 1705 of this title or who is''.

(c) REIMBURSEMENT OF EXPENSES FOR EMERGENCY CARE.—Section 1728(a)(2) is amended—

(1) by striking ''or'' before ''(D)''; and

(2) by inserting before the semicolon at the end the following: '', or (E) for any emergency medical condition of a veteran enrolled under section 1705 of this title''.

(d) PAYMENT PRIORITY.—Section 1705 is amended by adding at the end the following new subsection:

''(d) The Secretary shall require in a contract under section 1703(a)(3) of this title, and as a condition of payment under section 1728(a)(2) of this title, that payment by the Secretary for treatment under such contract, or under such section, of a veteran enrolled under this section shall be made only after any payment that may be made with respect to such treatment under part A or part B of the Medicare program and after any payment that may be made with respect to such treatment by a third-party insurance provider.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to care or services provided on or after the date of the enactment of this Act.

SEC. 132. IMPROVEMENT OF SPECIALIZED MENTAL HEALTH SERVICES FOR VETERANS.

(a) IN GENERAL.—(1) Subchapter II of chapter 17 is amended by inserting after section 1712B the following new section:

''§ 1712C. Specialized mental health services

''(a) The Secretary shall carry out programs for purposes of enhancing the provision of specialized mental health services to veterans.

''(b) The programs carried out by the Secretary under subsection (a) shall include the following:

''(1) Programs relating to the treatment of Post Traumatic Stress Disorder (PTSD), including programs for—

''(A) the establishment and operation of additional outpatient and residential treatment facilities for Post Traumatic Stress Disorder in areas that are underserved by existing programs relating to Post Traumatic Stress Disorder, as determined by qualified mental health personnel of the Department who oversee such programs;

''(B) the provision of services in response to the specific needs of veterans with Post Traumatic Stress Disorder and related disorders, including short-term or long-term care services that combine residential treatment of Post Traumatic Stress Disorder;

''(C) the provision of Post Traumatic Stress Disorder or dedicated case management services on an outpatient basis; and

''(D) the enhancement of staffing of existing programs relating to Post Traumatic Stress Disorder which have exceeded the projected workloads for such programs.

''(2) Programs relating to substance use disorders, including programs for—

''(A) the establishment and operation of additional Department-based or community-based residential treatment facilities;

''(B) the expansion of the provision of opioid treatment services, including the establishment and operation of additional programs for the provision of opioid treatment services; and

''(C) the reestablishment or enhancement of substance use disorder services at facilities at which such services have been eliminated or curtailed, with an emphasis on the reestablishment or enhancement of services at facilities where demand for such services is high or which serve large geographic areas.

''(c)(1) The Secretary shall provide for the allocation of funds for the programs carried out under this section in a centralized manner.

''(2) The allocation of funds for such programs shall—

''(A) be based upon an assessment of the need for funds conducted by qualified mental health personnel of the Department who oversee such programs; and

''(B) emphasize, to the maximum extent practicable, the availability of funds for the programs described in paragraphs (1) and (2) of subsection (b).''.

(2) The table of sections at the beginning of chapter 17 is amended by inserting after the item relating to section 1712B the following new item:

''1712C. Specialized mental health services.''.

(b) REPORT.—(1) Not later than March 1 of each of 2000, 2001, and 2002, the Secretary of Veterans Affairs shall submit to Congress a report on the programs carried out by the Secretary under section 1712C of title 38, United States Code (as added by subsection (a)).

(2) The report shall, for the period beginning on the date of the enactment of this Act and ending on the date of the report—

(A) describe the programs carried out under such section 1712C;

(B) set forth the number of veterans provided services under such programs; and

(C) set forth the amounts expended for purposes of carrying out such programs.

SEC. 133. TREATMENT AND SERVICES FOR DRUG OR ALCOHOL DEPENDENCY.

Section 1720A(c) is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking ''may not be transferred'' and inserting ''may be transferred''; and

(B) by striking ''unless such transfer is during the last thirty days of such member's enlistment or tour of duty''; and

(2) in the first sentence of paragraph (2), by striking ''during the last thirty days of such person's enlistment period or tour of duty''.

SEC. 134. ALLOCATION TO DEPARTMENT OF VETERANS AFFAIRS HEALTH CARE FACILITIES OF AMOUNTS IN MEDICAL CARE COLLECTIONS FUND.

Section 1729A(d) is amended—

(1) by striking ''(1)'';

(2) by striking ''each designated health care region'' and inserting ''each Department health care facility'';

(3) by striking ''each region'' and inserting ''each facility'';

(4) by striking ''such region'' both places it appears and inserting ''such facility''; and

(5) by striking paragraph (2).

SEC. 135. EXTENSION OF CERTAIN PERSIAN GULF WAR AUTHORITIES.

(a) THREE-YEAR EXTENSION OF NEWSLETTER ON MEDICAL CARE.—Section 105(b)(2) of the Persian Gulf War Veterans' Benefits Act (title I of Public Law 103–446; 108 Stat. 4659; 38 U.S.C. 1117 note) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2002''.

(b) THREE-YEAR EXTENSION OF PROGRAM FOR EVALUATION OF HEALTH OF SPOUSES AND CHILDREN.—Section 107(b) of Persian Gulf War Veterans' Benefits Act (title I of Public Law 103–446; 38 U.S.C. 1117 note) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2002''.

SEC. 136. REPORT ON COORDINATION OF PROCUREMENT OF PHARMACEUTICALS AND MEDICAL SUPPLIES BY THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE.

(a) REQUIREMENT.—Not later than March 31, 2000, the Secretary of Veterans Affairs and the Secretary of Defense shall jointly submit to the Committees on Veterans' Affairs and Armed Services of the Senate and

the Committees on Veterans' Affairs and Armed Services of the House of Representatives a report on the cooperation between the Department of Veterans Affairs and the Department of Defense in the procurement of pharmaceuticals and medical supplies.

(b) REPORT ELEMENTS.—The report under subsection (a) shall include the following:

(1) A description of the current cooperation between the Department of Veterans Affairs and the Department of Defense in the procurement of pharmaceuticals and medical supplies.

(2) An assessment of the means by which cooperation between the departments in such procurement could be enhanced or improved.

(3) A description of any existing memoranda of agreement between the Department of Veterans Affairs and the Department of Defense that provide for the cooperation referred to in subsection (a).

(4) A description of the effects, if any, such agreements will have on current staffing levels at the Defense Supply Center in Philadelphia, Pennsylvania, and the Department of Veterans Affairs National Acquisition Center in Hines, Illinois.

(5) A description of the effects, if any, of such cooperation on military readiness.

(6) A comprehensive assessment of cost savings realized and projected over the five fiscal year period beginning in fiscal year 1999 for the Department of Veterans Affairs and the Department of Defense as a result of such cooperation, and the overall savings to the Treasury of the United States as a result of such cooperation.

(7) A list of the types of medical supplies and pharmaceuticals for which cooperative agreements would not be appropriate and the reason or reasons therefor.

(8) An assessment of the extent to which cooperative agreements could be expanded to include medical equipment, major systems, and durable goods used in the delivery of health care by the Department of Veterans Affairs and the Department of Defense.

(9) A description of the effects such agreements might have on distribution of items purchased cooperatively by the Department of Veterans Affairs and the Department of Defense, particularly outside the continental United States.

(10) An assessment of the potential to establish common pharmaceutical formularies between the Department of Veterans Affairs and the Department of Defense.

(11) An explanation of the current Uniform Product Number (UPN) requirements of each Department and of any planned standardization of such requirements between the Departments for medical equipment and durable goods manufacturers.

SEC. 137. REIMBURSEMENT OF MEDICAL EXPENSES OF VETERANS LOCATED IN ALASKA.

(a) PRESERVATION OF CURRENT REIMBURSEMENT RATES.—Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall, for purposes of reimbursing veterans in Alaska for medical expenses under section 1728 of title 38, United States Code, during the one-year period beginning on the date of the enactment of this Act, use the fee-for-service payment schedule in effect for such purposes on July 31, 1999, rather than the Participating Physician Fee Schedule under the Medicare program.

(b) REPORT.—(1) Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs and the Secretary of Health and Human Services shall jointly submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report and recommendation on the use of the Participating Physician Fee Schedule under the Medicare program as a means of calculating reimbursement rates for medical expenses of veterans located in Alaska under section 1728 of title 38, United States Code.

(2) The report shall—

(A) assess the differences between health care costs in Alaska and health care costs in the continental United States;

(B) describe any differences between the costs of providing health care in Alaska and the reimbursement rates for the provision of health care under the Participating Physician Fee Schedule; and

(C) assess the effects on health care for veterans in Alaska of implementing the Participating Physician Fee Schedule as a means of calculating reimbursement rates for medical expenses of veterans located in Alaska under section 1728 of title 38, United States Code.

SEC. 138. REPEAL OF FOUR-YEAR LIMITATION ON TERMS OF UNDER SECRETARY FOR HEALTH AND UNDER SECRETARY FOR BENEFITS.

(a) UNDER SECRETARY FOR HEALTH.—Section 305 is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(b) UNDER SECRETARY FOR BENEFITS.—Section 306 is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act and shall apply with respect to individuals appointed as Under Secretary for Health and Under Secretary for Benefits, respectively, on or after that date.

Subtitle E—Major Medical Facility Projects Construction Authorization

SEC. 141. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS.

(a) IN GENERAL.—The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in the amount specified for that project:

(1) Construction of a long term care facility at the Department of Veterans Affairs Medical Center, Lebanon, Pennsylvania, in an amount not to exceed $14,500,000.

(2) Renovations and environmental improvements at the Department of Veterans Affairs Medical Center, Fargo, North Dakota, in an amount not to exceed $12,000,000.

(3) Construction of a surgical suite and post-anesthesia care unit at the Department of Veterans Affairs Medical Center, Kansas City, Missouri, in an amount not to exceed $13,000,000.

(4) Renovations and environmental improvements at the Department of Veterans Affairs Medical Center, Atlanta, Georgia, in an amount not to exceed $12,400,000.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2000 for the Construction, Major Projects, Account $225,500,000 for the projects authorized in subsection (a) and for the continuation of projects authorized in section 701(a) of the Veterans Programs Enhancement Act of 1998 (Public Law 105–368; 112 Stat. 3348).

(2) LIMITATION ON FISCAL YEAR 2000 PROJECTS.—The projects authorized in subsection (a) may only be carried out using—

(A) funds appropriated for fiscal year 2000 pursuant to the authorizations of appropriations in subsection (a);

(B) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2000 that remain available for obligation; and

(C) funds appropriated for Construction, Major Projects, for fiscal year 2000 for a category of activity not specific to a project.

(c) AVAILABILITY OF FUNDS FOR FISCAL YEAR 1999 PROJECTS.—Section 703(b)(1) of the Veterans Programs Enhancement Act of 1998 (112 Stat. 3349) is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(2) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) funds appropriated for fiscal year 2000 pursuant to the authorization of appropriations in section 341(b)(1) of the Veterans Benefits Act of 1999;''.

TITLE II—BENEFITS MATTERS

SEC. 201. PAYMENT RATE OF CERTAIN BURIAL BENEFITS FOR CERTAIN FILIPINO VETERANS.

(a) PAYMENT RATE.—Section 107 is amended—

(1) in subsection (a), by striking ''Payments'' and inserting ''Subject to subsection (c), payments''; and

(2) by adding at the end the following:

''(c)(1) In the case of an individual described in paragraph (2), payments under section 2302 or 2303 of this title by reason of subsection (a)(3) shall be made at the rate of $1 for each dollar authorized.

''(2) Paragraph (1) applies to any individual whose service is described in subsection (a) and who dies after the date of the enactment of the Veterans Benefits Act of 1999 if the individual, on the individual's date of death—

''(A) is a citizen of the United States;

''(B) is residing in the United States; and

''(C) either—

''(i) is receiving compensation under chapter 11 of this title; or

''(ii) if such service had been deemed to be active military, naval, or air service, would have been paid pension under section 1521 of this title without denial or discontinuance by reason of section 1522 of this title.''.

(b) APPLICABILITY.—No benefits shall accrue to any person for any period before the date of the enactment of this Act by reason of the amendments made by subsection (a).

SEC. 202. EXTENSION OF AUTHORITY TO MAINTAIN A REGIONAL OFFICE IN THE REPUBLIC OF THE PHILIPPINES.

Section 315(b) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2004''.

SEC. 203. EXTENSION OF ADVISORY COMMITTEE ON MINORITY VETERANS.

Section 544(e) is amended by striking ''December 31, 1999'' and inserting ''December 31, 2004''.

SEC. 204. DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES OF FORMER PRISONERS OF WAR.

(a) ELIGIBILITY.—Section 1318(b) is amended—

(1) by striking ''that either—'' in the matter preceding paragraph (1) and inserting ''rated totally disabling if—''; and

(2) by adding at the end the following new paragraph:

''(3) the veteran was a former prisoner of war who died after September 30, 1999, and whose disability was continuously rated totally disabling for a period of one year immediately preceding death.''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in paragraph (1)—

(A) by inserting ''the disability'' after ''(1)''; and

(B) by striking ''or'' after ''death;''; and

(2) in paragraph (2)—

(A) by striking ''if so rated for a lesser period, was so rated continuously'' and inserting ''the disability was continuously rated totally disabling''; and

(B) by striking the period at the end and inserting ''; or''.

SEC. 205. REPEAL OF LIMITATION ON PAYMENTS OF BENEFITS TO INCOMPETENT INSTITUTIONALIZED VETERANS.

Section 5503 is amended—

(1) by striking subsections (b) and (c); and

(2) by redesignating subsections (d), (e), and (f) as subsections (b), (c), and (d), respectively.

SEC. 206. CLARIFICATION OF VETERANS EMPLOYMENT OPPORTUNITIES.

(a) CLARIFICATION.—Section 3304(f) of title 5, United States Code, is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) If selected, a preference eligible or veteran described in paragraph (1) shall acquire competitive status and shall receive a career or career-conditional appointment, as appropriate.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the amendment made to section 3304 of title 5, United States Code, by section 2 of the Veterans Employment Opportunities Act of 1998 (Public Law 105–339; 112 Stat. 3182), to which such amendments relate.

TITLE III—MEMORIAL AFFAIRS

Subtitle A—Arlington National Cemetery

SEC. 301. SHORT TITLE.

This subtitle may be cited as the ''Arlington National Cemetery Burial and Inurnment Eligibility Act of 1999''.

SEC. 302. PERSONS ELIGIBLE FOR BURIAL IN ARLINGTON NATIONAL CEMETERY.

(a) IN GENERAL.—(1) Chapter 24 is amended by adding at the end the following new section:

''§ 2412. Arlington National Cemetery: persons eligible for burial

''(a) PRIMARY ELIGIBILITY.—The remains of the following individuals may be buried in Arlington National Cemetery:

''(1) Any member of the Armed Forces who dies while on active duty.

''(2) Any retired member of the Armed Forces and any person who served on active duty and at the time of death was entitled (or but for age would have been entitled) to retired pay under chapter 1223 of title 10.

''(3) Any former member of the Armed Forces separated for physical disability before October 1, 1949, who—

''(A) served on active duty; and

''(B) would have been eligible for retirement under the provisions of section 1201 of title 10 (relating to retirement for disability) had that section been in effect on the date of separation of the member.

''(4) Any former member of the Armed Forces whose last active duty military service terminated honorably and who has been awarded one of the following decorations:

''(A) Medal of Honor.

''(B) Distinguished Service Cross, Air Force Cross, or Navy Cross.

''(C) Distinguished Service Medal.

''(D) Silver Star.

''(E) Purple Heart.

''(5) Any former prisoner of war who dies on or after November 30, 1993.

''(6) The President or any former President.

''(7) Any former member of the Armed Forces whose last discharge or separation from active duty was under honorable conditions and who is or was one of the following:

''(A) Vice President.

''(B) Member of Congress.

''(C) Chief Justice or Associate Justice of the Supreme Court.

''(D) The head of an Executive department (as such departments are listed in section 101 of title 5).

''(E) An individual who served in the foreign or national security services, if such individual died as a result of a hostile action outside the United States in the course of such service.

''(8) Any individual whose eligibility is authorized in accordance with subsection (b).

''(b) ADDITIONAL AUTHORIZATIONS OF BURIAL.—(1) In the case of a former member of the Armed Forces not otherwise covered by subsection (a) whose last discharge or separation from active duty was under honorable conditions, if the Secretary of Defense makes a determination referred to in paragraph (3) with respect to such member, the Secretary of Defense may authorize the burial of the remains of such former member in Arlington National Cemetery under subsection (a)(8).

''(2) In the case of any individual not otherwise covered by subsection (a) or paragraph (1), if the President makes a determination referred to in paragraph (3) with respect to such individual, the President may authorize the burial of the remains of such individual in Arlington National Cemetery under subsection (a)(8).

''(3) A determination referred to in paragraph (1) or (2) is a determination that the acts, service, or other contributions to the Nation of the former member or individual concerned are of equal or similar merit to the acts, service, or other contributions to the Nation of any of the persons listed in subsection (a).

''(4)(A) In the case of an authorization for burial under this subsection, the President or the Secretary of Defense, as the case may be, shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the authorization not later than 72 hours after the authorization.

''(B) Each report under subparagraph (A) shall—

''(i) identify the individual authorized for burial; and

''(ii) provide a justification for the authorization for burial.

''(5)(A) In the case of an authorization for burial under this subsection, the President or the Secretary of Defense, as the case may be, shall publish in the Federal Register a notice of the authorization as soon as practicable after the authorization.

''(B) Each notice under subparagraph (A) shall—

''(i) identify the individual authorized for burial; and

''(ii) provide a justification for the authorization for burial.

''(c) ELIGIBILITY OF FAMILY MEMBERS.—The remains of the following individuals may be buried in Arlington National Cemetery:

''(1)(A) Except as provided in subparagraph (B), the spouse, surviving spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a person listed in subsection (a), but only if buried in the same gravesite as that person.

''(B) In a case under subparagraph (A) in which the same gravesite may not be used due to insufficient space, a person otherwise eligible under that subparagraph may be interred in a gravesite adjoining the gravesite of the person listed in subsection (a) if space in such adjoining gravesite had been reserved for the burial of such person otherwise eligible under that subparagraph before January 1962.

''(2)(A) The spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a member of the Armed Forces on active duty if such spouse, minor child, or unmarried adult child dies while such member is on active duty.

''(B) The individual whose spouse, minor child, and unmarried adult child is eligible under subparagraph (A), but only if buried in the same gravesite as the spouse, minor child, or unmarried adult child.

''(3) The parents of a minor child or unmarried adult child whose remains, based on the eligibility of a parent, are already buried in Arlington National Cemetery, but only if buried in the same gravesite as that minor child or unmarried adult child.

''(4)(A) Subject to subparagraph (B), the surviving spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a member of the Armed Forces who was lost, buried at sea, or officially determined to be permanently absent in a status of missing or missing in action.

''(B) A person is not eligible under subparagraph (A) if a memorial to honor the memory of the member is placed in a cemetery in the national cemetery system, unless the memorial is removed. A memorial removed under this subparagraph may be placed, at the discretion of the Superintendent, in Arlington National Cemetery.

''(5) The surviving spouse, minor child, and, at the discretion of the Superintendent, unmarried adult child of a member of the Armed Forces buried in a cemetery under the jurisdiction of the American Battle Monuments Commission.

''(d) SPOUSES.—For purposes of subsection (c)(1), a surviving spouse of a person whose remains are buried in Arlington National Cemetery by reason of eligibility under subsection (a) who has remarried is eligible for burial in the same gravesite of that person. The spouse of the surviving spouse is not eligible for burial in such gravesite.

''(e) DISABLED ADULT UNMARRIED CHILDREN.—In the case of an unmarried adult child who is incapable of self-support up to the time of death because of a physical or mental condition, the child may be buried under subsection (c) without requirement for approval by the Superintendent under that subsection if the burial is in the same gravesite as the gravesite in which the parent, who is eligible for burial under subsection (a), has been or will be buried.

''(f) FAMILY MEMBERS OF PERSONS BURIED IN A GROUP GRAVESITE.—In the case of a person eligible for burial under subsection (a) who is buried in Arlington National Cemetery as part of a group burial, the surviving spouse, minor child, or unmarried adult child of the member may not be buried in the group gravesite.

''(g) EXCLUSIVE AUTHORITY FOR BURIAL IN ARLINGTON NATIONAL CEMETERY.—Eligibility for burial of remains in Arlington National Cemetery prescribed under this section is the exclusive eligibility for such burial.

''(h) APPLICATION FOR BURIAL.—A request for burial of remains of an individual in Arlington National Cemetery made before the

death of the individual may not be considered by the Secretary of the Army, the Secretary of Defense, or any other responsible official.

''(i) REGISTER OF BURIED INDIVIDUALS.—(1) The Secretary of the Army shall maintain a register of each individual buried in Arlington National Cemetery and shall make such register available to the public.

''(2) With respect to each such individual buried on or after January 1, 1998, the register shall include a brief description of the basis of eligibility of the individual for burial in Arlington National Cemetery.

''(j) DEFINITIONS.—For purposes of this section:

''(1) The term 'retired member of the Armed Forces' means—

''(A) any member of the Armed Forces on a retired list who served on active duty and who is entitled to retired pay;

''(B) any member of the Fleet Reserve or Fleet Marine Corps Reserve who served on active duty and who is entitled to retainer pay; and

''(C) any member of a reserve component of the Armed Forces who has served on active duty and who has received notice from the Secretary concerned under section 12731(d) of title 10 of eligibility for retired pay under chapter 1223 of title 10.

''(2) The term 'former member of the Armed Forces' includes a person whose service is considered active duty service pursuant to a determination of the Secretary of Defense under section 401 of Public Law 95–202 (38 U.S.C. 106 note).

''(3) The term 'Superintendent' means the Superintendent of Arlington National Cemetery.''.

(2) The table of sections at the beginning of chapter 24 is amended by adding at the end the following new item:

''2412. Arlington National Cemetery: persons eligible for burial.''.

(b) PUBLICATION OF UPDATED PAMPHLET.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Army shall publish an updated pamphlet describing eligibility for burial in Arlington National Cemetery. The pamphlet shall reflect the provisions of section 2412 of title 38, United States Code, as added by subsection (a).

(c) TECHNICAL AMENDMENTS.—Section 2402(7) is amended—

(1) by inserting ''(or but for age would have been entitled)'' after ''was entitled'';

(2) by striking ''chapter 67'' and inserting ''chapter 1223''; and

(3) by striking ''or would have been entitled to'' and all that follows and inserting a period.

(d) EFFECTIVE DATE.—Section 2412 of title 38, United States Code, as added by subsection (a), shall apply with respect to individuals dying on or after the date of the enactment of this Act.

SEC. 303. PERSONS ELIGIBLE FOR PLACEMENT IN THE COLUMBARIUM IN ARLINGTON NATIONAL CEMETERY.

(a) IN GENERAL.—(1) Chapter 24 is amended by adding after section 2412, as added by section 302(a)(1) of this Act, the following new section:

''§ 2413. Arlington National Cemetery: persons eligible for placement in columbarium

''(a) ELIGIBILITY.—The cremated remains of the following individuals may be placed in the columbarium in Arlington National Cemetery:

''(1) A person eligible for burial in Arlington National Cemetery under section 2412 of this title.

''(2)(A) A veteran whose last period of active duty service (other than active duty for training) ended honorably.

''(B) The spouse, surviving spouse, minor child, and, at the discretion of the Superintendent of Arlington National Cemetery, unmarried adult child of such a veteran.

''(b) SPOUSE.—Section 2412(d) of this title shall apply to a spouse under this section in the same manner as it applies to a spouse under section 2412 of this title.''.

(2) The table of sections at the beginning of chapter 24 is amended by adding after section 2412, as added by section 302(a)(2) of this Act, the following new item:

''2413. Arlington National Cemetery: persons eligible for placement in columbarium.''.

(b) EFFECTIVE DATE.—Section 2413 of title 38, United States Code, as added by subsection (a), shall apply with respect to individuals dying on or after the date of the enactment of this Act.

Subtitle B—World War II Memorial

SEC. 311. SHORT TITLE.

This subtitle may be cited as the ''World War II Memorial Completion Act''.

SEC. 312. FUND RAISING BY AMERICAN BATTLE MONUMENTS COMMISSION FOR WORLD WAR II MEMORIAL.

(a) CODIFICATION OF EXISTING AUTHORITY; EXPANSION OF AUTHORITY.—(1) Chapter 21 of title 36, United States Code, is amended by adding at the end the following new section:

''§ 2113. World War II memorial in the District of Columbia

''(a) DEFINITIONS.—In this section:

''(1) The term 'World War II memorial' means the memorial authorized by Public Law 103–32 (107 Stat. 90) to be established by the American Battle Monuments Commission on Federal land in the District of Columbia or its environs to honor members of the Armed Forces who served in World War II and to commemorate the participation of the United States in that war.

''(2) The term 'Commission' means the American Battle Monuments Commission.

''(3) The term 'memorial fund' means the fund created by subsection (c).

''(b) SOLICITATION AND ACCEPTANCE OF CONTRIBUTIONS.—Consistent with the authority of the Commission under section 2103(e) of this title, the Commission shall solicit and accept contributions for the World War II memorial.

''(c) CREATION OF MEMORIAL FUND.—(1) There is hereby created in the Treasury a fund for the World War II memorial, which shall consist of the following:

''(A) Amounts deposited, and interest and proceeds credited, under paragraph (2).

''(B) Obligations obtained under paragraph (3).

''(C) The amount of surcharges paid to the Commission for the World War II memorial under the World War II 50th Anniversary Commemorative Coins Act.

''(D) Amounts borrowed using the authority provided under subsection (e).

''(E) Any funds received by the Commission under section 2103(l) of this title in exchange for use of, or the right to use, any mark, copyright or patent.

''(2) The Chairman of the Commission shall deposit in the memorial fund the amounts accepted as contributions under subsection (b). The Secretary of the Treasury shall credit to the memorial fund the interest on, and the proceeds from sale or redemption of, obligations held in the memorial fund.

''(3) The Secretary of the Treasury shall invest any portion of the memorial fund that, as determined by the Chairman of the Commission, is not required to meet current expenses. Each investment shall be made in an interest bearing obligation of the United States or an obligation guaranteed as to principal and interest by the United States that, as determined by the Chairman of the Commission, has a maturity suitable for the memorial fund.

''(d) USE OF MEMORIAL FUND.—The memorial fund shall be available to the Commission for—

''(1) the expenses of establishing the World War II memorial, including the maintenance and preservation amount provided for in section 8(b) of the Commemorative Works Act (40 U.S.C. 1008(b));

''(2) such other expenses, other than routine maintenance, with respect to the World War II memorial as the Commission considers warranted; and

''(3) to secure, obtain, register, enforce, protect, and license any mark, copyright or patent that is owned by, assigned to, or licensed to the Commission under section 2103(l) of this title to aid or facilitate the construction of the World War II memorial.

''(e) SPECIAL BORROWING AUTHORITY.—(1) To assure that groundbreaking, construction, and dedication of the World War II memorial are completed on a timely basis, the Commission may borrow money from the Treasury of the United States in such amounts as the Commission considers necessary, but not to exceed a total of $65,000,000. Borrowed amounts shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding marketable obligations of the United States of comparable maturities during the month preceding the month in which the obligations of the Commission are issued. The interest payments on such obligations may be deferred with the approval of the Secretary of the Treasury, but any interest payment so deferred shall also bear interest.

''(2) The borrowing of money by the Commission under paragraph (1) shall be subject to such maturities, terms, and conditions as may be agreed upon by the Commission and the Secretary of the Treasury, except that the maturities may not exceed 20 years and such borrowings may be redeemable at the option of the Commission before maturity.

''(3) The obligations of the Commission shall be issued in amounts and at prices approved by the Secretary of the Treasury. The authority of the Commission to issue obligations under this subsection shall remain available without fiscal year limitation. The Secretary of the Treasury shall purchase any obligations of the Commission to be issued under this subsection, and for such purpose the Secretary of the Treasury may use as a public debt transaction of the United States the proceeds from the sale of any securities issued under chapter 31 of title 31. The purposes for which securities may be issued under such chapter are extended to include any purchase of the Commission's obligations under this subsection.

''(4) Repayment of the interest and principal on any funds borrowed by the Commission under paragraph (1) shall be made from amounts in the memorial fund. The Commission may not use for such purpose any funds appropriated for any other activities of the Commission.

''(f) TREATMENT OF BORROWING AUTHORITY.—In determining whether the Commission has sufficient funds to complete construction of the World War II memorial, as required by section 8 of the Commemorative

Works Act (40 U.S.C. 1008), the Secretary of the Interior shall consider the funds that the Commission may borrow from the Treasury under subsection (e) as funds available to complete construction of the memorial, whether or not the Commission has actually exercised the authority to borrow such funds.

''(g) VOLUNTARY SERVICES.—(1) Notwithstanding section 1342 of title 31, the Commission may accept from any person voluntary services to be provided in furtherance of the fund-raising activities of the Commission relating to the World War II memorial.

''(2) A person providing voluntary services under this subsection shall be considered to be a Federal employee for purposes of chapter 81 of title 5, relating to compensation for work-related injuries, and chapter 171 of title 28, relating to tort claims. A volunteer who is not otherwise employed by the Federal Government shall not be considered to be a Federal employee for any other purpose by reason of the provision of such voluntary service, except that any volunteers given responsibility for the handling of funds or the carrying out of a Federal function are subject to the conflict of interest laws contained in chapter 11 of title 18, and the administrative standards of conduct contained in part 2635 of title 5, Code of Federal Regulations.

''(3) The Commission may provide for reimbursement of incidental expenses which are incurred by a person providing voluntary services under this subsection. The Commission shall determine which expenses are eligible for reimbursement under this paragraph.

''(4) Nothing in this subsection shall be construed to require Federal employees to work without compensation or to allow the use of volunteer services to displace or replace Federal employees.

''(h) TREATMENT OF CERTAIN CONTRACTS.—A contract entered into by the Commission for the design or construction of the World War II memorial is not a funding agreement as that term is defined in section 201 of title 35.

''(i) EXTENSION OF AUTHORITY TO ESTABLISH MEMORIAL.—Notwithstanding section 10 of the Commemorative Works Act (40 U.S.C. 1010), the legislative authorization for the construction of the World War II memorial contained in Public Law 103–32 (107 Stat. 90) shall not expire until December 31, 2005.''.

(2) The table of sections at the beginning of chapter 21 of title 36, United States Code, is amended by adding at the end the following new item:

''2113. World War II memorial in the District of Columbia.''.

(b) CONFORMING AMENDMENTS.—Public Law 103–32 (107 Stat. 90) is amended by striking sections 3, 4, and 5.

(c) EFFECT OF REPEAL OF CURRENT MEMORIAL FUND.—Upon the date of the enactment of this Act, the Secretary of the Treasury shall transfer amounts in the fund created by section 4(a) of Public Law 103–32 (107 Stat. 91) to the fund created by section 2113 of title 36, United States Code, as added by subsection (a).

SEC. 313. GENERAL AUTHORITY OF AMERICAN BATTLE MONUMENTS COMMISSION TO SOLICIT AND RECEIVE CONTRIBUTIONS.

Subsection (e) of section 2103 of title 36, United States Code, is amended to read as follows:

''(e) SOLICITATION AND RECEIPT OF CONTRIBUTIONS.—(1) The Commission may solicit and receive funds and in-kind donations and gifts from any State, municipal, or private source to carry out the purposes of this chapter. The Commission shall deposit such funds in a separate account in the Treasury. Funds from this account shall be disbursed upon vouchers approved by the Chairman of the Commission as well as by a Federal official authorized to sign payment vouchers.

''(2) The Commission shall establish written guidelines setting forth the criteria to be used in determining whether the acceptance of funds and in-kind donations and gifts under paragraph (1) would—

''(A) reflect unfavorably on the ability of the Commission, or any employee of the Commission, to carry out the responsibilities or official duties of the Commission in a fair and objective manner; or

''(B) compromise the integrity or the appearance of the integrity of the programs of the Commission or any official involved in those programs.''.

SEC. 314. INTELLECTUAL PROPERTY AND RELATED ITEMS.

Section 2103 of title 36, United States Code, is amended by adding at the end the following new subsection:

''(1) INTELLECTUAL PROPERTY AND RELATED ITEMS.—(1) The Commission may—

''(A) adopt, use, register, and license trademarks, service marks, and other marks;

''(B) obtain, use, register, and license the use of copyrights consistent with section 105 of title 17;

''(C) obtain, use, and license patents; and

''(D) accept gifts of marks, copyrights, patents and licenses for use by the Commission.

''(2) The Commission may grant exclusive and nonexclusive licenses in connection with any mark, copyright, patent, or license for the use of such mark, copyright or patent, except to extent the grant of such license by the Commission would be contrary to any contract or license by which the use of such mark, copyright or patent was obtained.

''(3) The Commission may enforce any mark, copyright, or patent by an action in the district courts under any law providing for the protection of such marks, copyrights, or patents.

''(4) The Attorney General shall furnish the Commission with such legal representation as the Commission may require under paragraph (3). The Secretary of Defense shall provide representation for the Commission in administrative proceedings before the Patent and Trademark Office and Copyright Office.

''(5) Section 203 of title 17 shall not apply to any copyright transferred in any manner to the Commission.''.

TITLE IV—UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SEC. 401. TEMPORARY SERVICE OF CERTAIN JUDGES OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS UPON EXPIRATION OF THEIR TERMS OR RETIREMENT.

(a) AUTHORITY FOR TEMPORARY SERVICE.—(1) Notwithstanding subsection (c) of section 7253 of title 38, United States Code, and subject to the provisions of this section, a judge of the Court whose term on the Court expires in 2004 or 2005 and completes such term, or who retires from the Court under section 7296(b)(1) of such title, may continue to serve on the Court after the expiration of the judge's term or retirement, as the case may be, without reappointment for service on the Court under such section 7253.

(2) A judge may continue to serve on the Court under paragraph (1) only if the judge submits to the chief judge of the Court written notice of an election to so serve 30 days before the earlier of—

(A) the expiration of the judge's term on the Court as described in that paragraph; or

(B) the date on which the judge meets the age and service requirements for eligibility for retirement set forth in section 7296(b)(1) of such title.

(3) The total number of judges serving on the Court at any one time, including the judges serving under this section, may not exceed 7.

(b) PERIOD OF TEMPORARY SERVICE.—(1) The service of a judge on the Court under this section may continue until the earlier of—

(A) the date that is 30 days after the date on which the chief judge of the Court submits to the President and Congress a written certification based on the projected caseload of the Court that the work of the Court can be performed in a timely and efficient manner by judges of the Court under this section who are senior on the Court to the judge electing to continue to provide temporary service under this section or without judges under this section; or

(B) the date on which the person appointed to the position on the Court occupied by the judge under this section is qualified for the position.

(2) Subsections (f) and (g) of section 7253 of title 38, United States Code, shall apply with respect to the service of a judge on the Court under this section.

(c) TEMPORARY SERVICE IN OTHER POSITIONS.—(1) If on the date that the person appointed to the position on the Court occupied by a judge under this section is qualified another position on the Court is vacant, the judge may serve in such other position under this section.

(2) If two or more judges seek to serve in a position on the Court in accordance with paragraph (1), the judge senior in service on the Court shall serve in the position under that paragraph.

(d) COMPENSATION.—(1) Notwithstanding any other provision of law, a person whose service as a judge of the Court continues under this section shall be paid for the period of service under this section an amount as follows:

(A) In the case of a person eligible to receive retired pay under subchapter V of chapter 72 of title 38, United States Code, or a retirement annuity under subchapter III of chapter 83 or subchapter II of chapter 84 of title 5, United States Code, as applicable, an amount equal to one-half of the amount of the current salary payable to a judge of the Court under chapter 72 of title 38, United States Code, having a status on the Court equivalent to the highest status on the Court attained by the person.

(B) In the case of a person not eligible to receive such retired pay or such retirement annuity, an amount equal to the amount of current salary payable to a judge of the Court under such chapter 72 having a status on the Court equivalent to the highest status on the Court attained by the person.

(2) Amounts paid under this subsection to a person described in paragraph (1)(A)—

(A) shall not be treated as—

(i) compensation for employment with the United States for purposes of section 7296(e) of title 38, United States Code, or any provision of title 5, United States Code, relating to the receipt or forfeiture of retired pay or retirement annuities by a person accepting compensation for employment with the United States; or

(ii) pay for purposes of deductions or contributions for or on behalf of the person to retired pay under subchapter V of chapter 72

of title 38, United States Code, or under chapter 83 or 84 of title 5, United States Code, as applicable; but

(B) may, at the election of the person, be treated as pay for purposes of deductions or contributions for or on behalf of the person to a retirement or other annuity, or both, under subchapter V of chapter 72 of title 38, United States Code, or under chapter 83 or 84 of title 5, United States Code, as applicable.

(3) Amounts paid under this subsection to a person described in paragraph (1)(B) shall be treated as pay for purposes of deductions or contributions for or on behalf of the person to retired pay or a retirement or other annuity under subchapter V of chapter 72 of title 38, United States Code, or under chapter 83 or 84 of title 5, United States Code, as applicable.

(4) Amounts paid under this subsection shall be derived from amounts available for payment of salaries and benefits of judges of the Court.

(e) CREDITABLE SERVICE.—(1) The service as a judge of the Court under this section of a person who makes an election provided for under subsection (d)(2)(B) shall constitute creditable service toward the judge's years of judicial service for purposes of section 7297 of title 38, United States Code, with such service creditable at a rate equal to the rate at which such service would be creditable for such purposes if served by a judge of the Court under chapter 72 of that title.

(2) The service as a judge of the Court under this section of a person paid salary under subsection (d)(1)(B) shall constitute creditable service of the person toward retirement under subchapter V of chapter 72 of title 38, United States Code, or subchapter III of chapter 83 or subchapter II of chapter 84 of title 5, United States Code, as applicable.

(f) ELIGIBILITY FOR ADDITIONAL SERVICE.—The service of a person as a judge of the Court under this section shall not affect the eligibility of the person for appointment to an additional term or terms on the Court, whether in the position occupied by the person under this section or in another position on the Court.

(g) TREATMENT OF PARTY MEMBERSHIP.—For purposes of determining compliance with the last sentence of section 7253(b) of title 38, United States Code, the party membership of a judge serving on the Court under this section shall not be taken into account.

SEC. 402. MODIFIED TERMS FOR CERTAIN JUDGES OF UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

(a) MODIFIED TERMS.—Notwithstanding section 7253(c) of title 38, United States Code, the term of any judge of the Court who is appointed to a position on the Court that becomes vacant in 2004 shall be 13 years.

(b) ELIGIBILITY FOR RETIREMENT.—(1) For purposes of determining the eligibility to retire under section 7296 of title 38, United States Code, of a judge appointed as described in subsection (a)—

(A) the age and service requirements in the table in paragraph (2) shall apply to the judge instead of the age and service requirements in the table in subsection (b)(1) of that section that would otherwise apply to the judge; and

(B) the minimum years of service applied to the judge for eligibility to retire under the first sentence of subsection (b)(2) of that section shall be 13 years instead of 15 years.

(2) The age and service requirements in this paragraph are as follows:

The judge has attained age:	And the years of service as a judge are at least
65	13
66	13
67	13
68	12
69	11
70	10

SEC. 403. TEMPORARY AUTHORITY FOR VOLUNTARY SEPARATION INCENTIVES FOR CERTAIN JUDGES ON UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.

(a) TEMPORARY AUTHORITY.—A voluntary separation incentive payment may be paid in accordance with this section to any judge of the Court described in subsection (c).

(b) AMOUNT OF INCENTIVE PAYMENT.—The amount of a voluntary separation incentive payment paid to a judge under this section shall be $25,000.

(c) COVERED JUDGES.—A voluntary separation incentive payment may be paid under this section to any judge of the Court who—

(1) meets the age and service requirements for retirement set forth in section 7296(b)(1) of title 38, United States Code, as of the date on which the judge retires from the Court;

(2) submits a notice of an intent to retire in accordance with subsection (d); and

(3) retires from the Court under that section not later than 30 days after the date on which the judge meets such age and service requirements.

(d) NOTICE OF INTENT TO RETIRE.—(1) A judge of the Court seeking payment of a voluntary separation incentive payment under this section shall submit to the President and Congress a timely notice of an intent to retire from the Court, together with a request for payment of the voluntary separation incentive payment.

(2) A notice shall be timely submitted under paragraph (1) only if submitted—

(A) not later than one year before the date of retirement of the judge concerned from the Court; or

(B) in the case of a judge whose retirement from the Court will occur less than one year after the date of the enactment of this Act, not later than 30 days after the date of the enactment of this Act.

(e) DATE OF PAYMENT.—A voluntary separation incentive payment may be paid to a judge of the Court under this section only upon the retirement of the judge from the Court.

(f) TREATMENT OF PAYMENT.—A voluntary separation incentive payment paid to a judge under this section shall not be treated as pay for purposes of contributions for or on behalf of the judge to retired pay or a retirement or other annuity under subchapter V of chapter 72 of title 38, United States Code.

(g) ELIGIBILITY FOR TEMPORARY SERVICE ON COURT.—A judge seeking payment of a voluntary separation incentive payment under this section may serve on the Court under section 401 if eligible for such service under that section.

(h) SOURCE OF PAYMENTS.—Amounts for voluntary separation incentive payments under this section shall be derived from amounts available for payment of salaries and benefits of judges of the Court.

(i) EXPIRATION OF AUTHORITY.—A voluntary separation incentive payment may not be paid under this section to a judge who retires from the Court after December 31, 2002.

SEC. 404. DEFINITION.

In this title, the term ''Court'' means the United States Court of Appeals for Veterans Claims.

The title was amended so as to read: ''A bill To amend title 38, United States Code, to enhance programs providing health care and other benefits for veterans, to authorize major medical facility projects, to reform eligibility for burial in Arlington National Cemetery, and for other purposes.''.

ORDER FOR STAR PRINT—S. 1547

Mr. BROWNBACK. Madam President, I ask unanimous consent that S. 1547 be star printed with the changes that are at the desk.

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

ORDERS FOR THURSDAY, SEPTEMBER 9, 1999

Mr. BROWNBACK. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until the hour of 9:30 a.m. on Thursday, September 9. I further ask consent that on Thursday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate immediately begin three consecutive votes as previously ordered.

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

PROGRAM

Mr. BROWNBACK. For the information of all Senators, the Senate will convene at 9:30 a.m. and begin a series of three stacked votes. The first vote is on cloture on the motion to proceed to the Transportation appropriations bill. That will be followed by a vote on or in relation to the Bond amendment, No. 1621, and, third, the Robb amendment, No. 1583. Following the votes, the Senate will resume consideration of the pending Hutchison amendment regarding oil royalties. Further amendments and votes are expected throughout tomorrow's session of the Senate, with the anticipation of completing action on the bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWNBACK. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:37 p.m., adjourned until Thursday, September 9, 1999, at 9:30 a.m.

NOMINATIONS

EXECUTIVE NOMINATIONS RECEIVED BY THE SENATE SEPTEMBER 8, 1999:

DEPARTMENT OF THE TREASURY

JAY JOHNSON, OF WISCONSIN, TO BE DIRECTOR OF THE MINT FOR A TERM OF FIVE YEARS, VICE PHILIP N. DIEHL, TERM EXPIRED.

AFRICAN DEVELOPMENT BANK

WILLENE A. JOHNSON, OF NEW YORK, TO BE UNITED STATES DIRECTOR OF THE AFRICAN DEVELOPMENT BANK FOR A TERM OF FIVE YEARS, VICE ALICE MARIE DEAR, TERM EXPIRED.

DEPARTMENT OF STATE

JOSEPH W. PRUEHER, OF TENNESSEE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF CHINA.

DEPARTMENT OF JUSTICE

MARK REID TUCKER, OF NORTH CAROLINA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE WILLIAM I. BERRYHILL, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. THOMAS A. SCHWARTZ, 0000.

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

GEORGE CARNER, OF CALIFORNIA
WILLIAM S. RHODES, OF VIRGINIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

ELENA BRINEMAN, OF VIRGINIA
LISA CHILES, OF THE DISTRICT OF COLUMBIA
DIRK W. DIJKERMAN, OF NEW YORK
LEWIS W. LUCKE, OF TEXAS
WALTER E. NORTH, OF WASHINGTON

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

JAMES R. BONNELL, OF VIRGINIA
DAVID E. ECKERSON, OF WASHINGTON
WILLIAM A. JEFFERS, OF FLORIDA
RODNEY W. JOHNSON, OF VIRGINIA
DEBRA D. MC FARLAND, OF FLORIDA
B. EILENE OLDWINE, OF NEW YORK
MARY CATHERINE OTT, OF MARYLAND
MICHAEL CROOKS TROTT, OF VIRGINIA
STEVEN G. WISECARVER, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

JOHNNIE CARSON, OF ILLINOIS
RYAN CLARK CROCKER, OF WASHINGTON
MARC I. GROSSMAN, OF VIRGINIA
DONNA JEAN HRINAK, OF PENNSYLVANIA
A. ELIZABETH JONES, OF MARYLAND
B. LYNN PASCOE, OF MISSOURI

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

MICHAEL R. ARIETTI, OF CONNECTICUT
JOHN R. BACA, OF TEXAS
ROBYN M. BISHOP, OF FLORIDA
WILLIAM J. BRENCICK, OF MISSOURI
STEVEN ROBERT BUCKLER, OF NEW HAMPSHIRE
R. NICHOLAS BURNS, OF VIRGINIA
SHAUN M. BYRNES, OF CALIFORNIA
JAMES C. CASON, OF FLORIDA
RICHARD A. CHRISTENSON, OF WISCONSIN
JOHN R. DAWSON, OF NEW YORK
ALAN W. EASTHAM, JR., OF ARKANSAS
ERIC S. EDELMAN, OF VIRGINIA
M. MICHAEL EINIK, OF VIRGINIA
W. DOUGLAS FRANK, OF MARYLAND
DANIEL FRIED, OF THE DISTRICT OF COLUMBIA
MICHAEL F. GALLAGHER, OF PENNSYLVANIA
MAURA HARTY, OF FLORIDA
KEVIN F. HERBERT, OF NEW YORK
CHRISTOPHER ROBERT HILL, OF RHODE ISLAND
DAVID T. HOPPER, OF VIRGINIA
FRANKLIN HUDDLE, JR., OF CALIFORNIA
VICKI J. HUDDLESTON, OF MARYLAND
MARIE T. HUHTALA, OF CALIFORNIA
DAVID TIMOTHY JOHNSON, OF TEXAS
WAYNE E. JULIAN, OF TEXAS
SCOTT MARK KENNEDY, OF CALIFORNIA
JIMMY J. KOLKER, OF SOUTH DAKOTA
GEORGE C. LANNON, OF TEXAS
JOSEPH ROBERT MANZANARES, OF COLORADO
THOMAS H. MARTIN, OF CALIFORNIA
NANCY M. MASON, OF THE DISTRICT OF COLUMBIA
BARBRO A. OWENS-KIRKPATRICK, OF CALIFORNIA
GARY DEAN PENNER, OF NEBRASKA
STEVEN KARL PIFER, OF CALIFORNIA
MICHAEL CHRISTIAN POLT, OF TENNESSEE
WILLIAM PINCKNEY POPE, OF VIRGINIA
NANCY J. POWELL, OF IOWA
TIMOTHY E. RODDY, OF VIRGINIA
VLADIMIR PETER SAMBAIEW, OF TEXAS
STEPHEN A. SCHLAIKJER, OF FLORIDA
DEBORAH RUTH SCHWARTZ, OF MARYLAND
CATHERINE MUNNELL SMITH, OF CONNECTICUT
ROBERT J. SMOLIK, OF CALIFORNIA
TERRY R. SNELL, OF WASHINGTON
JAMES VANDERHOFF, OF TEXAS
LINDA E. WATT, OF VIRGINIA
GRETCHEN GERWE WELCH, OF CALIFORNIA
WALLACE RAY WILLIAMS, OF WASHINGTON

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AND FOR APPOINTMENT AS CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE, AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

BERNARD ALTER, OF COLORADO
DIANNEMCINTYRE ANDRUCH, OF ARIZONA
KAY L. ANSKE, OF TEXAS
KATHLEEN THERESE AUSTIN, OF THE DISTRICT OF COLUMBIA
PERRY EDWIN BALL, OF GEORGIA
MARCIA S. BERNICAT, OF NEW JERSEY
JANET L. BOGUE, OF WASHINGTON
TERRY ALAN BREESE, OF CALIFORNIA
JUDSON L. BRUNS III, OF COLORADO
DONALD CAMP, OF MARYLAND
ROBERT F. CEKUTA, OF NEW YORK
HARLAN K. COHEN, OF CONNECTICUT
FREDERICK BISHOP COOK, OF FLORIDA
BOHDAN DMYTREWYCZ, OF VIRGINIA
EDWARD K. H. DONG, OF CALIFORNIA
STEPHEN ANTHONY EDSON, OF KANSAS
JAMES A. FORBES, OF NEVADA
JAMES JOHN FOSTER, OF THE DISTRICT OF COLUMBIA
DEBORAH E. GRAZE, OF VIRGINIA
ROSEMARY ELLEN HANSEN, OF VIRGINIA
JOHN J. HARTLEY II, OF SOUTH CAROLINA
JOSEPH HILLIARD, JR., OF WASHINGTON
JOSEPH HUGGINS, OF THE DISTRICT OF COLUMBIA
MIRIAM KAHAL HUGHES, OF FLORIDA
MARK HANSLEY JACKSON, OF FLORIDA
JAMES ROBERT KEITH, OF FLORIDA
GEORGE ALBERT KROL, OF NEW JERSEY
HELEN R. MEAGHER LALIME, OF FLORIDA
ROBERT G. LOFTIS, OF COLORADO
STEPHEN GEORGE MC FARLAND, OF TEXAS
JAMES D. MC GEE, OF INDIANA
WILLIAM J. MC GLYNN, JR., OF VIRGINIA
P. MICHAEL MC KINLEY, OF CONNECTICUT
JOHN L. MORAN, OF NEW YORK
JOSEPH ADAMO MUSSOMELI, OF TEXAS
DAVID DANIEL NELSON, OF SOUTH DAKOTA
WANDA LETITIA NESBITT, OF PENNSYLVANIA
STEPHEN VANCE NOBLE, OF VERMONT
VICTORIA NULAND, OF CONNECTICUT
MAURICE S. PARKER, OF CALIFORNIA
HOWARD T. PERLOW, OF VIRGINIA
JUNE CARTER PERRY, OF THE DISTRICT OF COLUMBIA
LOUIS M. POSSANZA, OF VIRGINIA
CHARLES AARON RAY, OF TEXAS
JOHN ALEXANDER RITCHIE, OF VIRGINIA
CAROL ANN RODLEY, OF MAINE
EARLE ST. AUBIN SCARLETT, OF CALIFORNIA
JACK DAVID SEGAL, OF CALIFORNIA
THOMAS ALFRED SHANNON, JR., OF FLORIDA
PAMELA JO H. SLUTZ, OF TEXAS
DAVID CARTER STEWART, OF TEXAS
HOWARD STOFFER, OF NEW YORK
ELEANOR BLY SUTTER, OF NEW YORK
BRUCE EDWIN THOMAS, OF CALIFORNIA
THOMAS JOSEPH TIERNAN, OF ILLINOIS
CRAIG STUART TYMESON, OF FLORIDA
CAROL VAN VOORST, OF VIRGINIA
PHILIP R. WALL, OF WASHINGTON
DONALD EUGENE WELLS, OF ILLINOIS
GEORGE MC DONALD WHITE, OF INDIANA
JAMES G. WILLIARD, OF FLORIDA
JAMES HOWARD YELLIN, OF PENNSYLVANIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

M. AUDREY ANDERSON, OF OREGON
TONY R. BELL, OF TEXAS
JACK A. BLAIR, JR., OF VIRGINIA
GERALD L. DE SALVO, OF FLORIDA
MARTIN T. DONNELLY, OF VIRGINIA
JOHN F. DURBIN, OF OHIO
BARBARA L. KOCH, OF NEW YORK
JAMES A. MC WHIRTER, OF FLORIDA
GRETCHEN A. MC COY, OF NEBRASKA
RONALD L. MILLER, OF MICHIGAN
RALPH W. MOORE, OF FLORIDA
JOE D. MORTON, OF MARYLAND
JOHN C. MURPHY, OF VIRGINIA
ALAN M. NATHANSON, OF VIRGINIA
SUSAN H. SWART, OF FLORIDA

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED, AND ALSO FOR THE OTHER APPOINTMENTS INDICATED HEREWITH:

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

RUEBEN MICHAEL RAFFERTY, OF VIRGINIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

RICHARD R. CRAIG, OF CONNECTICUT

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

SANFORD N. OWENS, OF WASHINGTON
GREGORY S. TAEVS, OF CALIFORNIA

DEPARTMENT OF STATE

JANET L. HENNEKE, OF TEXAS

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS THREE, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, EFFECTIVE JUNE 28, 1996:

DONALD LEROY MOORE, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF CLASS FOUR, CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

VICTORIA ANNE LIEBER ALVARADO, OF CALIFORNIA
INDRAN J. AMIRTHANAYAGAM, OF NEW YORK
DANIEL BAZAN, OF TEXAS
WILLIAM DAVID BENT, OF MASSACHUSETTS
DAVID C. BROOKS, OF CONNECTICUT
ROBIN D. DIALLO, OF CALIFORNIA
PATRICIA L. FIETZ, OF NEW YORK
NICHOLAS JOSEPH GIACOBBE, JR., OF VIRGINIA
ANTHONY R. GIOVANNIELLO, OF CALIFORNIA
KATHARINA P. GOLLNER-SWEET, OF VIRGINIA
PATRICIA H.H. GUY, OF FLORIDA
ALAN RAND HOLST, OF TEXAS
VICTOR J. HUSER, OF TEXAS
FARNAZ KHADEM, OF CALIFORNIA
ARTHUR H. MARQUARDT, OF MICHIGAN
VONDA GAY NICHOLS, OF TEXAS
CHRISTOPHER GREGORY PALMER, OF VIRGINIA
GREGORY C. PATRICK, OF CALIFORNIA
DAVID MATTHEW PURL, OF CALIFORNIA
MARK M. SCHLACHTER, OF NEBRASKA
ANN G. SORAGHAN, OF VIRGINIA
DONN-ALLAN GERARD TITUS, OF FLORIDA
STEWARD D. TUTTLE, JR., OF CALIFORNIA
SUSAN M. WALSH, OF ALABAMA
WILLIAM J. WEISSMAN, OF CALIFORNIA
ROBERT A. ZIMMERMAN, OF NEW JERSEY

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE OF THE DEPARTMENTS OF COMMERCE AND STATE TO BE CONSULAR OFFICERS AND/OR SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, AS INDICATED:

CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JESSAMYN FAY ALLEN, OF TEXAS
JOSHUA C. ARCHIBALD, OF CALIFORNIA
DAVID ASHLEY BAGWELL, JR., OF ALABAMA
KIMBERLEY S. BARR, OF TEXAS
JOHN P. BARRY, JR., OF NEW YORK
MICHAEL C. BARRY, OF VIRGINIA
GREGORY W. BAYER, OF CONNECTICUT
MITCHELL PETER BENEDICT, OF VIRGINIA
NICHOLAS RICHARD BERLINER, OF CONNECTICUT
AUDU MARK E. BESMER, OF CONNECTICUT
DAVID B. BINGHAM, OF THE DISTRICT OF COLUMBIA
RICHARD LEE BUANGAN, OF CALIFORNIA
AMY CHRISTINE CARLON, OF TEXAS
AMY A. CARNIE, OF NEW HAMPSHIRE
LEE FRANCIS CISSNA, OF MARYLAND
DAVID L. CITRON, OF VIRGINIA
JOHN DAVID COCKRELL, OF OHIO
THOMAS MCKINNEY COLEMAN II, OF MISSISSIPPI
ARTHUR F. COLETTA, OF MARYLAND
ROBERT ALLYN COLLINS, OF TEXAS
CARLOS REX CRIGGER, OF VIRGINIA
JASON R. CUBAS, OF FLORIDA
AIMEE CUTRONA, OF CALIFORNIA
CHARLES W. DAVIS, JR., OF TEXAS
ROBERT ANDREW DICKSON III, OF VIRGINIA
MATTHEW S. DOLBOW, OF CONNECTICUT
J. BRIAN DUGGAN, OF TEXAS
DEBRA L. DYMERSKY, OF VIRGINIA
DANIEL W. EBERT, OF VIRGINIA
MARK DARYL ERICKSON, OF NEW HAMPSHIRE
JOHN LEE ESPINOZA, OF TEXAS
JAMES DOUGLAS FELLOWS, OF MARYLAND
AARON D. FISHMAN, OF THE DISTRICT OF COLUMBIA

THOMAS R. FLADLAND, OF SOUTH DAKOTA
ANDREW L. FLASHBERG, OF CALIFORNIA
ALAN GUNNAR FREY, OF VIRGINIA
LYNNE BRETT GADKOWSKI, OF NEW HAMPSHIRE
DOUGLAS B. GALLOWAY, OF MARYLAND
GREGORY NELSON GARDNER, OF CALIFORNIA
GREGORY LAWRENCE GARLAND, OF FLORIDA
BRIAN JOSEPH GEORGE, OF COLORADO
ROBERT W. GERBER, OF NORTH CAROLINA
ETHAN GLICK, OF MARYLAND
ANN M. GOUGH, OF MASSACHUSETTS
SIMON R. HANKINSON, OF FLORIDA
KEITH LEE HEFFERN, OF VIRGINIA
MAURA F. HENNESSY-SHAW, OF THE DISTRICT OF COLUMBIA
J. DENVER HERREN, OF OKLAHOMA
CHING-HSIU SHERRY HONG, OF FLORIDA
WILLIAM DENNIS HOWARD, OF CALIFORNIA
BRIAN D. JENSEN, OF CALIFORNIA
NATHANIEL GRAHAM JENSEN, OF NEW HAMPSHIRE
WILLIAM B. JOHNSON, OF FLORIDA
JANICE L. JORDAN, OF VIRGINIA
EMIRA C. KASEM, OF VIRGINIA
ROBERT EARL KEMP, OF KENTUCKY
CLIFFORD T. KNIGHT, OF VIRGINIA
JONATHAN KORACH, OF VIRGINIA
WILLIAM HENRY LAITINEN, OF THE DISTRICT OF COLUMBIA
DAVID MICHAEL LAMONTAGNE, OF NORTH CAROLINA
MICHAEL E. LATHAM, OF VIRGINIA
MICHAEL JOHN LAYNE, OF VIRGINIA
VAL J. LETELLIER, OF CALIFORNIA
TIMOTHY J. LUNARDI, OF PENNSYLVANIA
JOSEPH A. MARR, OF ILLINOIS
AMY MARIE MASON, OF MAINE
SARAH MICHELLE MATHAI, OF CONNECTICUT
LAURA ANN MC CALLUM, OF TEXAS
TERRY WILLIAM MC CONNAUGHEY, OF MARYLAND
MIKAEL C. MC COWAN, OF NEW YORK
DANIEL F. MC CULLOUGH, OF OHIO
ANDREW EUGENE MC DAVID, JR., OF COLORADO
KIMBERLY A. MC DONALD, OF VIRGINIA
JOHN ROSS MC GUIRE, OF VIRGINIA
KEVIN L. MC NEIL, OF TENNESSEE
JONATHAN R. MENNUTI, OF TEXAS
TODD H. MILLICK, OF MARYLAND
JOAQUIN F. MONSERRATE, OF PUERTO RICO
GREGORY R. C. MORRISON, OF THE DISTRICT OF COLUMBIA
AMANDA CELESTE MORROW, OF TEXAS
MARK MOTLEY, OF NEW YORK
HERRO K. MUSTAFA, OF VIRGINIA
JOHN H. NAEHER, OF VIRGINIA
CONSTANTINOS C. NICOLAIDIS, OF WASHINGTON
GLENN CARLYLE NYE III, OF VIRGINIA
NEIL M. O'CONNOR, OF MASSACHUSETTS
HUGUES OGIER, OF HAWAII
MORGAN ANDREW PARKER, OF MISSOURI
LIZA PETRUSH, OF THE DISTRICT OF COLUMBIA
ROBERT B. PICKELL, OF VIRGINIA
JENNIFER RASAMIMANANA, OF CALIFORNIA
CARL C. RISCH, OF PENNSYLVANIA
KAREN E. ROBBLEE, OF NEW YORK
ROBERT C. RUEHLE, OF NEW YORK
LINDA A. ROUSE, OF VIRGINIA
MEREDITH L. SAGER, OF VIRGINIA
SUZANNE R. SENE, OF VIRGINIA
KIER MAY SEXTON, OF VIRGINIA
EUGENIA MARIA SIDEREAS, OF ILLINOIS
CHARAZED SIOUD, OF MARYLAND
L. REECE SMYTH, JR., OF TEXAS
MICHAEL J. SOLBERG, OF ARKANSAS
MICHELLE A. SOLINSKY, OF WASHINGTON
SHAYNA STEINGER SINGH, OF IOWA
FOSTER STOLTE, OF MARYLAND
TODD R. STONE, OF COLORADO
SIMS THOMAS, OF OREGON
DU D. TRAN, OF THE DISTRICT OF COLUMBIA
ANDREW JASON TREGO, OF KANSAS
VALDA MAIJA VIKMANIS, OF MINNESOTA
CAROL J. VOLK, OF NEW YORK
AMY HART VRAMPAS, OF FLORIDA
PATRICIA M. WAGNER, OF TEXAS
PAUL SHANE WATZLAVICK, OF TEXAS
JONATHAN K. WEBSTER, OF THE DISTRICT OF COLUMBIA
JONATHAN CRAIG WEYER, OF NEW JERSEY
TODD M. WILCOX, OF FLORIDA
COOPER J. WIMMER, OF PENNSYLVANIA
AMY ELAINE WISGERHOF, OF CALIFORNIA
KAMI A. WITMER, OF PENNSYLVANIA
JENNIFER FOREST YANG, OF CALIFORNIA
HUGO YON, OF CALIFORNIA
FENWICK W. YU, OF MARYLAND
ZAID ABDULLAH ZAID, OF MARYLAND

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION IN THE SENIOR FOREIGN SERVICE AS INDICATED, EFFECTIVE DECEMBER 7, 1997:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

STEPHEN R. KELLY, OF NEW HAMPSHIRE

CONFIRMATIONS

Executive Nominations Confirmed by the Senate September 8, 1999:

THE JUDICIARY

ADALBERTO JOSE JORDAN, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

MARSHA J. PECHMAN, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON.

CARLOS MURGUIA, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS.

HOUSE OF REPRESENTATIVES—*Wednesday, September 8, 1999*

The House met at 10 a.m.

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

Your word, O God, calls us to do the works of justice and righteousness and we pray that the good words that we say with our lips may be believed in our hearts and may all that we believe in our hearts become the good works of our daily lives.

With all the competing interests that crowd our days, help us not lose sight of the goal of justice for every person; with all the voices that command our attention, let us hear Your still small voice calling us to alleviate the pain of the distressed, to feed the hungry, to give freedom to the oppressed and to honor and respect those whose circumstances are different than ours.

Bless us, O gracious God, this day and every day, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

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

Mr. BARRETT of Nebraska led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 9, 1999.

Hon. J. DENNIS HASTERT,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 9, 1999 at 5:02 p.m.

That the Senate agreed to conference report H.R. 1905.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON,
Deputy Clerk.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 9, 1999.

Hon. J. DENNIS HASTERT,
The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted to Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 6, 1999 at 10:44 a.m.

That the Senate passed without amendment H.R. 211; that the Senate passed without amendment H.R. 1219; that the Senate passed without amendment H.R. 2565.

With best wishes, I am

Sincerely,

MARTHA C. MORRISON,
Deputy Clerk.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, he signed the following enrolled bill on Thursday, August 5, 1999:

S. 606, for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), and for other purposes;

And the following enrolled bill on Friday, August 6, 1999:

H.R. 1664, providing emergency authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, and for other purposes;

And Speaker pro tempore WOLF signed the following enrolled bills on Tuesday, August 10, 1999:

H.R. 211, to designate the federal building and United States Courthouse located at 920 West Riverdale Avenue in Spokane, Washington, as the ''Thomas S. Foley United States Courthouse,'' and the plaza at the south entrance of such building and courthouse as the ''Walter F. Horan Plaza'';

H.R. 1219, to amend the Miller Act, relating to payment protections for persons providing labor and materials for federal construction projects;

H.R. 1568, to provide technical, financial, and procurement assistance to veteran owned small businesses, and for other purposes;

H.R. 1905, making appropriations for the legislative branch for the fiscal year ending September 30, 2000, and for other purposes;

H.R. 2565, to clarify the quorum requirement for the board of directors of the Export-Import Bank of the United States;

S. 507, to provide for the consideration and development of water and related resources, to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes;

S. 1543, to amend the Agricultural Adjustment Act of 1938 to release and protect the release of tobacco production and marketing information;

S. 1546, to amend the International Religious Freedom Act of 1998 to provide additional administrative authorities to the United States Commission on International Religious Freedom, and to make technical corrections to that act, and for other purposes.

APPOINTMENT OF MEMBER TO MIGRATORY BIRD COMMISSION

The SPEAKER. Pursuant to Section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a) and the order of the House of Thursday, August 5, 1999, and upon the recommendation of the minority leader, the Speaker on Wednesday, August 11, 1999, appointed the following Member of the House to the Migratory Bird Commission:

Mr. DINGELL, Michigan.

APPOINTMENT AS MEMBER TO INTERNATIONAL FINANCIAL INSTITUTION ADVISORY COMMISSION

The SPEAKER. Pursuant to 22 U.S.C 262r and the order of the House of Thursday, August 5, 1999, the Speaker on Wednesday, August 11, 1999, appointed the following individual on the part of the House to the International Financial Institution Advisory Commission to fill the existing vacancy thereon:

Mr. Lee Hoskins, Nevada.

COMMUNICATION FROM STAFF MEMBER OF THE OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

The SPEAKER laid before the House the following communication from Jack Katz, Office of Payroll of the Office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 24, 1999.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a subpoena for documents issued by the United States District Court for the Northern District of Florida.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena.

Sincerely,

JACK KATZ,
Office of Payroll.

EARTHQUAKES AND NUCLEAR WASTE REPOSITORIES, NOT A GOOD MIX

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

Mr. GIBBONS. Mr. Speaker, the two major earthquakes that hit Nevada on the morning of August 1 are further examples of why nuclear waste repositories should not, should not, be built at Yucca Mountain, Nevada.

Nevada officials that oversee the DOE operations at Yucca Mountain stated, and I quote, ''In our minds, it sort of speaks to the fact that DOE, or anyone else, cannot really predict with any confidence what is going to happen in the future,'' end quote.

The large earthquakes, registering between 5.6 and 5.2 in magnitude, occurred a relatively short distance from Yucca Mountain.

Mr. Speaker, there are 32 separate earthquake faults in the area and scientists have concluded that Yucca Mountain is capable of a magnitude 8.5 earthquake and poses too many risks and variables for adequate seismic design.

Clearly, common sense tells us one does not store nuclear waste in an area that ranks third in the country for seismic activity, an area that had more than 630 earthquakes in the last 20 years.

A recent editorial summed it up well when it stated, quote, ''Anyone who believes that it is safe to dump nuclear waste into that type of environment needs a brain scan,'' end quote.

Mr. Speaker, I yield back the balance of any time I may have, and the brains of the DOE that may be left to scan.

THE AMERICAN PEOPLE WANT AND DESERVE A FAIR AND RESPONSIBLE TAX CUT

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

Mr. KNOLLENBERG. Madam Speaker, the American people want and deserve fair and responsible tax relief for all taxpaying citizens. This balanced plan sets aside 75 cents of every dollar from the $3.3 trillion surplus to the important task of strengthening Social Security, reforming Medicare and paying down the national debt.

Our tax relief proposal also rebuilds our military and pays for other vital programs. Despite the demagoguery, the Republican tax relief bill does not, I repeat, it does not cut existing programs to pay for itself. The fact is that 25 cents of each overpaid surplus tax dollar is returned back to the American people. It is their money, and they very much deserve to be refunded for a part of the surplus over the course of the next 10 years.

This is very important, too. I remind my colleagues that none of this tax relief will be realized if first the surplus does not materialize. With taxes at an all time high, with the Government in the black, I urge the administration to embrace this responsible approach and rethink their veto strategy on behalf of the American taxpayers. It is not too late for this administration to do the right thing.

THE BARBAROUS OPPRESSION OF THE PEOPLE OF EAST TIMOR IS INTOLERABLE

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

Mr. FRANK of Massachusetts. Madam Speaker, the government of Indonesia should be made to understand the terrible consequences it will pay if it continues the barbarous oppression of the people of East Timor. It is simply intolerable for the world to stand by and allow people to be slaughtered wantonly because they express their democratic right to claim their independence.

I have spent a great deal of my time as a Member here on matters involving the International Monetary Fund and the World Bank. I want to serve notice now, I know I speak for many of my colleagues who have similarly worked on those issues, that if the IMF and the World Bank do not immediately tell the Indonesian government that all aid will be suspended until order and peace are restored to East Timor, then they will have grave difficulty when they come here again for financial assistance. We will not be party to the funding of slaughter.

To those who say we must withhold, let us look at Serbia and Kosovo. The moral case for an international force intervening in East Timor is as great as the moral case was in Kosovo, and the legal case is greater. We ignored Serbia's claim of sovereignty over Kosovo and gave in to the moral imperative to save people.

In Indonesia, the government in power held a referendum. Overwhelmingly, in the face of great intimidation, the brave people of East Timor voted for independence. That gives us an even stronger right to send a multinational force in there, so the Indonesian government must cease. The international funding agencies must cut off aid if they do not; and, if there is the need, an international force must go in, lest we show the world that we consider human rights to be a matter for Europeans only.

The people of East Timor have a strong moral claim on our assistance.

THE APPROPRIATION FOR THE SELECTIVE SERVICE SYSTEM SHOULD NOT BE REINSTATED

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

Mr. PAUL. Madam Speaker, later today we will be dealing with the VA HUD bill; and I want to compliment the Committee on Appropriations for deleting the $24.5 million for the selective service system. There will be an attempt to put that money back into the bill. I think that is a serious mistake.

The military has not asked for the selective service to continue. We do not need it. It is a serious abuse of civil liberties of all 18- and 19-year-old to continue this registration. The registration is totally unnecessary. This $24.5 million could be better spent on veterans' affairs or some other worthy cause, but to put the money back in is a serious mistake.

I would like to remind my conservative colleagues that Ronald Reagan had a very strong position on the draft and selective service. He agreed that it was a totalitarian notion to conscript young people and strongly spoke out against the draft whenever he had the opportunity.

I also would like to remind my conservative colleagues that if somebody came to the House floor and asked that we register all the guns of America, there would be a hue and cry about why this would be unconstitutional and unfair, and yet they are quite willing to register their 18- and 19-year-olds. I do not understand why there is less respect given for 18- and 19-year-olds than they give for their own guns.

I strongly urge that we not fund the selective service system today.

WACO, THE FBI LIED AND THE ATTORNEY GENERAL OF THE UNITED STATES LIED

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

Mr. TRAFICANT. Madam Speaker, in 1993, 86 civilians were killed in Waco, Texas. Twenty-four of them were innocent children. Most of them burned to

death. Until this day, no one knows the truth about Waco, and the reason is quite clear. The FBI lied and the Attorney General of the United States lied. They lied and they covered it up. And after all of these lies, no one, nobody, has been held accountable for the massacre at Waco.

□ 1015

Beam me up, Mr. Speaker; an America that turns its back on Waco is an America that turns its back on freedom and justice. An independent investigation is absolutely warranted to solve this cover-up and get to the truth.

I yield back all the lies at the Justice Department.

REGARDING FY 2000 VA, HUD, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL

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

Mr. BROWN of Ohio. Madam Speaker, I rise today to celebrate the 25th anniversary of the community development block grant program. This program has put local development decision in the hands of those who know best, those who live and work in the community. This long-term commitment to responsible flexibility has paid off leveraging $2.31 for every Federal dollar spent. Unfortunately, Republicans have chosen to commemorate 25 years of job creation and increased affordable housing by stripping the block grant program of $250 million in the Fiscal Year 2000 VA HUD appropriations bill.

In Lorain, Ohio, a community struggling with loss of industry and experiencing rents as much as 50 percent of income these cuts instantly translate into a loss of jobs, jobs that would have been created next year through mutually beneficial community improvement and construction projects. It defies common sense to deny people in Lorain, Ohio and across the country the chance to support their families and improve their communities just so Republicans can afford to give more tax breaks to the rich.

I encourage my colleagues to vote against this legislation.

THE CRISIS IN EAST TIMOR

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

Mr. UNDERWOOD. Madam Speaker, a tragedy has occurred and is occurring at the hands of Indonesia. The people of East Timor are people that have been subjected to the colonial yoke for over 325 years finally lifted their destiny up from the ashes of oppression and voted for the very first time in history to become an independent Nation. But all of this has been tarnished by the reprehensible inaction by the administering government of Indonesia. Jakarta has missed a golden opportunity to prove the world wrong, that the multi-cultural fabric of Indonesian society could peacefully withstand a sovereignty movement in one of her incorporated colonies. Sadly, the skeptics were right. Pro-Indonesia militias have been on a bloody rampage since the voting results were announced, and what has Jakarta done? Nothing. Thus it appears that the Indonesian authorities want to punish the East Timorese for exercising their inalienable right to self-determination despite promising to provide law and order regardless of the outcome.

The time has come, Madam Speaker, to defend liberty. Our government must condemn the violence in East Timor and the Indonesian government for allowing it to happen. The United States must insist that a multinational peacekeeping force be granted entry to East Timor to restore order, peace and hope. Liberty, the principle of self-determination must not be allowed to be casualties at the hands of Indonesian forces.

RECESS

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

Accordingly (at 10 o'clock and 22 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1230

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 12 o'clock and 30 minutes p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1175. An act to locate and secure the return of Zachary Baumel, a United States citizen, and other Israeli soldiers missing in action.

H.R. 1833. An act to authorize appropriations for fiscal years 2000 and 2001 for the United States Customs Service for drug interdiction and other operations, for the Office of the United States Trade Representative, for the United States International Trade Commission, and for other purposes.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 199. An act for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko.

S. 275. An act for the relief of Suchada Kwong.

S. 452. An act for the relief of Belinda McGregor.

S. 620. An act to grant a Federal charter to Korean War Veterans Association, Incorporated, and for other purposes.

S. 632. An act to provide assistance for poison prevention and to stabilize the funding of regional poison control centers.

S. 800. An act to promote and enhance public safety through use of 9–1–1 as the universal emergency assistance number, further deployment of wireless 9–1–1 service, support of States in upgrading 9–1–1 capabilities and related functions, encouragement of construction and operation of seamless, ubiquitous, and reliable networks for personal wireless services, and for other purposes.

S. 1072. An act to make certain technical and other corrections relating to the Centennial of Flight Commemoration Act (36 U.S.C. 143 note; 112 Stat. 3486 et seq.).

S. 1255. An act to protect consumers and promote electronic commerce by amending certain trademark infringement, dilution, and counterfeiting laws, and for other purposes.

S. Con. Res. 48. Concurrent resolution relating to the Asia-Pacific Economic Cooperation Forum.

GENERAL LEAVE

Mr. WALSH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 2684) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

The SPEAKER pro tempore. Pursuant to House Resolution 275 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2684.

□ 1245

POINT OF ORDER

Mr. OBEY. Madam Speaker, I make a point of order against the consideration of the bill.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman will state his point of order.

Mr. OBEY. Madam Speaker, I make a point of order that the bill provides

new discretionary budget authority in an amount which would exceed the applicable allocation made pursuant to section 302(b) of the Congressional Budget Act, and therefore violates section 302(f) of the Congressional Budget Act.

The most recent subcommittee allocations filed under section 302(b), as contained in House Report 106–288, allocate a total $68.633 billion in new discretionary budget authority to the Subcommittee on VA, HUD, and Independent Agencies. According to the scoring table from the Congressional Budget Office, the bill appropriates $71.632 billion in discretionary budget authority. Therefore, and as the CBO scoring table indicates, the bill exceeds its section 302(b) allocation by $2.999 billion. A point of order, therefore, should lie against its consideration under section 302(f) of the Budget Act.

The reason that the bill is scored as exceeding its allocation is that the Committee on Appropriations is apparently counting as an offset a $3 billion reduction in the borrowing authority of the TVA. This is authority for TVA to borrow from the public and has nothing to do with appropriations or amounts in this bill. Neither CBO nor OMB regard this so-called offset as producing any budget authority savings whatsoever. Therefore, the bill exceeds its allocation.

I should also note a second consequence. Because OMB does not recognize the $3 billion supposed offset, if this bill were enacted in its present form, it would trigger an automatic across-the-board sequestration of appropriations under the Budget Enforcement Act, in the amount of $3 billion. That would roughly be about a billion and a half dollars sequestration that would be required in the Defense budget and about a billion and a half dollars that would be required to be sequestered on the domestic side of the appropriations ledger.

Now, I recognize that the chairman of the Committee on Budget could produce a letter which, in essence, urges the Congress to ignore this financial fact, but the fact is that, if it chooses to do that, there will, in fact, be a sequestration under this bill. Because if we take a look at the OMB Sequestration Update Report to the President and Congress for Fiscal Year 2000, we will see that, on page 11, it states: ''Current OMB estimates of House action to date, unless offset, indicate that a sequester of $3.7 billion in budget authority and $2.9 billion in outlays would be triggered.''

The major amounts in question are related to this bill. If we take a look at the table sent down by the CBO on their budget analysis, on page 18, we will see that they report the same results.

So, therefore, I would suggest that this bill, for reasons that I have cited, should not be before the House. I would certainly say that, even if the Committee on Budget chairman produces a letter which claims that this bill is not $3 billion over its authorized allocation, the fact is that, according to the people who are charged by law with actually measuring the bill, it is; and, therefore, it will result in the automatic reduction in the other programs that are not in this bill that I have just cited.

The SPEAKER pro tempore. Is there any other Member who wishes to be heard on the point of order?

Does the gentleman from Wisconsin (Mr. OBEY) insist on his point of order?

Mr. OBEY. Madam Speaker, I have no desire to delay this bill, and so I guess what I would say is that I think I have demonstrated, by raising the point of order, that this bill, in fact, is not in compliance. If the House wishes to proceed and vote for a bill which is going to result in the kind of massive sequestration that I have just indicated, then so be it. That would be the House's choice.

So I guess I am in a position where, in order to contribute to the ability of the House's ability to do its business, I will withdraw the point of order, but I would caution every Member who intends to vote for this bill that, if they do so, they will in fact be imposing just such a sequestration on both the Defense budget and on the domestic programs.

With that, Madam Speaker, I withdraw my point of order.

The SPEAKER pro tempore. The gentleman withdraws his point of order.

The Chair designates the gentleman from Ohio (Mr. LATOURETTE) as Chairman of the Committee of the Whole, and requests the gentleman from Nebraska (Mr. BARRETT) to assume the chair temporarily.

□ 1250

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2684) making appropriations for the Department of Veteran Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes, with Mr. BARRETT of Nebraska (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. WALSH).

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

Mr. Chairman, it is my pleasure to bring before the full House today H.R. 2684, the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000.

As most Members are aware, we originally expected to bring this bill to the floor before the August recess. However, the circumstance of the death of the Honorable Robert Mollohan made doing so impossible, and I wanted to begin today by expressing my deepest sympathy to the gentleman from West Virginia (Mr. MOLLOHAN), my friend and colleague, and his family on the death of his father.

As my colleagues all know, the senior Mr. Mollohan served so ably in representing West Virginia in this House for 18 years, for the 2 terms during the early 1950s and then for 7 consecutive terms from 1969 to 1983. I hope and trust that the recess period has offered a time for reflection and healing for my good friend and his family.

Prior to proceeding, Mr. Chairman, in discussing the bill before us, I would also like to offer my sincere recognition and thanks to the staff on both sides of the aisle for their hard work and assistance. As I have stated on numerous occasions on this floor, we, the Members of the House, are very fortunate to have dedicated staff willing to spend countless hours preparing these bills. The public is well served by all of our employees.

My personal thanks to Frank Cushing, Valerie Baldwin, Tim Peterson, Dena Baron, and Angela Snell on the majority side, and to Del Davis and Lee Alman for the minority. I would also offer a special thanks to Ron Anderson and John Simmons and Art Jutton of my personal staff for all their assistance throughout this very difficult process.

Moving now to H.R. 2684, I firmly believe that this is a good and fair bill. It is funded with less money overall than was provided last year in 1999. Indeed, to meet our commitment to stay within the spending levels anticipated by the 1997 Budget Agreement, we have trimmed $1.2 billion from the 1999 actual enacted level, $2.3 billion below the fiscal year 1999 CBO freeze level, and $3.4 billion from the President's budget request.

Perhaps more important, Mr. Chairman, we have made these reductions at the same time we have provided an increase of $1.7 billion, the level provided in the Fiscal Year 2000 Budget resolution, for VA medical care. This is the largest increase ever in veterans medical health care. It also, I might add, fully funds all expiring contracts for HUD's section 8 housing program.

Moreover, although nearly every other program in this bill was funded at or below the 1999 level, we made a great effort to assure that reductions were taken judiciously to assure that

only the fat, and not the meat, was cut from each program. This is not to suggest that many decisions were not difficult or painful. Several programs at NASA, for example, and the Neighborhood Reinvestment Corporation, the National Science Foundation, and at HUD, to name just a few, are excellent programs which, if we had more resources, deserve a greater level of support.

Unfortunately, putting this bill together and expecting passage is a tremendous balancing act, and we do not get there by playing favorites with a small set of programs at the expense of others. We do not get there merely by taking payroll money from one agency or department and giving it to another. We do not get there by assuming that certain programs are in the domain of one political party at the expense of the other party. For every vote one may pick up with this type of exercise one is likely to lose the same number.

It was, therefore, very important for us to craft a the bill that first took care of the so-called special needs, specifically VA medical care and expiring section 8 contracts, and then look fairly at every other program and project with an eye to trim but not to slash.

Mr. Chairman, I firmly believe we have accomplished that goal of objective fairness; and, as a result, this bill should be fully supported.

In the interest of brevity, I will not run through the funding levels of every program in this very detailed bill. However, given the regard that Members have for this bill, I believe it is important to highlight just a few of the major program levels.

Veterans compensation and pension benefits are fully funded. Veterans medical care is funded at $19 billion, an increase of $1.7 billion above the President's request and the 1999 level. I would repeat, this is the largest single-year increase ever in VA medical health.

Veterans medical and prosthetic research is provided $326 million, a $10 million increase over the budget request. All other VA programs, except for new construction, are funded either at or above the 1999 level.

HUD section 8 expiring contracts are fully funded at $10.5 billion. Funds are sufficient to maintain the subsidy for every single current participant in the program. So if my colleagues hear later on that this is going to put people out of their homes, do not believe it. This program is fully funded.

HUD's Public Housing Operating Fund, Native American Housing Block Grants, Housing for People with AIDS, and Housing for Special Populations accounts are all funded at the 1999 levels.

While all other HUD programs have been slightly reduced, great care was taken to make sure that they remain viable. In other words, they were trimmed, but not gutted.

EPA received a reduction from the 1999 level but is actually an increase over the President's request. I would repeat, this is an increase over the President's request for the EPA budget. I think that is an important statement of our party's concern for the environment. It is important to note that this was done to restore funding for State and local waste water and drinking water problems which had been slashed dramatically by the President.

EPA's research programs have been funded slightly above the budget request while the agency's operating programs received a very modest $2 million increase above 1999 level. All other EPA programs are more than adequately funded.

Federal Emergency Management Agency operating funds have been fully funded, including $20 million for the pre-disaster mitigation program.

FEMA's disaster relief program has been provided the annual appropriated level of $300 million as requested by the President; however, forward funding for expected disasters has not been included. These funds are subject to emergency provisions of the Budget Act; and, while they have not been provided at this time, I suspect that enough natural disasters will occur in the coming months so as to necessitate our appropriating some additional disaster relief funds at some point during fiscal year 2000 as we seem to have done every year in the recent past.

For NASA, both Space Station and Shuttle programs have been adequately funded. The committee's approach to funding other NASA programs included an attempt to determine which new or planned programs could be delayed without doing harm to core programs. While some programs are canceled or deferred, most of the proposed reductions are in program areas where growth has been significant over the past 2 years.

In the aggregate, the National Science Foundation has been reduced 1 percent below the 1999 level. However, it is important to note that NSF research has actually been increased by $8.5 million over the 1999 level.

□ 1300

The only significant reduction within NSF occurs in the Major Research Equipment account, a $33.5 million reduction from the 1999 level, and reflects reductions, closings or completions of projects as requested by the President. Because of programmatic concerns as well as a lack of resources, this bill does not include funds requested by the President to at this time construct a new terra-scale computing facility. It was felt within our legislative community and the scientific community that that could not be accomplished this year.

Mr. Chairman, I have stated many times throughout this process that this is not a perfect bill. Indeed, had we had more money, I would have done some things differently. If this were not a product of bipartisan concern, I most certainly would do things differently. Nevertheless, this bill has been put together with the resources available to us in the spirit of the budget agreement most all of us agreed to, as well as in the spirit of bipartisan cooperation and understanding.

It is not perfect, but it is a good bill which deserves bipartisan support. So that we can take this House bill to conference and hopefully work for an even better legislative product, I urge every Member to support its final passage.

Mr. Chairman, I include for the RECORD the budget tables representing the mandatory and discretionary spending provided in H.R. 2648.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2684)
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I					
DEPARTMENT OF VETERANS AFFAIRS					
Veterans Benefits Administration					
Compensation and pensions	21,857,058	21,568,364	21,568,364	-288,694	
Readjustment benefits	1,175,000	1,469,000	1,469,000	+294,000	
Veterans insurance and indemnities	46,450	28,670	28,670	-17,780	
Veterans housing benefit program fund program account (indefinite)	300,266	282,342	282,342	-17,924	
(Limitation on direct loans)	(300)	(300)	(300)		
Administrative expenses	159,121	156,958	156,958	-2,163	
Education loan fund program account	1	1	1		
(Limitation on direct loans)	(3)	(3)	(3)		
Administrative expenses	206	214	214	+8	
Vocational rehabilitation loans program account	55	57	57	+2	
(Limitation on direct loans)	(2,401)	(2,531)	(2,531)	(+130)	
Administrative expenses	400	415	415	+15	
Native American Veteran Housing Loan Program Account	515	520	520	+5	
Total, Veterans Benefits Administration	23,539,072	23,506,541	23,506,541	-32,531	
Veterans Health Administration					
Medical care	16,528,000	16,671,000	18,371,000	+1,843,000	+1,700,000
Delayed equipment obligation	778,000	635,000	635,000	-143,000	
Total	17,306,000	17,306,000	19,006,000	+1,700,000	+1,700,000
(Transfer to general operating expenses)	(-27,420)			(+27,420)	
Medical care cost recovery collections:					
Offsetting receipts	-583,000	-608,000	-608,000	-25,000	
Appropriations (indefinite)	583,000	608,000	608,000	+25,000	
Total available	(17,889,000)	(17,914,000)	(19,614,000)	(+1,725,000)	(+1,700,000)
Medical and prosthetic research	316,000	316,000	326,000	+10,000	+10,000
Medical administration and miscellaneous operating expenses	63,000	61,200	61,200	-1,800	
General Post Fund, National Homes:					
Loan program account (by transfer)	(7)	(7)	(7)		
(Limitation on direct loans)	(70)	(70)	(70)		
Administrative expenses (by transfer)	(54)	(54)	(54)		
General post fund (transfer out)	(-61)	(-61)	(-61)		
Total, Veterans Health Administration	17,685,000	17,683,200	19,393,200	+1,708,200	+1,710,000
Departmental Administration					
General operating expenses	855,661	912,353	886,000	+30,339	-26,353
Offsetting receipts	(38,960)	(36,754)	(36,754)	(-2,206)	
Total, Program Level	(894,621)	(949,107)	(922,754)	(+28,133)	(-26,353)
(Transfer from medical care)	(27,420)			(-27,420)	
(Transfer from national cemetery)	(90)			(-90)	
(Transfer from inspector general)	(30)			(-30)	
National Cemetery Administration	92,006	97,000	97,000	+4,994	
(Transfer to general operating expenses)	(-90)			(+90)	
Office of Inspector General	36,000	43,200	38,500	+2,500	-4,700
(Transfer to general operating expenses)	(-30)			(+30)	
Construction, major projects	142,300	60,140	34,700	-107,600	-25,440
Construction, minor projects	175,000	175,000	102,300	-72,700	-72,700
Grants for construction of State extended care facilities	90,000	40,000	80,000	-10,000	+40,000
Grants for the construction of State veterans cemeteries	10,000	11,000	11,000	+1,000	
Capital asset fund		10,000			-10,000
Total, Departmental Administration	1,400,967	1,348,693	1,249,500	-151,467	-99,193
Total, title I, Department of Veterans Affairs	42,625,039	42,538,434	44,149,241	+1,524,202	+1,610,807
(By transfer)	(61)	(61)	(61)		
(Limitation on direct loans)	(2,774)	(2,904)	(2,904)	(+130)	
Consisting of:					
Mandatory	(23,378,774)	(23,348,376)	(23,348,376)	(-30,398)	
Discretionary	(19,246,265)	(19,190,058)	(20,800,865)	(+1,554,600)	(+1,610,807)
TITLE II					
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Public and Indian Housing					
Housing Certificate Fund	8,326,542	11,522,095	10,540,135	+2,213,593	-981,960
(By transfer)		(183,000)	(183,000)	(+183,000)	
Housing set-asides:					
Expiring section 8 contracts	(9,600,000)	(10,640,135)	(10,540,135)	(+940,135)	(-100,000)
Section 8 relocation assistance	(433,542)	(156,000)		(-433,542)	(-156,000)
Regional opportunity counseling	(10,000)	(20,000)		(-10,000)	(-20,000)
Welfare to work housing vouchers	(283,000)	(144,400)		(-283,000)	(-144,400)
Contract administration		(209,000)			(-209,000)
Incremental vouchers		(346,560)			(-346,560)
Administrative fee change		(6,000)			(-6,000)
Section 8 rescission	(-2,000,000)			(+2,000,000)	
Subtotal	(8,326,542)	(11,522,095)	(10,540,135)	(+2,213,593)	(-981,960)

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2684)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
Public housing capital fund	3,000,000	2,555,000	2,555,000	-445,000	
Public housing operating fund	2,818,000	3,003,000	2,818,000		-185,000
Subtotal	5,818,000	5,558,000	5,373,000	-445,000	-185,000
Drug elimination grants for low-income housing	310,000	310,000	290,000	-20,000	-20,000
Revitalization of severely distressed public housing (HOPE VI)	625,000	625,000	575,000	-50,000	-50,000
Indian housing block grant	620,000	620,000	620,000		
Indian housing loan guarantee fund program account	6,000	6,000	6,000		
(Limitation on guaranteed loans)	(68,881)	(71,956)	(71,956)	(+3,075)	
Total, Public and Indian Housing	15,705,542	18,641,095	17,404,135	+1,698,593	-1,236,960
Community Planning and Development					
Rural housing and economic development	25,000	20,000		-25,000	-20,000
Housing opportunities for persons with AIDS	215,000	240,000	215,000		-25,000
Additional provisions - Division A, P.L. 105-277	10,000			-10,000	
Community development block grants	4,750,000	4,775,000	4,500,200	-249,800	-274,800
Emergency funding	20,000			-20,000	
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(1,261,000)	(1,261,000)	(1,087,000)	(-174,000)	(-174,000)
Credit subsidy	29,000	29,000	25,000	-4,000	-4,000
Administrative expenses	1,000	1,000	1,000		
Brownfields redevelopment	25,000	50,000	20,000	-5,000	-30,000
Regional connections		50,000			-50,000
Regional empowerment zone initiative		50,000			-50,000
Empowerment Zones and Enterprise Communities Additional provisions - Division A, P.L. 105-277	45,000			-45,000	
America's private investment companies:					
(Limitation on guaranteed loans)		(1,000,000)			(-1,000,000)
Credit subsidy		37,000			-37,000
Redevelopment of abandoned buildings initiative		50,000			-50,000
HOME investment partnerships program	1,600,000	1,610,000	1,580,000	-20,000	-30,000
Homeless assistance grants	975,000	1,020,000	970,000	-5,000	-50,000
Homeless assistance demonstration project		5,000			-5,000
Total, Community planning and development	7,895,000	7,937,000	7,311,200	-383,800	-625,800
Housing Programs					
Housing for special populations	854,000	854,000	854,000		
Housing for the elderly	(660,000)	(660,000)	(660,000)		
Housing for the disabled	(194,000)	(194,000)	(194,000)		
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(140,000,000)	(120,000,000)	(140,000,000)		(+20,000,000)
(Limitation on direct loans)	(100,000)	(50,000)	(50,000)	(-50,000)	
Administrative expenses	328,888	331,000	328,888		-2,112
Offsetting receipts	-529,000			+529,000	
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(18,100,000)	(18,100,000)	(18,100,000)		
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)		
Administrative expenses	211,455	64,000	64,000	-147,455	
Administrative expenses (unobligated balances)		(147,000)	(147,000)	(+147,000)	
Negative subsidy	-125,000	-75,000	-75,000	+50,000	
Subsidy	81,000			-81,000	
Subsidy (unobligated balances)		(153,000)	(153,000)	(+153,000)	
Total, Federal Housing Administration	-32,657	320,000	317,888	+350,545	-2,112
Government National Mortgage Association					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(200,000,000)	(200,000,000)	(200,000,000)		
Administrative expenses	9,383	15,383	9,383		-6,000
Offsetting receipts	-370,000	-422,000	-422,000	-52,000	
Policy Development and Research					
Research and technology	47,500	50,000	42,500	-5,000	-7,500
Fair Housing and Equal Opportunity					
Fair housing activities	40,000	47,000	37,500	-2,500	-9,500
Office of Lead Hazard Control					
Lead hazard reduction	80,000	80,000	70,000	-10,000	-10,000
Management and Administration					
Salaries and expenses	456,843	502,000	456,843		-45,157
(By transfer, limitation on FHA corporate funds)	(518,000)	(518,000)	(518,000)		
(By transfer, GNMA)	(9,383)	(9,383)	(9,383)		
(By transfer, Community Planning & Development)	(1,000)	(1,000)	(1,000)		
(By transfer, Title VI)	(200)	(150)	(150)	(-50)	
(By transfer, Indian Housing)	(400)	(200)	(200)	(-200)	
Total, Salaries and expenses	(985,826)	(1,030,733)	(985,576)	(-250)	(-45,157)
Y2K conversion (emergency funding)	12,200			-12,200	
Office of Inspector General	49,567	38,000	40,000	-9,567	+2,000
(By transfer, limitation on FHA corporate funds)	(22,343)	(22,343)	(22,343)		
(By transfer from Drug Elimination Grants)	(10,000)	(10,000)	(10,000)		
Total, Office of Inspector General	(81,910)	(70,343)	(72,343)	(-9,567)	(+2,000)

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2684)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Federal Housing Enterprise Oversight	16,000	19,493	19,493	+3,493	
Offsetting receipts	-16,000	-19,493	-19,493	-3,493	
Administrative Provisions					
Single Family Property Disposition	-400,000			+400,000	
Calculation of downpayment	15,000			-15,000	
FHA increase in loan amounts	-83,000			+83,000	
GSE user fee		-10,000			+10,000
Annual contribution (transfer out)		(-79,000)	(-79,000)	(-79,000)	
Annual contributions (transfer out)		(-104,000)	(-104,000)	(-104,000)	
Sec. 212 Rescission			-74,400	-74,400	-74,400
Sec. 213 National Cities in Schools			5,000	+5,000	+5,000
Sec. 214 Moving to Work			5,000	+5,000	+5,000
Total, administrative provisions	-468,000	-10,000	-64,400	+403,600	-54,400
Total, title II, Department of Housing and Urban Development	24,079,378	28,052,478	26,057,049	+1,977,671	-1,995,429
Appropriations	(24,047,178)	(28,052,478)	(26,131,449)	(+2,084,271)	(-1,921,029)
Rescission			(-74,400)	(-74,400)	(-74,400)
Emergency appropriations	(32,200)			(-32,200)	
(Limitation on guaranteed loans)	(359,361,000)	(340,361,000)	(359,187,000)	(-174,000)	(+18,826,000)
(Limitation on corporate funds)	(561,326)	(561,076)	(561,076)	(-250)	
TITLE III					
INDEPENDENT AGENCIES					
American Battle Monuments Commission					
Salaries and expenses	26,431	26,467	28,467	+2,036	+2,000
Chemical Safety and Hazard Investigation Board					
Salaries and expenses	6,500	7,500	9,000	+2,500	+1,500
Department of the Treasury					
Community Development Financial Institutions					
Community development financial institutions fund program account	80,000	110,000	70,000	-10,000	-40,000
Microenterprise technical assistance		15,000			-15,000
Additional provisions - Division A, P.L. 105-277	15,000			-15,000	
Total	95,000	125,000	70,000	-25,000	-55,000
Consumer Product Safety Commission					
Salaries and expenses	47,000	50,500	47,000		-3,500
Corporation for National and Community Service					
National and community service programs operating expenses	425,500	545,500		-425,500	-545,500
Additional provisions - Division A, P.L. 105-277	10,000			-10,000	
Office of Inspector General	3,000	3,000	3,000		
Total	438,500	548,500	3,000	-435,500	-545,500
United States Court of Appeals for Veterans Claims					
Salaries and expenses	10,195	11,450	11,450	+1,255	
Department of Defense - Civil					
Cemeterial Expenses, Army					
Salaries and expenses	11,666	12,473	12,473	+807	
Environmental Protection Agency					
Science and Technology	650,000	642,483	645,000	-5,000	+2,517
Transfer from Hazardous Substance Superfund	40,000	37,271	35,000	-5,000	-2,271
Additional provisions - Division A, P.L. 105-277	10,000			-10,000	
Subtotal, Science and Technology	700,000	679,754	680,000	-20,000	+246
Environmental Programs and Management	1,848,000	2,046,993	1,850,000	+2,000	-196,993
Transfer to STAG (P.L. 106-31)	-1,300			+1,300	
Subtotal, EPM	1,846,700	2,046,993	1,850,000	+3,300	-196,993
Office of Inspector General	31,154	29,409	30,000	-1,154	+591
Transfer from Hazardous Substance Superfund	12,237	10,753	11,000	-1,237	+247
Subtotal, OIG	43,391	40,162	41,000	-2,391	+838
Buildings and facilities	56,948	62,630	62,600	+5,652	-30
Hazardous Substance Superfund	1,400,000	1,500,000	1,450,000	+50,000	-50,000
Delay of obligation	100,000			-100,000	
Transfer to Office of Inspector General	-12,237	-10,753	-11,000	+1,237	-247
Transfer to Science and Technology	-40,000	-37,271	-35,000	+5,000	+2,271
Subtotal, Hazardous Substance Superfund	1,447,763	1,451,976	1,404,000	-43,763	-47,976
Leaking Underground Storage Tank Program	72,500	71,556	60,000	-12,500	-11,556
Oil spill response	15,000	15,618	15,000		-618

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2684)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
State and Tribal Assistance Grants	2,506,750	1,953,000	2,315,000	-191,750	+362,000
Categorical grants	880,000	884,957	884,957	+4,957	
Additional provisions - Division A, P.L. 105-277	20,000			-20,000	
Transfer from EMP (P.L. 106-31)	1,300			-1,300	
Subtotal, STAG	3,408,050	2,837,957	3,199,957	-208,093	+362,000
Total, EPA	7,590,352	7,206,846	7,312,557	-277,795	+105,911
Executive Office of the President					
Office of Science and Technology Policy	5,026	5,201	5,108	+82	-93
Council on Environmental Quality and Office of Environmental Quality	2,675	3,020	2,827	+152	-193
Total	7,701	8,221	7,935	+234	-286
Federal Deposit Insurance Corporation					
Office of Inspector General (transfer)	(34,666)	(33,666)	(33,666)	(-1,000)	
Federal Emergency Management Agency					
Disaster relief	307,745	300,000	300,000	-7,745	
(Transfer out)		(-3,000)	(-3,000)	(-3,000)	
Emergency funding	2,036,000	2,480,425		-2,036,000	-2,480,425
Pre-disaster mitigation		30,000			-30,000
(Transfer out)		(-3,000)			(+3,000)
Disaster assistance direct loan program account:					
State share loan	1,355	1,295	1,295	-60	
(Limitation on direct loans)	(25,000)	(25,000)	(25,000)		
Administrative expenses	440	420	420	-20	
Salaries and expenses	171,138	189,720	177,720	+6,582	-12,000
Y2K conversion (emergency funding)	3,641			-3,641	
Office of Inspector General	5,400	8,015	6,515	+1,115	-1,500
Emergency management planning and assistance	240,824	250,850	280,787	+39,963	+29,937
(By transfer)		(6,000)	(3,000)	(+3,000)	(-3,000)
Y2K conversion (emergency funding)	3,711			-3,711	
Radiological emergency preparedness fund	12,849			-12,849	
Collection of fees	-12,849			+12,849	
New language		-1,000	-1,000	-1,000	
Emergency food and shelter program	100,000	125,000	110,000	+10,000	-15,000
Flood map modernization fund		5,000	5,000	+5,000	
National insurance development fund		(3,730)	(3,730)	(+3,730)	
National Flood Insurance Fund (limitation on administrative expenses):					
Salaries and expenses	(22,685)	(24,131)	(24,333)	(+1,648)	(+202)
Flood mitigation	(78,464)	(78,912)	(78,710)	(+246)	(-202)
(Transfer out)		(-20,000)	(-20,000)	(-20,000)	
National flood mitigation fund		12,000			-12,000
(By transfer)		(20,000)	(20,000)	(+20,000)	
Total, Federal Emergency Management Agency	2,870,254	3,401,725	880,737	-1,989,517	-2,520,988
Appropriations	(826,902)	(921,300)	(880,737)	(+53,835)	(-40,563)
Emergency funding	(2,043,352)	(2,480,425)		(-2,043,352)	(-2,480,425)
General Services Administration					
Consumer Information Center Fund	2,619	2,622	2,622	+3	
National Aeronautics and Space Administration					
Human space flight	5,480,000	5,638,000	5,388,000	-92,000	-250,000
Science, aeronautics and technology	5,653,900	5,424,700	4,975,700	-678,200	-449,000
Mission support	2,511,100	2,494,900	2,269,300	-241,800	-225,600
Office of Inspector General	20,000	20,800	20,800	+800	
Total, NASA	13,665,000	13,578,400	12,653,800	-1,011,200	-924,600
National Credit Union Administration					
Central liquidity facility:					
(Limitation on direct loans)	(600,000)	(600,000)		(-600,000)	(-600,000)
(Limitation on administrative expenses, corporate funds)	(176)	(257)	(257)	(+81)	
Revolving loan program	2,000		1,000	-1,000	+1,000
National Science Foundation					
Research and related activities	2,770,000	3,004,000	2,778,500	+8,500	-225,500
Major research equipment	90,000	85,000	56,500	-33,500	-28,500
Education and human resources	662,000	678,000	660,000	-2,000	-18,000
Salaries and expenses	144,000	149,000	146,500	+2,500	-2,500
Office of Inspector General	5,200	5,450	5,325	+125	-125
Total, NSF	3,671,200	3,921,450	3,646,825	-24,375	-274,625
Neighborhood Reinvestment Corporation					
Payment to the Neighborhood Reinvestment Corporation	90,000	90,000	80,000	-10,000	-10,000
Selective Service System					
Salaries and expenses	24,176	25,250	7,000	-17,176	-18,250
Y2K conversion (emergency funding)	250			-250	
Total	24,426	25,250	7,000	-17,426	-18,250

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2000 (H.R. 2684)—Continued
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total, title III, Independent agencies	28,558,844	29,016,204	24,773,866	-3,784,978	-4,242,338
Appropriations	(26,515,242)	(26,535,779)	(24,773,866)	(-1,741,376)	(-1,761,913)
Emergency funding	(2,043,602)	(2,480,425)	.....	(-2,043,602)	(-2,480,425)
(Limitation on administrative expenses)	(101,149)	(103,043)	(103,043)	(+1,894)	.....
(Limitation on direct loans)	(625,000)	(625,000)	(25,000)	(-600,000)	(-600,000)
(Limitation on corporate funds)	(176)	(257)	(257)	(+81)	.....
TITLE IV - GENERAL PROVISIONS					
Tennessee Valley Authority Borrowing Authority	.....	.....	-3,000,000	-3,000,000	-3,000,000
Grand total	95,263,261	99,607,116	91,980,156	-3,283,105	-7,626,960
Current year, FY 2000	(95,263,261)	(99,607,116)	(91,980,156)	(-3,283,105)	(-7,626,960)
Appropriations	(93,187,459)	(97,126,691)	(92,128,956)	(-1,058,503)	(-4,997,735)
Rescission	.....	.....	(-74,400)	(-74,400)	(-74,400)
Emergency funding	(2,075,802)	(2,480,425)	.....	(-2,075,802)	(-2,480,425)
(By transfer)	(34,727)	(236,727)	(236,727)	(+202,000)	.....
(Transfer out)	(-61)	(-203,061)	(-203,061)	(-203,000)	.....
(Limitation on administrative expenses)	(101,149)	(103,043)	(103,043)	(+1,894)	.....
(Limitation on direct loans)	(846,655)	(799,860)	(199,860)	(-646,795)	(-600,000)
(Limitation on guaranteed loans)	(359,361,000)	(340,361,000)	(359,187,000)	(-174,000)	(+18,826,000)
(Limitation on corporate funds)	(561,502)	(561,333)	(561,333)	(-169)	.....
Total amounts in this bill	95,263,261	99,607,116	91,980,156	-3,283,105	-7,626,960
Scorekeeping adjustments	-3,145,802	-6,294,000	-2,090,000	+1,055,802	+4,204,000
Total mandatory and discretionary	92,117,459	93,313,116	89,890,156	-2,227,303	-3,422,960
Mandatory	22,312,774	21,258,376	21,258,376	-1,054,398	.....
Discretionary	69,804,685	72,054,740	68,631,780	-1,172,905	-3,422,960

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

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

Before I begin, Mr. Chairman, I want to express my sincere gratitude to the Speaker and to both the majority and minority leadership for their consideration of my personal circumstances regarding the passing of my father immediately preceding the August recess. It was a courtesy which I and my family certainly appreciated. Dad was honored to serve his constituency in the U.S. House of Representatives, and it is gestures like this that explain why he was so honored and why I too am honored to serve in this body.

I would also like to extend thanks to the gentleman from New York (Mr. WALSH) for his comments today, which were certainly appreciated, and for his graciously supporting my request to postpone consideration of this bill.

Mr. Chairman, this is the first year for both the gentleman from New York (Mr. WALSH) and myself in our respective roles as chairman and ranking member of the Subcommittee on VA, HUD and Independent Agencies bill, and I have been impressed by the chairman's capability and by the cooperation which he and his very able staff have extended to the minority. I am pleased to have been a part of that process, even as I remain concerned, Mr. Chairman, about the result that we have achieved to this point.

The bill before us has enough serious shortcomings that it is now under a veto threat from the President. However, I know the chairman shares many of my concerns and is committed to addressing these concerns as the bill moves forward, and I look forward to working with him in that regard.

Unfortunately, the bill provides inadequate funding levels in most major areas. Let me make clear, however, that I do not attribute these shortcomings to the chairman of the subcommittee. Regrettably, he was faced with a situation not of his own making. He has tried to do the best he could with the hand that he was dealt.

The basic problem is that the majority leadership instructed the Subcommittee on VA, HUD and Independent Agencies to produce a bill that cuts total spending below this year's level. As a result, the bill now before us provides an increase in veterans medical care but cuts most other agencies and programs, by small amounts in some cases and by large amounts in others.

Overall, including last year's emergency funding, the bill's total for fiscal year 2000 is about $3 billion below fiscal year 1999; $1 billion for emergency funding is excluded. And note that these figures represent reductions in actual dollar amounts, before any adjustment for inflation or otherwise. In terms of purchasing power, the cuts are even larger. How or why these limits were decided, I do not know. But I do know the damage that would be caused if this bill is not substantially changed as the process moves forward.

Let me begin with NASA, because that agency is slated for some of the largest cuts. Overall, the bill reduces the budget for NASA by $1 billion below current year spending. In short, these cuts seriously jeopardize our Nation's leadership in exploration and development of space.

The bill makes an 11 percent cut in space science, the area that funds the planetary probes and space-based astronomical observatories that have generated so much interest and excitement over the past several years. It makes a 20 percent reduction in earth sciences. And in both areas the cuts are heavily targeted to planning for future missions and to development of the next generation of technology, which is fundamentally important to basic research.

Over the past 5 years, NASA's budget has already been reduced by almost $1 billion. Simply put, the NASA budget should not be reduced any further. Our space programs advance human knowledge, foster development with wide-ranging uses, generate public interest in science, especially among our young people, and help us better understand what is happening here on Earth with our weather, our climate, and our environment. These cuts are not what our constituencies want, nor are they in the national interest.

The second major area of concern about this bill is housing. I am pleased the chairman was able to provide for the renewal of all expiring section 8 housing contracts. However, HUD fares relatively poorly in many other areas and needs additional funding in the section 8 area. We have worsening shortages of affordable housing in many parts of the country as the economic boom drives up rents beyond the reach of low-wage workers. HUD reports that more than 5 million very low-income families are spending more than half of their income for rent but are, at the same time, receiving no federal housing assistance whatsoever. The cuts in this bill would make that problem worse.

Public housing would be particularly hard hit: under the bill, basic funding for local housing authorities is cut $515 million below the fiscal 1999 level. Public housing exists throughout the country in small and medium-sized cities as well as large ones. It provides homes for more than 3 million people, more than 1 million of whom are age 62 or older.

The cuts in this bill will mean reduced staff, more deferred maintenance and a growing backlog of capital needs. They threaten to make the good housing worse while hampering efforts to fix the bad.

Another problem is the lack of any funding for incremental housing assistance vouchers. Last year, the VA–HUD bill funded 50,000 new housing vouchers, targeted specifically to helping families make the transition from welfare to work. The number of new vouchers funded by this bill is zero.

I have similar concerns about the large and small cuts in a wide range of other HUD housing programs; CDBG, homeless assistance grants, housing for people with AIDS, brownfields redevelopment, and lead paint hazard abatement, to name a few examples. I think it is unfortunate the bill rejects every one of the administration's proposals to spur development in areas left behind in the economic boom.

Turning to veterans, Mr. Chairman, I am pleased that the committee found a way to provide a $1.7 billion increase for veterans medical care. Although that amount falls short of the $3 billion increase that veterans' groups say is needed to keep up with the needs of war veterans, $1.7 billion is a substantial improvement. However, medical care is not the only area of concern at the VA.

The bill reduces the construction accounts by more than 50 percent below fiscal year 1999. Failing to update and maintain aging hospitals and other veterans facilities will only lead to more problems later.

Moving on to EPA, Mr. Chairman, I am pleased the committee provided a $106 million increase above the administration's request. Unfortunately, that still leaves the agency $278 million below this year's level. Specific programs that will suffer as a result of this cut include the Clean Water Action Plan and the program of pesticide reregistration mandated by the Food Quality Protection Act.

Finally, Mr. Chairman, I should mention the bill's complete elimination of the Americorps program. This was not a choice that our subcommittee made, but rather one that was imposed at a later stage. Fundamentally, AmeriCorps gives young people an opportunity to do community service in exchange for a very modest stipend and help in financing their future education, which is just the sort of thing we want our young people to be doing. Can we really no longer afford the $400 or $500 million needed to continue this worthwhile effort?

I might better understand all of the cuts made by this bill if we were in a time of fiscal crisis, Mr. Chairman. But we are not. Rather, we are in a period of unprecedented prosperity. The federal budget deficit has declined steadily every year since 1992, and last year it turned into a surplus for the first time in 3 decades. Every projection shows that surplus continuing to grow. Yet we are told by the majority leadership that we do not even have enough money to continue many programs in

the VA–HUD bill at the current year's level. I find that incredible. If we cannot adequately meet the needs of veterans' programs, affordable housing, and scientific research during these prosperous times, then when can we?

Even more discouraging is the fact that the majority's budget plans call for this situation not only to continue year after year, but to actually get steadily worse. And here, of course, I am not referring to the majority on this committee but rather to the majority leadership of the House. The leadership's budget resolution calls for total appropriations for domestic programs in fiscal year 2001 to be less than those in fiscal year 2000. By fiscal year 2004, the resolution calls for domestic appropriations to have fallen by more than 20 percent in inflation-adjusted terms. Make no mistake about it, that is what pays for the nearly $800 billion tax cut that was passed by the Congress last month.

The vision for the future presented by that budget plan is that every year we do a little less; that every year our public housing gets a little more dilapidated; that every year we fund a little less basic science research; that every year the standard of medical care for our veterans goes down a bit; that every year the backlog of sewage treatment and safe drinking water needs gets a little bigger. And in the view of the majority's budget plan, all this is acceptable because it allows a huge tax cut bill to be enacted.

This steady decline in public services is not my vision for the future, nor do I think it is our constituents' vision for the future or, indeed, the vision of many of my colleagues in this Chamber. However, that is the path that this Congress appears to be headed down. And if this bill is not fixed before it is presented to the White House, we will have taken another big step down that path of decline.

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

Mr. Chairman, I yield 5½ minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN), a member of the subcommittee.

Mr. FRELINGHUYSEN. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise today in support of the VA–HUD appropriations bill.

I want to commend the chairman, the gentleman from New York (Mr. WALSH), and the ranking member, the gentleman from Virginia (Mr. MOLLOHAN), for all their hard work on this bill. The chairman and his very able staff were faced with a Herculean task of making this bill work while staying within the caps adopted by the 1997 budget agreement. And in the end, I think they found a good balance.

While I am supportive of our work together on behalf of science, space exploration, the environment, and other programs, I specifically want to discuss two provisions in today's bill. The first is veterans medical care. Last October I signed a letter to the President, along with 70 Members of the House and Senate on a bipartisan basis, asking the President to provide an extra $1.7 billion in his fiscal year 2000 budget submission for veterans medical care.

□ 1315

It appears that our plea fell on deaf ears. While the President sent his budget to Capitol Hill in February, it flatlined spending for veterans' medical care. In plain English, his budget did not provide even one extra dollar over last year's amount for veterans' medical care. So again it was left to Congress to provide the critical additional funding for veterans' medical care.

This is not a partisan issue. Both Republicans and Democrats have worked together to provide money above and beyond the President's budget request for the past 4 years, and this year is no exception.

However, the bottom line is that the President's flatlined request shows how some in his administration are out of touch with the need of our veterans.

And it did not help and has not helped that the VA's leadership has been missing in action during this process. Our April public hearing on the VA's budget was an unqualified disappointment with Secretary West and Dr. Kizer, proving how out of touch they are with their inability to answer even the most basic questions before our committee and before the cameras.

Fortunately, with strong bipartisan support, this year's budget passed by the House called for an extra $1.7 billion for veterans' medical care. Veterans service organizations are right to demand, at a bare minimum, Congress provide a $1.7 billion increase. They are also rightly owed a VA that actually advocates for veterans and puts veterans' health care needs and services above so-called managed care goals, which put dollar savings before patient protections.

That is why I am pleased that the gentleman from New York (Mr. WALSH) agreed to my request and others to provide this extra funding for a total of $19 billion for veterans' medical care. For countless veterans, many older, sicker, some nearly 100 percent dependent on the VA system for care, this additional money will be increased access to service and improve quality of care.

Unfortunately, this will not be true for all veterans. Despite this increase, veterans in the northeast and in my State of New Jersey will not see one extra dime for veterans' medical care. To provide our Veterans Integrated Service Network 3 with the same amount of funding as fiscal year 1999, Congress would have to provide a $2.4 billion amount above and beyond the President's request. However, our increase is an important improvement and reflects the amount set forth in this year's budget resolution.

I suspect we may see some finger-pointing and hear blame today from all sides. But the bottom line is that this Congress, in a bipartisan way, provided the extra money, real dollars, $1.7 billion, that did not come from surplus or assumed revenues. And for this reason alone, I urge my colleagues to support the bill.

Second, this bill contains important funding for essential housing for the elderly and individuals with disabilities of all ages. As a result of my amendment and others which were offered during the subcommittee consideration of the bill, H.R. 2684 includes an additional $10 million each for two important programs. Next year we will provide $660 million for Section 202 housing for the elderly and $194 million for Section 811 housing for individuals with disabilities.

Finally, this bill continues a set-aside program that this committee started 3 years ago to meet the housing needs for people with disabilities. Our committee included $25 million for tenant-based rental assistance to ensure decent, safe, and affordable housing in communities with low-income individuals with disabilities. Further, it includes language directing the Secretary of HUD to use his waiver authority to allow nonprofit organizations to apply directly for these funds instead of going through public housing authorities.

It is my belief that that change will provide better access for housing for more individuals with disabilities. HUD has largely been deficient in meeting the needs of individuals with disabilities seeking affordable housing but was very quick to take credit for all these funds last year even though the administration's budget request did not request one dime for the program.

I am pleased that Congress took the lead again to provide the funding and it should receive the credit, as well. Again, I commend the chairman and the ranking member for their work and support of this bill and appropriation.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 6 minutes to the gentleman from Wisconsin (Mr. Obey), the distinguished ranking minority member of the Committee on Appropriations.

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

Mr. Chairman, this bill is an absolutely wonderful bill unless my colleagues think that the Congress ought to spend our time responding to the legitimate needs of the American people. If they do, then it turns out to be a bit of a turkey.

I do not blame the chairman of the subcommittee for that fact. He is a

good man, and he is doing the best that he can under a ridiculous budget situation. But let me tell my colleagues what is wrong with this bill and why I intend to vote against it.

First of all, the bill is $2 billion below the request and $1 billion below last year for housing. It is $1 billion below last year for science at NASA. It is $275 million below the request of the National Science Foundation.

The administration's budget for veterans was totally inadequate. Everybody knows that. I do not know of any Member of the Congress who supports it. This bill itself is $1.3 billion below what the veterans groups regard as necessary to fund veterans' health care. The rule under which this bill is being considered denied us the opportunity to add $750 million to take care of at least half of that shortfall by delaying for 1 year the capital gains giveaway that was in the recent tax bill that just passed. That alone is reason enough to vote against this bill.

The bill also zeros out funds for Americorps, which is a high Presidential priority. As I indicated when I made my point of order, in spite of all of that, this bill is $3 billion out of whack in its accounting because it has a ''let's pretend'' cut in TVA that does not save a dime. It then uses that ''let's pretend'' cut to fund $3 billion worth of money for other programs. But in fact, since neither the Congressional Budget Office or the Office of Management and Budget recognizes it as a real cut, this bill will trigger a sequestration and an across-the-board cut of all domestic programs of $1.5 billion; and we will trigger a defense cut of about $1.5 billion, as well.

On the issue of housing, I would simply like to make this observation. This bill accelerates the already rapid separation of this country into two separate societies. A report issued this past weekend by the Center for Budget Priorities indicated that the lower two-fifths of this country in terms of income are actually losing economic ground, while the top one-fifth are enjoying unprecedented prosperity.

Overall, the personal incomes of Americans have increased by about 20 percent over the past 22 years. But that increase has been distributed in a very even manner. Incomes at the top have doubled, while incomes for the 50 million households at the bottom have fallen.

This is taking place at the same time that housing costs have been rising and the number of rental units that were affordable to low-income families has been shrinking at a dramatic pace.

The Department of Housing and Urban Development estimates that the number of rental units available to very low-income families dropped by $900,000 just between 1993 and 1995, and the number of very low-income families who must spend more than 50 percent of their income on rent has jumped from 3.2 million in 1978 to over 5 million people today.

In other words, low-wage families are getting squeezed twice. First because their wages are not keeping pace, and secondly because housing costs are chewing up more and more of their meager paychecks. And neither party, in my view, is doing enough to deal with that problem. This bill makes the situation markedly worse. It cuts about $1 billion below last year's level from federal housing programs at about $2 billion below the request at a time when construction and rehabilitation costs are rising much faster than other costs in the economy.

Anybody who believes that this continued bifurcation of America can produce the kind of stable and peaceful and productive society that we all profess to want is simply not seeing things clearly.

I would also point out that Business Week carried a very interesting article which states in part: ''We have demonstrated that scientific research has created the New Economy, but now we are concerned that we are being trampled on as a reward for creating the economy that made the surplus possible.''

Those were the words of a scientist in describing the need to continue to invest in science programs that have been at the root of our ability to continue to expand this economy. Politicians brag a lot about what we have done to keep the economy going, but mostly what keeps the economy going is the right investment decisions both by the private sector and by the Government. And we are falling far short in meeting those obligations in science.

Allan Bromley, former science advisor to President Bush, says, ''Congress has lost sight of the critical role science plays in expanding the economy.'' I would very much agree with that.

So I would simply say there are a lot of good reasons to vote against this bill. We ought to be able to do better by veterans. We ought to be able to do better by housing. We ought to be able to do better by the basic science budget. And until they do, this Member is going to vote ''no.''

Mr. WALSH. Mr. Chairman, could you tell us how much time we have remaining?

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). The gentleman from New York (Mr. WALSH) has 14½ minutes remaining. The gentleman from West Virginia (Mr. MOLLOHAN) has 13 minutes remaining.

Mr. WALSH. Mr. Chairman, I yield myself 1 minute to just respond to a couple of points that have been made.

There is no question that we are below last year's funding level in this bill, and that is in keeping with the budget agreement. But let me just say a couple of things. If we take out of the HUD budget the $4 billion budget gimmick that the President used, and by ''gimmick'' I mean it was a $4 billion appropriation in the HUD budget and the President specifically said in his request that this money not be spent until the year 2001. That money is not available in this budget year that we are discussing here today. If you take that budget gimmick of $4 billion and throw it away, we are billions above the President's request for housing.

Number two, on VA medical, as I said, this is the largest increase ever in VA medical. We have letters from the veterans service organizations supporting our level of funding. And at the same time, this really underlines the dismal, dismal request that the President made and the lack of understanding for veterans' health needs in this country.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), a member of the subcommittee.

Mr. KNOLLENBERG. Mr. Chairman, I thank the chairman for yielding me this time. I rise in full support of this bill.

Mr. Chairman, I also want to thank the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, who has done, I think, an outstanding job in working with the chairman.

I also want to extend a salute to the senior member of the staff, Frank Cushing, and all the staff who have contributed to bringing this bill about. Without their long hours, dedication and hard work, none of this would have been possible.

This appropriations bill is unique in that it covers an array of diverse agencies ranging from the Veterans Administration to the EPA. It is not an easy task to bring this wide range of interest together into a single bill. However, the gentleman from New York (Chairman WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) have forged a relationship which I think makes this all possible.

H.R. 2684 is a good bill. Is it a perfect bill? No. Is it a fair bill? Absolutely, yes.

I would echo the words of my chairman that we are still early in the legislative process for dealing with this legislation. There will be plenty of opportunities for Members to offer their suggestions and amendments before the President finally puts his signature on it. I would implore my colleagues not to let perfection be the enemy of good.

The FY 2000 VA–HUD bill is a bill produced under very difficult circumstances. Those have been outlined. And it is within the budget caps. It responsibly provides the full $1.7 billion increase, the amount called for in the budget resolution for veterans' medical health care, and fully funds Section 8 housing.

It also provides $325 million above, that is above, the President's request for the Clean Water State Revolving Fund.

□ 1330

The gentleman from New York (Mr. WALSH) should be saluted for crafting this piece of legislation under very difficult circumstances, and I know he has worked in good faith with the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), to forge this bill that the House now has before it.

Mr. Chairman, this is a fair bill and there will be time to strengthen it and further it as the process moves along.

Mr. MOLLOHAN. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. HOYER), a distinguished member of the Committee on Appropriations.

Mr. HOYER. Mr. Chairman, I thank the gentleman from West Virginia (Mr. MOLLOHAN) for yielding me this time.

Mr. Chairman, like so many who have risen before me, I understand that the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) and the committee are constrained by the dollars which have been allocated to their subcommittee for expenditure.

Having said that, that was the initial error. This bill ought not to be supported, because it is in the context, as the gentleman from Wisconsin (Mr. OBEY) pointed out, of being constrained by what the gentleman from New York (Mr. WALSH) and others have said is the 1997 Act. Yes, we voted on that act; but the fact is when we voted on that act we thought last year and this year would be in deficit. We thought we would not have balanced the budget by this time, consistent with OMB and CBO hypothesis at that time.

The context is different, and we ought not to do what we are doing, in my particular case, to NASA, basic science research.

I rise in strong opposition to H.R. 2684. Over the past 7 years, NASA has restructured, reduced personnel without layoffs and reduced its costs over those 7 years by $35 billion. This is not an agency that did not give at the office and at home. I know the gentleman from New York (Mr. WALSH) knows that.

I am extraordinarily concerned. The agency has kept America at the forefront of science research. This bill severely cuts NASA by a billion dollars and undermines our role, in my opinion, as the world leader in science and technology.

In fact, according to administrator Dan Golden, two centers, if this budget were carried into place and followed, would have to be closed. The reduction of the research program will eliminate an estimated 600 grants to universities, NASA centers, and other agencies in every State, not just mine.

Bill Brody, the President of Johns Hopkins University, wrote to me expressing his concern about the NASA cuts. In his letter he states that 75 percent of Hopkins' applied physics laboratory space department is funded through sources cut by this bill, basic, top flight, world-class research.

I know the chairman does not want to cut that, but his bill does that.

Brody estimates that within the next year, Hopkins' ability to maintain core engineering capabilities will be crippled for years to come, and the bill threatens the loss of ongoing research and analysis.

According to the National Business Coalition for Federal Research, who also contacted me, and I quote, ''Republican cuts to scientific research under this bill are a recipe for failure.''

I agree. NASA funding made tracking the 1997 El Nino weather pattern easier and possible because of the satellite that followed its movement across the Pacific ocean. Clearly, our Nation's quality of life benefits from NASA's commitment to earth science research.

In my district, space science research programs are carried out by Goddard. Because my time is short, I will not be able to fully explain the consequences to Goddard, but let me say that this bill funds certain science and says to NASA Goddard, information can be collected through the Earth observation system but it then cuts the funding for the dissemination of that information on the Internet and throughout the country so that universities and scientific organizations can utilize the information we are collecting. That makes no sense.

I would say to my colleagues, we ought to reject this bill. We ought to send it back to committee, not because the gentleman from New York (Mr. WALSH) or the gentleman from West Virginia (Mr. MOLLOHAN) have done anything wrong, but the constraints and the parameters that they were given were inappropriate, wrong, constrained, I would say, and add that as the gentleman from Wisconsin (Mr. OBEY) did, by a $792 billion tax cut proposal. If we have $792 billion, surely we have the money, surely we have the money, to fund, as my friend from New Jersey says, veterans adequately and surely basic science adequately.

I urge my colleagues to reject this bill.

Mr. WALSH. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I thank the gentleman from New York (Mr. WALSH) for yielding me this time.

Mr. Chairman, I would like to compliment the committee, as well as the chairman of the subcommittee, for deleting the $24.5 million for the selective service system. That was a good move. To me it was a heroic step in the direction of more liberty for the individual.

There is no place in a free society to have a program of conscription and drafting of young people to fight unconstitutional wars. It saves $24 million, and I urge my colleagues not to support the funding for the selective service.

Ronald Reagan was a strong opponent of the draft. He spoke out against it. We do not need it. It is wasted money. It is absolutely unnecessary. The Department of Defense has spoken out clearly that it is not necessary for national security reasons to have a selective service system, and yet we continually spend $24.5 million annually for this program. So I urge all Members, all my colleagues, to oppose putting this money back in for the Selective Service System.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Chairman, I rise in opposition to this bill. A month has passed since it has been delivered to the floor with some last-minute emergency modifications to fund various popular programs, but as time passes, all the defects and shortcomings of the bill, in spite of the efforts of the subcommittee to try to rationalize its actions, serious problems are very apparent in this bill.

I would just point out the serious shortfall in terms of funding for housing, based on obviously cooked numbers apparently from the committees and from the Committee on the Budget, and arguable numbers from the administration, some of which I agree and disagree with within this bill. There is $945M nearly 1 billion dollars less than in 1999 for housing. It is like the House is participating in a continued sham in terms of the Budget Act. The fact of the matter is that the public is rejecting the policy path that has been laid out by the Congress but the majority insists on getting up and passing bills that seriously underfund programs and seriously underfund housing.

This is almost a billion dollars less than what was actually funded last year based on trying to use standardized numbers, several billion dollars less than the administration has requested. I would say looking at what the need is that the serious problems of the past have now turned into a crisis with regards to housing. We cannot continue to use housing as the honey pot to take money out and spread it around to programs that have more popular support.

In my community, in Minnesota, we have about a 1 percent vacancy rate. In fact, vouchers that are often provided as an answer very often do not work and will not work. So even though all the facts change, all the circumstances change, the Congress acts as if in 1999, is still on a 1997 budget rationale.

Funds are being split off for various purposes here, for an $800B in tax breaks for Pentagon spending, for other matters, and yet we do not respond to the various and the deep needs of the low income people in our communities and their housing crisis. The homeless funds are cut, lead paint abatement funding cut, community development, housing funds, those of the least powerful in our society are shortchanged. I urge my colleagues to reject this bill. I hope we could get to work and be in reality rather than remain in a state of denial. Regard the needs of people for shelter in safe sanitary housing.

Once again, the GOP leadership is relying upon gimmicks to hide their fiscal year 2000 appropriations process train wreck. By turning their backs on funding needs for important people programs and failing to invest in important social, housing, and community development programs, the Republicans have all but ensured a major confrontation this fall with congressional Democrats and the administration. The rush to provide tax cuts for special interests and the wealthy have clouded the need to address social program funding realities.

Unfortunately, the VA–HUD appropriation bill started out on a sour note with the Republican budget blueprint earlier this year. Adding salt to the wounds, the GOP majority appropriators chose to lay out unrealistic Labor-HHS-Education 302(b) allocations in order to spare from reductions popular defense spending, military pork projects, and NASA programs. All of these increases are provided at the extreme cost of housing and development programs and environmental protection. Such irresponsible GOP policies will put in place a convoluted process of shifting money into popular programs to attract votes and comply with the spending caps at the expense of the powerless in our society.

Sadly, this VA–HUD bill continues to force HUD to draw the short straw for housing and community development programs and that will impact real people through the loss of jobs and affordable housing. There are few improvements to mention, though I am pleased that there is finally some commitment to restore $10 million in funding to the FEMA Emergency Food and Shelter Program, a program that I have worked with Chairman WALSH in the past to increase funding.

However, the bill we will vote upon this week continues the theme of the past few years: making housing a principal wellspring for spending increases elsewhere and tax cuts for special interests and the wealthy. HUD estimates that in Minnesota we will lose over $23 million, jeopardizing 1,600 jobs and almost 2,400 units of housing for low-income families if this bill were enacted. The cuts in HOPWA, Housing for Persons with AIDS, and McKinney Homeless Assistance funds would result in 138 homeless and persons with AIDS not being served.

The St. Paul Public Housing Authority, one of the Nation's best, accurately explains the consequence: further cuts in public housing funds will jeopardize our safe, affordable, and quality public housing because cuts in operating subsidies will slow responses to repairs, cut key staff who screen applicants, and generally impair their ability to apply for and comply with Federal programs. The lack of commitment and cuts that this VA–HUD bill would deliver will result in fewer resident services and will mean less ability to deter criminal activity and other community concerns.

Unfortunately, the VA–HUD appropriations bill cuts close to a billion dollars in funds from HUD's budget last year and is some $3 billion below the administration's request. Despite trying to hide the cuts by spreading the pain around, it is clear that housing and community development will suffer under this bill—an atrophy by design. This atrophy has also hit successful programs like the Neighborhood Reinvestment Corporation which faces a $10 million cut in this bill. Further, while the overall VA–HUD bill has lost some of the emergency spending gimmicks, the GOP majority appropriators have chosen instead to gouge ever deeper in the Labor-HHS-Education funds in order to spare the popular Veterans and NASA programs.

Predictably, housing and community programs have been left with cuts to the Community Development Block Grant (CDBG), and even the McKinney Homeless Assistance programs, housing for persons with AIDS, public housing, and the list goes on. No new housing assistance despite the commitments to authorize 100,000 new vouchers made in the 1999 budget authorization. This is a warped policy especially at a time when millions of people are on waiting lists for housing are on the streets, and according to a Department of Housing study deems 5.3 million families have worst case housing needs. This situation is frankly dire. The circumstances and facts change. The Federal budget is in better shape, but low-income housing needs have exploded. Yet the funding response ignores the facts.

The real need of our communities which should be addressed by this bill is in preserving our federally assisted housing from the ''opt-out'' or prepayment phenomenon by matching State programs to keep buildings affordable, or marking up market rents so landlords stay with our successful programs. But how will we be able to move forward for the future with preservation efforts when this bill does not squarely address the real housing needs of this country with what we have now? We are already sliding backward and the passage of the VA–HUD bill this week is like throwing a drowning person an anvil. This is not acceptable policy for housing our people or creating the economic opportunities that will help them move forward in tandem with their communities and neighborhoods. This appropriation process and budget blueprint is wholly inadequate. If we are going to cut spending it must be based on equal sharing of the burden, not loading all the cuts on the backs of low-income Americans and the programs which serve them. Certainly this policy path and bill should be rejected.

To add insult to injury, this spending measure makes no effort to reconcile the loss of hundreds of millions of dollars of rescinded section 8 moneys that have been usurped for emergency spending this year and the last. This year, for example, we lost $350 million in section 8 that is made up, if at all, on the backs of other critical housing programs like the CDBG block grant which serves low- and moderate-income folks in cities across the country.

While the committee may claim inadequate appropriation authority under the budget, the fact is that there are 215 earmarks spending money on special interest projects. The conclusion of this bill is to deny funding for housing and other needs but to buy off votes to pass it with projects and earmarked funds.

I am concerned regarding the cut in funding for the Community Development Financial Institutions (CDFI) Fund. As the sponsor of the bill to maintain and improve the CDFI Fund which has been reported by the Banking Committee, I think it would be more appropriate to keep the funding for the program at $95 million, instead of what the committee provided through this bill, a reduction of $25 million. This underfunding is even more serious if we are to be able to have the running room to adequately fund the PRIME program that the Banking Committee has also reported out.

The PRIME Act, which stands for the Program for Investment in Microentrepreneurs, is a modest, but important piece of legislation that will provide training and technical assistance to help low-income entrepreneurs around the country to gain access to the knowledge and implementation strategies that will ensure the success of their own business ideas. We have had two successful hearings on this legislation and have moved it out of the committee. Both PRIME and CDFI leverage resources and talent in local communities and as such, Congress should be supporting them to the highest extent possible.

While this measure increases important veterans health care by a modest $1.5 billion more than last year, the GOP adopted a flawed rule before the recess that will prevent Democrats from offering amendments to further increase veterans health care. However, this bill still falls short to the desperately needed funding levels. After years of inadequate funding levels for the VA, we must work to push for full funding for our VA hospitals and nurses who are overworked and underpaid. This so-called increase in veterans health care would be offset from other existing VA programs; major VA construction would be cut by 76 percent. By simply shifting and shuffling existing priorities to meet other needs does not constitute an increase. Moreover, in a desperate plea to win votes, the GOP leadership has laced this bill with hundreds of pork-barrel projects for a range of activities requested by individual lawmakers. Such policy is clearly a rancid effort in order to win passage of a highly flawed bill.

Year after year, the Republicans have unsuccessfully attacked the President's Americorps program. Predictably, this legislation completely eliminates the Americorps program. Currently, over 20,000 Americorps members serve full or part time. In exchange for service, members receive education awards. The Americorps program allows and encourages people to strengthen our communities by providing needed human resources to schools, churches, community groups, and nonprofit organizations, while at the same time investing in their own education; both aspects

are extremely important in ensuring a positive future for our nation. Despite the fact that the President adamantly supports this program and in fact has called upon Congress to allow even more of our young people to participate in Americorps this year, the Republican leadership has once again insisted on senseless, cyclical cuts to this beneficial program.

I am also disturbed by the lack of initiative taken by the majority to support several key programs administered by the Environmental Protection Agency (EPA) and critical to the health of the people and their land in this legislation. Today, global warming is becoming an ever increasing and prevalent threat. I don't think I need to point any further than outside the doors of the Capitol where this summer we are experiencing an unseasonably hot, humid, rain free, and pollution rich summer that forced many children to stay inside due to upper respiratory problems. Despite the faint glimmer of the sun through a gray haze on our doorstep, some Members continue to fight against the implementation of initiatives designed to curb global warming. why? Because these initiatives are a thinly veiled guise being instituted by the EPA in an attempt to secretly implement the Kyoto Protocol. Air quality programs are not the only programs seriously underfunded in this legislation. Research programs, both in-house and grant based, are flat lined from last years appropriation, thus stifling important research and possible technological breakthroughs, and leaving many worthy research projects in the dark. Superfund, a program designed to fix this Nation's most environmentally polluted and disastrous areas, has been reduced $50 million. Despite these egregious examples of the misappropriation of Federal dollars to the EPA, the solution is simple—eliminate over 100 of the special interest projects that cost this legislation $352 million and apply that money to programs that benefit all of America.

Overall, this bill is a failure. While the House has now passed the trillion dollar tax cut for those who are well off, this GOP measure will siphon off much needed funds from important housing programs for the less fortunate; shifts around dollars from VA construction projects to fund critical health care needs, thus creating an illusionary increase; boost NASA spending at the expense of our environment; kills the Americorps programs; and is washed down with hundreds of pet projects. The unavoidable conclusion is that this measure is bad policy.

I urge a strong "no" vote.

Mr. WALSH. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from California (Mr. CUNNINGHAM), a member of the committee.

Mr. CUNNINGHAM. Mr. Chairman, the gentleman from New York (Mr. WALSH) has had a difficult job operating under a balanced budget just like every other chairman. It is difficult to gauge where one is going to reduce spending for veterans or space programs, science programs and others, and I understand that; but I think it is even more difficult, if we do nothing, for our children and our grandchildren.

Day after day, people on both sides of the aisle will stand up and say, well, I supported the balanced budget, but yet many of those same people will stand here in the well and say in every one of the 13 appropriations bills, they want more spending, want more spending, want more spending, which will drive us to the 40 years of irresponsible spending when the Democrats controlled this House. We do not want to return to that.

I would love to increase more spending on veterans. They have been denied health care, and they have been promised that for years. We cannot do that under a balanced budget. And the space programs, I believe that our mission and our future is in space, but it is more important for us to maintain that balanced budget, to take a look at our priorities, and I think the gentleman from New York (Mr. WALSH), with one exception, has done a good job at that.

I would say to the gentleman from Texas (Mr. PAUL), who spoke a minute ago, the chairman of the Joint Chiefs of Staff and the Secretary of Defense strongly support the selective service system, but it is in our children's best interest to support not only this bill for the tough decisions that the gentleman from New York (Mr. WALSH) made but for the future and the balanced budget and living within those constraints.

Mr. MOLLOHAN. Mr. Chairman, I yield 2¼ minutes to the distinguished gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I congratulate the previous speaker on the intellectual honesty of his statement when he noted that many who voted for the 1997 Balanced Budget Act will now be standing up here on both sides disclaiming any responsibility for its consequences.

It is, in fact, inconsistent to maintain those caps but then go home and tell people how much you love community development, block grants and want to do more, and want to be for more of this or more of that.

To some extent, what we are dealing with here is a matter of intellectual honesty. I believe the intellectually honest thing to do is to admit a mistake. I think what we have here is a little infallible envy.

Virtually every Member understands in his heart of hearts or her heart of hearts that the 1997 Balanced Budget Act was based on inaccurate information. I must say I thought it was wrong at the time.

As I get older, I learn that one of the few pleasures that improves with age is saying I told you so. I knew it was dumb then. Some of my colleagues may be later converts to it, but look at the consequences. As I told the gentleman from New York (Mr. WALSH), I had a little sympathy for him describing this bill. As he explained it, he did a good job as he did, given what he was given to work with. He and the gentleman from West Virginia (Mr. MOLLOHAN) did their best, but I thought of that story then of I felt sorry because I had no shoes and then I met a man who had no feet.

If one feels sorry for the gentleman from New York (Mr. WALSH), wait until the gentleman from Illinois (Mr. PORTER) comes in with his bill. Not only does he have no feet, they cut him off about three ribs short of his shoulders.

This House is in a situation where we are providing far too little money for fundamental social purposes that hold this country together, and we are making a grave error.

Alan Greenspan in April said he regretted the fact that the international free trade consensus that used to exist in America has fallen apart, and he said I understand some people are getting hurt. We should not, he said, allow our inability to help these people to drive us away from support for internationalism, but it is not an inability.

It is not an inability that this bill shows. It is an unwillingness. This very rich country does not have to cut community development block grants and cut housing and put more of a burden on people. We are making a terribly grave social error. As capitalism flourishes and the rich get richer and the stock market approaches levels that make Mr. Greenspan nervous, we come in with a bill that takes away from the poorest of the poor, the neediest and the working poor.

Let us send this bill back and do the job right.

Mr. OBEY. Mr. Chairman, I demand that the gentleman's words be taken down and engraved upon the door, because they are absolutely correct.

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Mr. WALSH. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, the gentleman certainly has the right to say I told you so, but that does not mean that he is right. This agreement caused us to make difficult choices, and we are trying to do that today.

But I would remind the committee and the Members that if they take the President's budget gimmick of $4.2 billion out of his request, this bill allocates $2 billion more than the President actually allowed or requested be spent on the housing programs for those exact same poor that the gentleman just mentioned.

Mr. Chairman, I yield 1 minute to the distinguished gentleman from Virginia (Mr. BATEMAN).

Mr. BATEMAN. Mr. Chairman, I thank the gentleman for yielding the precious 1 minute. I use that minute to make the point that this bill by its reduction and acceptance of reductions from the administration for the National Aeronautics and Space Administration is doing a great disservice to

this Nation. NASA is an agency and an institution within the United States which has made immeasurable contributions to the betterment of our society. We have gone forward with a space program which I applaud; but in the process, the administration, year after year, has submitted budgets proposed for NASA which are pitifully inadequate and have starved all the other programs and agencies within NASA to an extent that it is shameful.

In aviation alone $400 million has been deducted or reduced from the appropriations for that phase of NASA science and activities. No airplane in the world flies today without the benefit of the research done by NASA on aeronautics. It is virtually a crime. And we must fix it to see that these programs are restored; and we ought to do it at the earliest opportunity.

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Indiana (Mr. ROEMER).

Mr. ROEMER. Mr. Chairman, I want to thank my friend from West Virginia for the time.

I just want to encourage my 2 colleagues, the gentleman from New York (Mr. WALSH) who is a strong supporter of the AmeriCorps program, and I know the gentleman from West Virginia (Mr. MOLLOHAN) is a strong supporter, to make sure that while this program is completely eliminated, not a penny for AmeriCorps in this bill on the House floor, that we restore this money in conference with the Senate.

We have a crisis in our schools with teacher shortages and with school safety. The AmeriCorps program currently mentors and tutors 2.6 million schoolchildren, and they help 564,000 at-risk children in after-school programs.

Now we can either approach this by appropriating more money in education bills that the gentleman from Illinois (Mr. PORTER) does not have for these problems or we can continue a program that is working with these AmeriCorps volunteers at places like the University of Notre Dame and help our schools do a better job and help our neighborhood schools with at-risk after-school programs.

So I would like to encourage the gentleman from New York (Mr. WALSH) who has been a very strong supporter of this program to continue to work with us in conference.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 1¾ minutes to the distinguished gentleman from California (Mr. FILNER).

Mr. FILNER. Mr. Chairman, I thank the ranking member for the time.

Mr. Chairman, I am going to vote against this bill because it seriously underfunds our commitment to our veterans.

The gentleman from my hometown of San Diego, California (Mr. CUNNINGHAM) said we ought to fund our Nation's veterans, but we cannot. We cannot because of this agreement we made a couple years ago.

The subcommittee saw that as a problem and asked the full committee for an emergency designation for which it could receive an extra $3 billion for our veterans. They were overruled. I think the chairman was right. It is an emergency situation to fund our veterans. We are not keeping our commitment that we made to them.

This must be classified as an emergency today. Providing veterans health care is emergency. The VA health system is drastically underfunded and in danger of actual collapse. The national cemeteries that we should pride ourselves on are also facing disaster. We are releasing our veterans from the hospitals with Alzheimer's disease. We have serious illnesses that were contracted either in Vietnam or the Persian Gulf that are not getting adequate treatment.

Mr. Chairman, this is an emergency.

Now when we say we ought to put more money in the budget, my friends on the majority side say well the President underfunded the veterans in his proposal. Yes, he did. I agree with that; underfunded by $3 billion. But remember this is not the President's budget. This is a congressional budget. It is our responsibility, and we underfund veterans by at least a billion and a half.

Mr. Chairman, the veterans organizations of this Nation, all of them, combine to come up with what they thought was a reasonable amount to keep our VA health system going. They said $3.2 billion additional. This budget underfunds that by a billion and a half. We need that money, and it is an emergency. Let us put more money in for our veterans, Mr. Chairman.

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

Mr. Chairman, on the points that the gentleman from California (Mr. FILNER) made, and I understand his commitment is very strong to America's veterans, as are all Members. Just to set the record straight, we provided the President's request level for veterans cemeteries. That is a $5 million increase over the 1999 enacted level. So we actually did increase the budget for veterans cemeteries.

As regards the request for emergency designation, we did do that, but we requested the $1.7 billion increase that was authorized by the committee, and that is consistent with what the veterans authorizing committee suggested and the budget document requested, and we were not given emergency designation. What we were given was an actual $1.7 billion in real dollars to increase the veterans health care budget.

So I think it shows a substantial commitment on the part of the subcommittee and the full Committee on Appropriations, and we will take on that mantle of being veterans advocates; if the Executive Branch will not, we will do that.

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

Mr. MOLLOHAN. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, this bill is flawed from the sky above to the earth below. Here on terra firma the bill would hurt the poor, the elderly and the disabled by cutting their housing assistance and the sky above, our space program, and its innovation, its ability to create new jobs is being destroyed. Glenn Research Center in my district, which is one of the finest centers in this country, is under attack in this bill.

America is in effect eating its technological seed corn by destroying the ability of the space program to create new jobs with cuts like this, and at the same time America turns its back on the poor while the rich are getting richer, the poor are indeed getting poorer. It is time to take this bill away from fat city and send it back to committee.

Mr. MOLLOHAN. Mr. Chairman, I yield all the remaining time to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

The CHAIRMAN pro tempore. The gentlewoman from Illinois is recognized for 1¼ minutes.

Ms. SCHAKOWSKY. Mr. Chairman, I have to tell my colleagues I found this budget very hard to explain to people back home. While we are all here patting ourselves on the back for this string of unprecedented economic prosperity, it seems all too easy to overlook the communities that are not reaping the benefits. The unemployment rate in some of these communities is as high as 20 percent, Mr. Chairman, and more than 5 million families in our country are only a paycheck away from losing their homes.

In light of these problems that our families and our seniors are facing, we should use our prosperity to increase HUD's capacity to create jobs, to build homes; but instead we are cutting the HUD budget. The effects of these cuts on the lives of families and seniors and the homeless would be devastating. In my district alone, we would loose $4.5 billion; and hundreds of low-income families could be left out in the cold. In the city of Chicago where the Chicago housing authority is just beginning to turn the corner on a persistent housing crisis, we are going to be setting the CHA back.

We have a responsibility here, a responsibility to expand and not to cut vital housing and economic development programs. We need to take drastic steps, not to cut, but to develop a successful and comprehensive affordable housing and economic development policy. This should be a national

priority, and at a time when we have a $14 billion federal budget surplus; if not now, when?

Mr. MOLLOHAN. Mr. Chairman, I yield back the balance of my time.

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

Mr. Chairman, briefly in closing I would like to thank the distinguished Chair for conducting this portion of the general debate and my colleagues for, I think, a very intelligent, thoughtful debate.

Mr. FRANK of Massachusetts. Mr. Chairman, earlier today at a press conference Secretary of Housing and Urban Development Andrew Cuomo made a very forceful and important statement about this particular bill. I thought the Secretary's statement was a very important contribution to the debate, so I am including the statement issued by Secretary Cuomo earlier today at the press conference for the RECORD, and would request that it be placed at the end of the general debate on the bill that was debated today.

The statement referred to follows:

STATEMENT OF SECRETARY CUOMO

Good afternoon. First I would like to thank Congressman Gephardt not just for his kind words of support today but for the support he has shown for HUD over these many years. I think the great turnout you see here today of Congress people from across the country reflects that leadership—and we need that leadership now.

Congressman Gephardt, I want to thank you very much for everything you have done for all of us. We heard a lot of talk about the $800 billion tax cut and how it is bad economic policy and it is risky and it is reckless—and I think it is undeniable. It gets worse when you look at who would get the tax cut and how it is fueled—obviously to the richest of the rich. You make $500,000 you get a $32,000 tax cut; if you make $18,000 you get $22—period. It makes the $800 billion tax cut more repugnant. When you then also consider the cuts to the essential programs that they would do simultaneously without tax cuts, the situations become unbearable and it becomes frankly, in my opinion, repugnant in its clarity.

The programs that would be cut would hurt the poor, the working American families and the middle class American families right across the board. HUD is just a good example of it. A $1.6 billion cut which would cut virtually every program in the Department from soup to nuts, virtually every program—there are one or two programs that would not be cut. To give you a couple of examples: at a time when this nation has the highest need for affordable housing in its history, 5.3 million families need affordable housing; waiting lists for affordable housing all across the country are years long and are getting longer. Under their budget, the number of new units that would be produced next year goes to zero—zero—highest need in history, waiting lists are getting longer across the country—they would produce exactly zero units.

Our main economic development programs, when we are trying to get people from welfare to work, when we are trying to do something about income inequality, when we are trying to do something about urban areas that are struggling to catch up—they would cut the economic development program 90%. At a time when the nation is trying to come together as a community and President Clinton is talking about one America, at a time when we are moving towards a majority minority nation—they would cut the funds to fight racial discrimination. They would cut the funds to combat lead paint removal. Lead paint removal is removing the lead paint from older homes so children don't get poisoned. They would cut those funds. They would then cut the programs as the Congressman mentioned that literally go to house the homeless and house people with AIDS—about 16,000 fewer people would receive that assistance. The cuts will be felt by every city and every county across the states, not just one part of the country, one area, one location: it is not just urban American or suburban or rural, it is all across the country, coast to coast. Places like Boston will lose $15 million, the city of Atlanta will lose $9.5 million, Dallas $8.8 million. Every city, every country. We recently did a report which we have here today called ''Losing Ground'' which details the cuts Congressional District by Congressional District.

This budget will pull the rungs out of the ladder of opportunity and cut the safety net. We should expect more people to fall into poverty, more people to be unemployed, more homeless and expect their conditions in those situations to be worse. And as the Congressman pointed out, this country is doing very, very well, and President Clinton is very proud of the economic progress. But there is also no doubt that there are many hard working American families who have not yet shared in that economic progress. And what the HUD budget is all about is bringing them along, bringing all Americans up to share in that opportunity. Now is not the time to cut the rungs on the ladder of opportunity, now is the time we should be doing the exact opposite.

I thank Congressman Gephardt once again for his leadership and all the members who are here today for their stand on this proposal.

Mr. LARSON. Mr. Chairman, the VA–HUD Appropriations bill, H.R. 2684, that we are considering today has many shortcomings that prevent me from voting for it in its present form.

The major agency that takes the largest cuts in the bill is NASA. Total appropriations for FY 2000 under the bill are $1 billion, or 7% less than the FY 1999 level. These cuts, I believe, would jeopardize the future of our space research programs, including programs directed at solving problems here on Earth, that are pushing forward the frontiers of knowledge about our universe.

These cuts to NASA's budget are being made despite recent legislation passed by the House, which I supported, that authorized higher levels of spending than those being proposed by Congress.

The VA–HUD Appropriations bill also fails to fund any incremental housing vouchers and would impose a 5% cut in the critical Community Development Block Grant program. According to HUD, the overall cuts would result in an estimated 156,000 fewer housing units for low-income families, at a time when their housing needs are at all-time high. As a result of these cuts persons with AIDS and 16,000 homeless families would not receive vital housing and related services. In addition, 97,000 jobs would not be generated in communities that need them. If passed by the full Congress, I believe these cuts would have a devastating impact on families and communities nationwide.

In addition, the AmeriCorps program is cut $435 million from the FY 1999 level, in effect, terminating the program.

AmeriCorps, the domestic Peace Corps, engages more than 40,000 Americans in intensive, results-driven service each year. AmeriCorps members are tackling critical problems like illiteracy, crime and poverty. They have taught, tutored or mentored more than 2.6 million children, served 564,000 at-risk youth in after-school programs, operated 40,500 safety patrols, rehabilitated 25,179 homes, aided more than 2.4 million homeless individuals, and immunized 419,000 people.

In Connecticut, more than 1,200 residents have served their communities through AmeriCorps.

Mr. Chairman, we all know that AmeriCorps helps solve critical problems in an effective way. It creates $1.66 worth benefits for each $1.00 spent. And for every full-time AmeriCorps member, 12 regular and occasional unpaid volunteers are recruited and mobilized. AmeriCorps is, indeed, effectively preparing young people for the future and strengthening local communities.

As a result of program cuts, however, a great number of important projects that foster involvement and learning in technology by children and adults, will go unfunded. One of these is Project FIRST (Fostering Instructional Reform through Service and Technology Initiatives), whose role it is to increase access to technology and its educational benefits in the nation's least-served schools. Another way AmeriCorps is involved with technology is through TechCorps, a national non-profit organization that is driven and staffed primarily with technologically proficient volunteers. However, if funding is not restored, TechCorps will not receive AmeriCorps/VISTA volunteers to bring this program to underserved, low-income communities.

I believe these programs are important, because even though American technology is propelling the nation's economy to unprecedented heights, growing concern remains for those who are not benefitting from this prosperity. For those left behind by the advancing technology, the divide growing between the ''haves'' and ''have-nots'' is increasing at an alarming rate, as demonstrated by the Department of Commerce in its July, 1999 report, ''Falling through the Net.''

These AmeriCorps programs bring technology to underserved populations and address weaknesses in our economy, such as unequal access to technology, teacher training, and evaluation.

However, I do not believe AmeriCorps is essential just because it can help close the ''digital divide.'' It is essential because it exposes young people to the ideal of serving their community and their nation. Colin Powell has succinctly captured this idea of community service by stating, ''For some of our young people, preserving our democratic way of life means shouldering a rifle or climbing into a cockpit or weighting anchor and setting out to sea. For others, it means helping a child to read or

helping that child to secure needed vaccinations or it means building a park or helping bring peace to a troubled neighborhood or helping communities recover from natural disasters or reclaiming the environment.''

Harris Wofford, former United States Senator and now head of the Corporation for National Service, echoes Powell's thoughts, ''Our country needs more . . . patriotism. AmeriCorps encourages and inspires this patriotism on the home front.''

Finally, a quote by Vaclav Havel, I believe, explains the need to have an AmeriCorps, ''This dormant good will in people needs to be stirred. People need to hear that it makes sense to behave decently or to help others, to place common interest above their own, to respect the elementary rules of human coexistence. Good will longs to be recognized and cultivated.''

This, I believe, is the essential value of national service, and by extension, of AmeriCorps. Serving is as important and rewarding as being served.

Mr. Chairman, I believe the cuts in this bill would move America in the wrong direction. Despite unprecedented economic prosperity, there are significant unmet needs in our nation's communities and in our science and research programs. We should not cut programs that meet vital housing, economic development, and research needs. I will strongly oppose this bill because it fails to meet our responsibilities to war veterans, to provide relief and recovery after natural disasters, to provide service to the community, to protect the environment, to help to meet housing needs, and to undertake essential research that will greatly benefit the American public.

We can do better, Mr. Chairman.

Mrs. CHRISTENSEN. Mr. Chairman, I rise today in strong opposition to HR 2684, the VA/HUD Appropriations bill for fiscal year 2000, because of the substantial and devastating cuts that the bill makes in funding for the Department of Housing and Urban Development. At a time when our nation is experiencing record budget surpluses, it is unconscionable that this body would cut funding that goes to some of the most neediest of our constituents.

The bill before us today could likely result in 40,000 Americans, including many of my constituents in the Virgin Islands, being forced out of their current HUD funded housing and onto the street due to the draconian cuts in the Section 8 program.

And as if these cuts weren't bad enough, the bill cuts the funds for repairing and maintaining public housing properties by a half a billion dollars and underfunds operating subsidies by $400 million on top of the $400 million shortfall in the current fiscal year. As a result of these cuts, over 105,000 affordable housing units will not be modernized and properly maintained meaning that in districts like my own which are prone to natural disasters those units would be in even more jeopardy.

My colleagues, while our poorest families, the elderly and the disabled are the ones who will be most directly harmed by the cuts in this bill, ultimately all of us will all be affected and will pay the price of increased homelessness and dilapidated buildings.

For the Virgin Islands these cuts will be particularly hard felt because the local government is currently wrestling with a current fiscal year deficit of $100 million dollars and an accumulated deficit of one billion dollars. If the $250 million from the CDBG program isn't restored, the affect that it will have on hundreds of my constituents who benefit from the several worthy local programs which CDBG funds would be tragic.

I ask you, my friends in the majority: is it right that you would propose to spend almost all of the $800 billion non-Social Security surpluses on a politically motivated tax bill while at the same time refusing to fund the President's request for 100,000 incremental Section 8 vouchers when a record number of Americans face a lack of affordable housing?

I urge my colleagues to join the Association of Local Housing Finance Agencies, the National Community Development Association, the National Rural Housing Coalition, the National Association of Counties, the National Association of Housing Partnerships, the National League of Cities and the US Conference of Mayors in opposing this VA/HUD Appropriations bill because of what it will mean to the neediest among us.

Mr. SANDLIN. Mr. Chairman, it is our duty to fulfill our promises to our nation's veterans, the men and women who have put themselves in harm's way in service to their country. It is our duty to care for our veterans, and if we pass this legislation, we will fail miserably.

We are faced today with a bill that fails to deliver to our veterans the funding they so desperately need. If we pass this bill, we will only be perpetuating the failure of the President's severely lacking budget. Even though this bill would provide $1.7 billion more than the President's request, it is still not nearly enough. Two wrongs do not make a right, and if we pass this legislation our veterans will be wronged yet again, by Congress as well as the Administration.

The Republican leadership would have you believe that the Independent Budget submitted by the veterans themselves is bloated and overstates the funding needs for veterans programs. I reject this assertion completely and am horrified that the Republicans are alleging double-counting and padding of budget estimates by respected veterans' groups such as the Veterans of Foreign Wars, Disabled American Veterans, AMVETS, and Paralyzed Veterans of America.

As if these allegations were not enough, the Republican leadership is now touting this anemic bill as a cause for celebration and criticizing veterans for ''complaining'' when they fail to celebrate over a bill that is lacking over one billion in critically needed funds. The Republicans have resorted to these tactics against veterans who fought to preserve the prosperity of this country—the prosperity in which veterans will not share if this bill is passed. These accusations are a slap in the face to our veterans and add insult to injury.

As a strong supporter of our nation's veterans, I am forced today to vote against this bill due to its severe lack of funding for veterans' programs. Veterans groups agree that this bill falls short by at least $1.1 billion. In light of projected budget surpluses and an irresponsible trillion dollar tax cut, it is especially disappointing to see the men and women who have served this country overlooked by those who would rather squander the surplus recklessly than use it to secure the future of critical programs such as veterans benefits and Social Security and reduction of our growing national debt.

Our veterans are aging, and their medical needs are growing as a result. This bill, however, does not address those needs. The number of VA medical facilities has decreased almost 35% in the last ten years, but this bill fails to address the growing demand for VA services as a result of the increasing number of veterans over the age of 65. According to the Congressional Research Service, 36% of all veterans are over the age of 65, and that number is expected to increase exponentially over the next eight years. An aging veterans population will undoubtedly put a strain on our nation's Veterans Health Services. At the current pace of construction, we will not have the necessary facilities to meet veterans' extended care needs.

Faced with this reality, I am unable to vote for a bill that will short-change veterans by over a billion dollars while Republicans insist on robbing Social Security and sacrificing veterans' healthcare, in favor of squandering the surplus on fiscally irresponsible tax cuts.

Mr. FARR of California. Mr. Chairman, this bill is a travesty. The funding to provide services for our Veterans and to assist with housing for low-income families is wholely inadequate. At this time, I wish to address another area where this bill is unacceptable, the lack of funding for the Corporation for National Service (CNS) and its newest program, AmeriCorps.

All funding for the CNS was eliminated in Committee to shift money to other appropriations bills and to support a tax bill the American people know is a scam.

The CNS administers an impressive list of programs that provide assistance to people throughout the nation. From elementary school kids and seniors who are paired together through the Foster Grandparents program, to college and high school students involved in Learn and Serve America gaining college credit and benefiting from dedicated tutors, America is better off for the work Americans are doing through CNS programs.

AmeriCorps members are providing an invaluable service to communities around the country. In my district AmeriCorps members have worked with the Boys and Girls Club, Big Brothers and Sisters, and the Food Bank of Monterey. Currently they are serving at the Santa Cruz Community Credit Union and the Foundation of California State University, Monterey Bay.

In Santa Cruz, 24 men and women served as AmeriCorps members with the Homeless Garden Project. Not only did participants gain agricultural skills and farming experience, they worked with six Santa Cruz school gardens and mentored at-risk youth through involvement in garden activities.

AmeriCorps volunteers have been integral to the recovery from the many natural disasters faced by Americans in the past few years. AmeriCorps participants spend countless hours assisting FEMA and the American Red Cross with disaster relief. Participants have helped emergency efforts such as the Northwest Flood in January of 1997, California

Floods of 1998, Southern California Fires of 1996, and the list goes on. AmeriCorps has been responsible for the sheltering of families, working at mobile food units, watching for floods, conducting traffic, and numerous other vitally important task for victims of natural disasters.

As expressed at the President's Summit on America's Future in Philadelphia, we need to encourage all Americans to volunteer. Each AmeriCorps member leverages approximately twelve to fourteen new volunteers. When you have a program where Americans are volunteering to assist others in need, it would be fostered and encouraged.

AmeriCorps members are making a difference in our communities and their presence will be sorely missed if this funding is cut. I encourage my colleagues to oppose this bill and insist on restoring funding for AmeriCorps and the Corporation for National Service.

Mr. HALL of Ohio. Mr. Chairman, I rise in opposition of H.R. 2684. While I support an increase in funding for our country's veterans, I feel that this bill unfairly cuts programs that affect low-income individuals. It slashes the total budget by $1.6 billion for the Department of Housing and Urban Development through cuts in nearly every program. At a time of historic prosperity and economic success, I think this is a serious mistake.

One of the major cuts is out of the Community Development Block Grant (CDBG). This wonderful program provides funding for every community in the country. Community Action Agencies depend on this funding as the backbone of programs for the poor in urban, suburban and rural communities. This money simply passes through HUD to states, counties and cities to use on community priorities. In Montgomery County, Ohio, CDBG provides an invaluable resource in addressing community needs, such as affordable housing and economic development. The U.S. Conference of Mayors has stated that CDBG funds benefit almost every single household at or below 80% of the national median income level. Millions of low- and middle-income Americans would be hurt by this cut.

This bill would also reduce funding for affordable housing. Secretary Cuomo's remarkable effort to create a ''continuum of care'' would be savaged by this bill. If we do not provide money for Section 8 vouchers, public housing, and Housing for Persons With AIDS, and even cut money for Habitat for Humanity, we handcuff ourselves into simply focusing on emergencies. We have too many people who are homeless already. Without these programs funded at adequate levels, we will become part of the problem instead of part of the solution.

I am thankful for all of the work that HUD does. Secretary Cuomo is to be commended for his efforts to eradicate poverty and expand the American dream of homeownership to all Americans, not just the wealthy. I was just with Mrs. Tipper Gore and the Dayton Metropolitan Housing Authority in announcing an $18.3 million HOPE VI grant for a troubled community in my district.

This is exactly what we should be doing during this time of unprecedented economic growth. We would be shortsighted indeed to neglect those who most need our assistance. This bill would cost my district almost $2 million and the State of Ohio over $73 million.

In addition to slashing the HUD budget and thereby adversely affecting the poor, it completely defunds AmeriCorps. The thousands of volunteers in the AmeriCorps program are one of the best tools we have in fighting against poverty and assisting community-based organizations all around this country. The University of Dayton's SWEAT program and the Congressional Hunger Center's Beyond Food programs are terrific examples of AmeriCorps successes. Their members serve those in need day in and day out. I have had the opportunity to meet and serve with some of these wonderful servants who will undoubtedly become the future leaders that this country so desperately needs. We cannot cut funding for AmeriCorps and not hurt our communities.

I therefore oppose this bill and ask my colleagues to restore full funding fur HUD and AmeriCorps.

Ms. BALDWIN. Mr. Chairman, I rise today to applaud the VA–HUD Appropriations Committee in its efforts to provide proper funding levels for our nation's Veterans.

H.R. 2684, the VA–HUD—Independent Agencies Appropriation for Fiscal Year 2000, places the concerns of veterans at the front of the line. The promises our country has made to those who put themselves in harm's way for our nation are promises that must be kept. This legislation takes a good step forward in fulfilling those promises. This bill provides a total of $44.1 billion for VA programs and benefits, an increase of $1.5 billion over last year's bill.

The monies secured in this legislation will go to programs that are becoming increasingly essential to our aging veterans. Our World War II and Korean War era veterans are more reliant than ever on the medical services provided for by the VA for service connected disabilities. This legislation appropriates a total of $19 billion for medical care and treatment, an increase of $1.7 billion in funds with an additional $608 million to be collected from the Medical Care Collections Fund, totaling $19.6 billion. The funding increased in this legislation is a sign of this Congress' commitment to keep its word.

Mr. Chairman, while we must honor our promises to veterans, we must also keep those promises we have made to all Americans. This legislation may keep its word to veterans but it breaks it promise to many more Americans: education, science, housing and environmental protection programs are being stripped of the funds necessary to assure domestic security.

This legislation fails to meet the request for housing programs by $982 million and severely limits the ability of HUD to provide assistance to homeless families. This legislation reduces Community Development Block Grants by 6% and cuts ''Brownfields'' clean up by 20%. These are programs that are necessary for the health and welfare of our communities. This bill also eliminates Americorps, reduces funding for the National Science Foundation and cuts the NASA funding level by 7%.

Mr. Chairman, while I am encouraged by the renewed commitment this bill makes to our nation's former servicemen and women, I cannot vote for a bill which breaks our commitment to so many others.

Mr. SMITH of Texas. Mr. Chairman, I strongly support H.R. 2684.

Last February I hosted a town meeting in Kerrville, Texas, to discuss the President's VA budget and the future of the Kerrville VA Medical Center. Over 1,400 veterans attended and voiced their concerns about the President's proposed budget cuts that would reduce services at the Kerrville VA.

At that time, the President had submitted a proposed VA budget that was woefully inadequate. It was an insult to those that have served our nation.

But thanks to the leadership of the Appropriations Committee members and the millions of veterans around the country, this bill contains the largest veterans' medical care increase ever.

In the face of a seriously under-funded Administration budget for veterans' health care, this bill sends a clear message: Veterans will continue to receive the high quality, accessible health care they were promised.

Mr. Chairman, this budget keeps the promises that we made to our veterans.

I urge passage of H.R. 2684.

Mr. EVANS. Mr. Chairman, I rise to oppose this bill for a number of reasons, but primarily because it breaks our promise of health care to our nation's veterans.

Many of us have worked hard to make improved funding for health care for veterans a hallmark of this Congress. I want to think the Members of both sides of the aisle for their efforts in this regard. We began this budget process with a funding proposal from the Administration that was inadequate. I believe the Administration's willingness to reconsider their initial proposal and add a billion dollars was responsible for leveraging the significant additional funds for veterans' health care this Congress is now discussing. I commend the Administration, and particularly, Vice President GORE for his leadership in the Administration's decision to increase its request for veterans medical care by $1 billion for fiscal year 2000.

That said, I am going to reject this proposal for VA–HUD appropriations. It goes further in meeting some of the challenges faced by the VA health care system, but it does not go far enough.

Although the add-on of $700 million the Republicans are now supporting sounds substantial, it still fails to meet the needs we have heard from VA officials both on and off-the-record. Unfortunately the Republican majority of the Committee on Rules failed to protect under the rule to consider the Edwards-Evans-Stabenow amendment to the measure before us which Republicans passed on a party-line vote. The Edwards-Evans-Stabenow amendment would have more than doubled the additional funds the appropriators added for the veterans' health care system. I regret that our efforts to delay a cut in the capital gains tax for one year will mean that veterans may not receive the VA health care that they need and the level of service that they deserve.

Many VA leaders would confess that these funds would have offered welcome relief to a system now overwhelmed by veterans' new and growing demand for health care. Additional funds would have meant VA would be

able to expand access to veterans who have not previously been able to use VA because of their distance from the medical centers. It would have better ensured VA could eliminate serious problems with waiting times that confront veterans in primary care clinics (including the new community-based outpatient clinics), orthopedic clinics, ophthalmology and audiology. It would have helped veterans obtain prosthetics, including such necessities as wheelchairs, oxygen tanks, hearing aids, and eyeglasses on a more timely basis. Additional funds would help Va face the emerging public health crisis of Hepatitis C by adding funds to overextended pharmaceutical budgets. It would have assisted VA in restoring some of the significant reductions that it has made in mental health services or help facilities meet the overwhelming need from long-term care aging WW II veterans are now facing.

I also oppose this bill because it fails our nation's low-income families by reducing their access to affordable housing. The strong economy has boosted the cost of housing, placing this basic need further from the reach of struggling families and the elderly. Yet, the bill contains no new funding for new Section 8 housing vouchers. It also cuts funding for the construction and rehabilitation of public housing as well as cut assistance for the most needy, the homeless. This is unacceptable.

In my home state of Illinois there are 67,182 project-based Section 8 apartments of which 41,437 have expiring contracts within the next five years. The cuts in this bill would cost my district alone $2 Million in housing funds and cause 130 fewer affordable units to be built. Stable housing is fundamental to allowing those with low incomes to improve their economic well-being. I oppose this bill because it doesn't do enough to provide working poor families, the elderly and the homeless with the housing assistance they so desperately need.

Clearly this legislation lets down our veterans and some of the most needy in our society. I urge my colleagues to reject this legislation.

Ms. DEGETTE. Mr. Chairman, one of the biggest mistakes we can make during times of great prosperity is to turn our backs on those who have been left out of the economic mainstream. Our great country is experiencing an economic boom the likes of which we haven't seen in a generation. But it would be a grave mistake to forget that too many people have not been included in this financial good fortune. It is times like this when it becomes more important than ever to help those who are most in need. The legislation before us would make huge cuts to the Housing and Urban Development budget, which would drastically affect much needed housing, job creation and economic development programs that play a vital role serving distressed communities.

In Colorado, passage of this bill would result in a loss of more than $16 million HUD dollars at a time when affordable housing is becoming increasingly out of reach for more and more people. In my district alone, approximately $5 million would be lost, depriving my constituents of almost 300 jobs. This loss of funds would deny hundreds of low-income families affordable housing, and would take away housing assistance for over 75 families and/or individuals who are homeless or have AIDS. These cuts are not something that people in my district can afford, nor can individuals or families in cities and counties across the country. A booming economy and demand for homes has made the affordable housing market extremely tight in my district, throughout the State of Colorado and across the country. Even in the midst of great prosperity, worst-case housing situations are nearing an all-time high.

It should come as no surprise to any of us that even with today's economy there are pockets of deep poverty throughout this country where people are suffering as much as they ever have. This is not time to abandon them. Cutting Section 8 vouchers, funding for Community Development Block Grants, the HOME Investment Partnerships program and HOPE VI grants is absolutely the wrong direction to be going in right now. These cuts will harm our most vulnerable populations and we need to use our vote today to prevent this from happening.

Mr. SENSENBRENNER. Mr. Chairman, I rise today to discuss H.R. 2684, the Veterans Affairs, Housing and Urban Development and Independent Agencies Appropriations Act of 1999. This bill contains funding for the science programs of the National Science Foundation (NSF), National Aeronautics and Space Administration (NASA) and the Environmental Protection Agency (EPA).

Last year, the Science Committee passed the National Science Foundation Authorization Act of 1999, now Public Law 105–207. This was a multi-year authorization for NSF and provided funding and programmatic direction for NSF for fiscal years 1998 through 2000.

H.R. 2684 provides $3.6 billion in funding for NSF for FY 2000. This is below both the level authorized in Public Law 105–207, and the level enacted for FY 1999. NSF is our Nation's premier federal basic research agency, and I believe its funding should be increasing, not decreasing. I look forward to working with my colleagues on the Appropriations Committee during conference to correct this funding shortfall.

One priority within NSF is basic information technology (IT) research as outlined in H.R. 2086, the Networking and Information Technology Research and Development Act (NITRD). NITRD is a long-term authorization for basic IT research introduced by a bipartisan coalition of members from the Committee on Science.

Fundamental IT research has played an essential role in fueling the information revolution and creating new industries and millions of new, high-paying jobs. Maintaining the Nation's global leadership in IT will require keeping open the pipeline of new ideas, technologies, and innovations that flow from basic research. Although the private sector provides most IT research funding, it tends to focus on short-term, applied work. The federal government, therefore, has a critical role to play in supporting the long-term, basic research the private sector requires but is ill-suited to pursue.

H.R. 2684 appropriates $35 million of new money specifically for NITRD. I appreciate the Appropriations Committee's initial support for what promises to be an important long-term research effort.

As for the space program, I want to first thank the gentleman from New York, Mr. WALSH, and the gentleman from Florida, Mr. YOUNG, for addressing some of the Science Committee's concerns during consideration of the bill at full Committee. The restoration of $400 million in the full Appropriations Committee to space science was a good first step. We've come a long way since the President's FY 1997 budget request, which presented the space community with the prospects of a 25% cut. That progress should not blind us to the importance of ensuring a healthy budget for space science. I look forward to working with the appropriators over the coming months to try and restore the remaining shortfalls.

The International Space Station also demands our attention. We need to reverse the bill's proposed $100 million reduction to this vital program. While I share the appropriators' frustration with the Administration's management of this program, this cut could prove penny-wise and pound-foolish.

Following continuous pressure from the Science Committee, the President has now decided to seek funding for a U.S.-built independent propulsion module. Cuts to the Space Station threaten this independent propulsion capability and could lengthen our dependence on the Russians, creating even bigger budget problems in the future.

We also need to reverse the cuts to the Shuttle program. Over the last five years, NASA and the United Space Alliance have done an excellent job of making the Shuttle lean and mean, but you can only go so far. Cutting the Shuttle budget further may affect safety. So, I want to express my willingness to continue working with the appropriators now and in the coming months to ensure that the Shuttle, Space Station and Space Science are fully funded.

Earlier this year, the House passed H.R. 1654, the NASA Authorization Act of 1999. That bill made low-cost access to space a higher priority by increasing funding for advanced space transportation. The Cox Committee reaffirmed that reliable, low-cost access to space was vital to U.S. national security, scientific, and commercial interests. I would hope that the final appropriations bill will be able to address this long-term need.

I would also like to note the EPA budget in H.R. 2684. The appropriators have provided EPA with $7.3 billion in FY 2000. This is $105 million over the President's request. EPA's Science and Technology account is funded at $645 million, an increase of $2.5 million over the President's request.

Finally, I want to take a moment to remember the former distinguished Chairman of the Committee on Science, Representative George Brown. George was a colleague and a friend and he recognized how critical science and technology were to the future of this country. While George and I differed on a number of policy issues, he always had the best interest of science in his heart. Let us honor his memory by working to ensure that science in America continues to move forward into the 21st Century.

Mr. MCGOVERN. Mr. Chairman, I rise today in opposition to the FY 2000 VA/HUD appropriations bill. While I support the increases for veterans' medical care, this bill does more

harm than good and should be defeated. This bill cuts vital programs like Housing Opportunities for People with AIDS, community development block grants, and brownfields cleanup and development. Section 8 housing receives only a minor increase and does not include funding for *any* new vouchers. My district alone will lose 475 housing units for low-income families, as well as 276 jobs. On top of these cuts, this bill steals $3.5 billion from the Labor-HHS appropriations bill. Mr. Chairman, we are playing with fire here. If this bill passes, the good that will come from the increase to veterans' medical care will be drowned out by the number of people who lose their housing because this Congress decided not to fund these critical programs. I urge a no vote on final passage of this bill.

Mr. WALSH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. All time has now expired for general debate.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

Before consideration of any other amendment, it shall be in order to consider the amendment printed in House Report 106–292. That amendment may be offered only by a Member designated in the report, shall be considered read, may amend portions of the bill not yet read for amendment, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment.

During consideration of the bill for further amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the gentleman from California (Mr. FILNER) be allowed to offer an amendment identified as Filner No. 1 which is at the desk at any point during the reading of the bill for amendment.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFERS OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $21,568,364,000, to remain available until expended: *Provided*, That not to exceed $17,932,000 of the amount appropriated shall be reimbursed to ''General operating expenses'' and ''Medical care'' for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: *Provided further*, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical facilities revolving fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

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

Mr. Chairman, many of us have worked hard to improve funding for veterans health care, the hallmark in this Congress.

□ 1400

I want to thank Members on both sides of the aisle for their efforts in this regard. We began the budget process with a funding proposal from the administration that was totally inadequate. The $700 million add-on that the Republicans are now supporting sounds substantial, but it fails to meet the needs expressed by VA officials, both on and off the record.

For this reason, I am going to reject this proposal for VA–HUD appropriations. It goes farther in meeting some of the challenges faced by the VA healthcare system, but not far enough.

Unfortunately, the Republican majority on the Committee on Rules failed to protect the Edwards–Evans-Stabenow amendment under the rule. The Edwards amendment would have more than doubled the additional funds the appropriators added to the VA healthcare system. Many VA leaders have agreed that these funds would have offered welcome relief to an overwhelmed VA hospital system facing growing pains. These additional funds would have expanded access to veterans not previously able to use VA hospital care.

The VA could have eliminated serious problems with waiting times that confront veterans in primary care clinics and other clinics. It would have helped veterans obtain much needed medical supplies, such as wheelchairs, oxygen tanks, hearing aids and eyeglasses, on a more timely basis. Additional funds would help VA face the emerging public health crisis of hepatitis C by adding funds to overextended pharmaceutical budgets. It would have assisted VA to restore some of the significant reductions that have been made in mental health services as well. It would have helped facilities meet the overwhelming need for long-term healthcare that our aging World War II veterans are now facing.

Mr. Chairman, I urge my colleagues to join me in support of our Nation's veterans by opposing this measure.

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). It is now in order to consider the amendment printed in the report of the Committee on Rules.

AMENDMENT OFFERED BY MR. CUNNINGHAM

Mr. CUNNINGHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment printed in House Report 106–292 offered by Mr. CUNNINGHAM:

Under the heading ''HOME INVESTMENT PARTNERSHIPS PROGRAM'', insert after the first dollar amount the following: ''(reduced by $1,000,000)''.

Under the heading ''CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD—SALARIES AND EXPENSES'', insert after the dollar amount the following: ''(reduced by $1,500,000)''.

Under the heading ''ENVIRONMENTAL PROTECTION AGENCY—SCIENCE AND TECHNOLOGY'', insert after the second dollar amount the following: ''(reduced by $5,000,000)''.

Under the heading ''EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE'', insert after both dollar amounts the following: ''(reduced by $5,000,000)''.

Under the heading ''EMERGENCY FOOD AND SHELTER PROGRAM'', insert after the dollar amount the following: ''(reduced by $5,000,000)''.

Strike the item relating to the ''SELECTIVE SERVICE SYSTEM'' and insert the following:

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; and not to exceed $1,000 for official reception and representation expenses, $24,500,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever he deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with induction of any person into the Armed Forces of the United States.

The CHAIRMAN pro tempore. Pursuant to House Resolution 275, the gentleman from California (Mr. CUNNINGHAM) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California (Mr. CUNNINGHAM).

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

Mr. Chairman, again I would like to thank the gentleman from New York (Chairman WALSH). The gentleman has had a difficult time finding different offsets for different programs. Although we operate under a balanced budget and we feel for our children and grandchildren, it is best in the long run to go through this process.

The amendment that I have restores the funding for the Selective Service program. We have done so with the support of the committee staff in going through what those offsets are. Each program is minimally impacted to the point that it does not affect their operation.

I would like to thank both sides of the aisle for the bipartisan support. The Secretary of Defense, Secretary Cohen, the Chairman of the Joint Chiefs of staff, and all the service chiefs, along with all veterans groups, support this amendment to restore the Selective Service System.

It is time-proven. Since World War I, we have had a strange dichotomy that our men and women fight our wars, and then we scale down. Then we have had to gear up, with dissipating effect.

Active duty and reserves make up the primary source of our Nation's military. Selective Service is a third tier to prepare our sources and our military to gear up in time of national emergency. The words ''Selective Service,'' for example, if we have a nuclear, chemical or biological attack similar to those that they have had in Japan and other countries, which, in my opinion is imminent, then the President can designate those healthcare workers, and that list would be used for those specifics.

With that, I rise in support of this amendment.

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

The CHAIRMAN pro tempore. Is there a Member in opposition to the amendment?

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN pro tempore. The gentleman from West Virginia (Mr. MOLLOHAN) is recognized for 10 minutes.

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

Mr. Chairman, I rise in opposition to the gentleman's amendment, not because I so much disagree with him as to the merits of the Selective Service system, but because I have great concerns about the programs that will be cut to achieve this increase. The Selective Service has the responsibility of ensuring the peacetime registration of young men to provide insurance that the armed forces manpower needs will be met should a crisis occur. Just as importantly, the Selective Service agency also preserves the capability of conducting a draft of doctors or nurses or medical technicians should their expertise be required in a war with mass casualties, or in any action with mass casualties.

All that being said, Mr. Chairman, I must oppose the gentleman's amendment due to its offsets. First, what may seem to be a small and innocuous $5 million cut to FEMA's emergency management planning and assistance account will require reductions in response and recovery, emergency preparedness, fire prevention and important technology development.

Likewise, my friend from California proposes to take $5 million from the emergency food and shelter program. The emergency food and shelter program, Mr. Chairman, is already severely strained, and such a cut would result in the following needs going unmet:

Just over 1 million fewer meals would be served at soup kitchens across this country with that cut; there would be 168,000 fewer bed nights at shelters and 23,000 fewer bed nights through short-term vouchers at hotels; and over 7,000 evictions would not be prevented if the gentleman's amendment were adopted and these offsets imposed.

Mr. Chairman, these are very real consequences that will be felt by very real people who happen to be in the greatest need in our country.

That is not the whole story. This amendment would take $1.5 million from the Chemical Safety and Hazard Investigation Board. This agency received its first year of funding just a few years ago and is already overburdened. In fact, I received a letter in late March from the Chairman of the Chemical Safety Board stating that the board does not have the resources to undertake further investigations this year. The 16 percent cut envisioned by the gentleman's amendment would ensure that this agency will not be able to meet the demands that it faces to fulfill its mission.

Finally, Mr. Chairman, this amendment will take $5 million from EPA's science and technology account. Many of my colleagues know of my own personal differences with EPA on many policy issues, but never on the need for sound science. At a time when there is a debate on global climate change, arguably one of the biggest scientific challenges ever faced by this agency, we need sound science now more than ever.

While I recognize the importance of the Selective Service system and do hope that we can restore funding in conference or as this process moves forward, I cannot support doing so here with these offsets. Therefore, I would ask my colleagues to oppose the gentleman's amendment.

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

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

Mr. Chairman, we thought very carefully when we went through the list on potential offsets and tried to minimize. For example, the FEMA funding of $5 million, the most it has ever been funded is $10 million each year. This year it still leaves $105 million, still an increase, but reduces it $5 million. It is still more than the actual request.

The $1.5 million from the chemical safety board, the board was funded at $9 million. OMB only requested $7.5. So this falls at level funding. The $5 million for EPA science and technology leaves $640 million left in that particular account. We feel that the deficit or lack of national security overrides the small offsets that we have in this particular bill.

I would also say to the gentleman, this gentleman is not hard on any one of these cuts. In conference I would be happy to work with the gentleman in the reduction in different areas. To me the reduction areas are not as important as saving Selective Service.

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

Mr. MOLLOHAN. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. WALSH), the chairman of the subcommittee.

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

Mr. Chairman, I rise in opposition to the amendment proposed by my good friend and colleague, the gentleman from California (Mr. CUNNINGHAM).

Mr. Chairman, in the discussion about Selective Service, a good deal has been said about the fact that military enlistment is dropping and, therefore, the need for Selective Service is greater. But the fact is in the economy we currently have in a country where there is relatively low unemployment and high paying job opportunities, young men do not want to go in the military service because of the low pay and low standard of living that has been associated with the military in the recent past. That is something that Selective Service does not address, but it is something that the Congress is addressing and should address in terms of making sure the members of the military are well paid for the dangerous job that they do.

This is a matter of funds. We have a very difficult allocation, and we are talking about providing, or, if we honor the gentleman's request here, we would have to come up with $25 million basically for a mothballed program that is

not delivering at the current time any services to us. At a time when we have such difficult budget constraints, it does not make sense to mothball a program that we can deal with in the eventuality that there is the need to find people to serve our country.

The Congress spent months debating whether or not to go into Kosovo, and there would have been more than adequate time to go out and find the additional men, and we have not discussed women in the sense of Selective Service, but go out certainly to find men and women to provide service in defense of the country in a situation like that or any other.

So I think this is the time in our history when we should use these funds to take care of the needs of the people of the country and stop paying to mothball this program.

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the gentleman from Texas (Mr. PAUL).

The CHAIRMAN pro tempore. The gentleman from Texas is recognized for 5 minutes.

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

Mr. Chairman, I appreciate very much this opportunity to address this amendment. I rise in strong opposition to this amendment. I compliment the chairman of the subcommittee, the gentleman from New York (Mr. WALSH), for deleting these funds, in this bill.

This to me is a heroic step in the right direction. We have an agency of Government spending more than $24 million a year accomplishing nothing. We live in an age when we do not need a draft. We live in an age of technology that makes the draft obsolete. Not only is it unnecessarily militarily to have a draft, it is budgetarily not wise to spend this type of money.

More importantly, I rise in strong objection on moral principles that the draft is wrong. In most of our history we did not have a draft. The gentleman from California early on pointed out that essentially since World War I we have had a draft, and that is true. Since in this century we have seen a diminished respect for personal liberty with the growth of the state we have seen much more willingness to accept the idea that young men belong to the state.

That is what the registration is all about. I have a young grandson that had to register not too long ago, and he came to me and said, You know, ''they sent me a notice that I better go register. Why do I have to register, if they already know where I am and how old I am?'' That is the case. The purpose of registration is nothing more than putting an emphasis on the fact that the state owns all 18-year-olds.

The unfortunate part about a draft is that too often draftees are used in wars that are not legitimate. This is so often the case. If this country faced an attack, we should have volunteers. We should all volunteer. But, unfortunately, the generation of politicians who declare the wars too often never serve. Some of them have not even served in the past. But they are willing to start wars that are not legitimate, and yet they depend on the draft. They depend on the draft for the men to go out and fight and die.

The one really strong reason we should all reject the idea of the draft is it is so unfair.

□ 1415

Let us say an argument is made that it is necessary. I happen to believe it is never necessary to violate somebody's liberty, but let us say there is a sincere belief that it is necessary to impose a draft.

There is no such thing as a fair draft. This is why the sixties were in such turmoil in this country, because the elite frequently evaded the draft. If they are smart enough to get a deferment, they got off. Who suffers from the draft? The poor and the less educated, the inner city teenagers. They end up getting the draft, and they do not get the deferments. They cannot avoid it.

It is very important that we consider not only this vote on fiscal reasons and where we are taking the money. Quite frankly, I would much rather see this money stay in the programs where, as a fiscal conservative, I would not have otherwise voted for those funds nay. But any funding of that sort is so much better on principle than voting to perpetuate a system that has no purpose other than to conscript.

Conscription is not part of the American dream. It is not part of the American philosophy. It is not part of liberty. It is a totalitarian notion. Congress has the authority to raise an army, but it does not have the constitutional authority to enslave a certain group to bear the brunt of the fighting. A society that cherishes liberty will easily find its volunteer defenders if it is attacked. A free society that cannot find those willing to defend itself without coercion cannot survive, and probably does not deserve to.

A free society that depends on the vicious totalitarian principle of conscription is, by its very nature, no longer free.

We gradually lost our love for individual liberty throughout the 20th century as the people and the Congresses capitulated to the notion of the military draft. The vote on the Selective Service System funding will determine whether or not we are willing to take a very welcome, positive step in the direction of more liberty by rejecting the appropriations for the Selective Service System.

There is no other vote that a Member of Congress can cast that defines one's belief and understanding regarding the principle of personal liberty than a vote supporting or rejecting the draft. This vote gives us a rare opportunity to reverse the trend toward bigger and more oppressive government.

Yes, preserving liberty is worth fighting and even dying for, but conscription is incompatible with that goal. We cannot make men free by first enslaving them and forcing them to sacrifice their lives and liberty for the policies conceived by misdirected politicians and international warmongers.

Mr. CUNNINGHAM. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). The gentleman from California (Mr. CUNNINGHAM) is recognized for 7 minutes.

Mr. CUNNINGHAM. Mr. Chairman, again I thank the gentleman from New York (Chairman WALSH). I know what a difficult time he has had. We happen to disagree on this issue; not only myself, but take a look at the supporters we have on this particular amendment.

The chairman of the Joint Chiefs disagreed with the last speaker. The Secretary of Defense disagrees strongly with the last speaker, as does the gentleman from South Carolina (Mr. SPENCE), chairman of the defense authorization committee, and the gentleman from California (Mr. LEWIS), chairman of the Subcommittee on Defense of the Committee on Appropriations. The gentleman from Pennsylvania (Mr. MURTHA), ranking member on the Subcommittee on Defense, opposes it.

The gentleman from Florida (Mr. YOUNG), the chairman of the Committee on Appropriations, opposes, which is very difficult, opposes his subcommittee chairman on this particular issue; not the bill, but on this particular issue.

Also, the gentleman from Indiana (Mr. BUYER), chairman of the Subcommittee on Military Personnel; the gentleman from Virginia (Mr. MORAN), the gentleman from Texas (Mr. ORTIZ), and the gentlewoman from Florida (Mrs. MEEK) opposes, and I could go right on down the line with the bipartisan support.

This is a controversial issue. This is the first time this has been debated. My colleague, the gentleman from Texas (Mr. PAUL) has a full right to believe like he does. The independent view, however, is not the view, and the gentleman votes 99 percent against everything on the House floor. I expected no less. I would almost let him speak more because I think he makes our case.

This is a time-proven event. If we have a chemical or biological weapons attack on the United States, with the selective service the President designates those health care workers, and then the Selective Service System would go in and select those people

that are necessary to protect American citizens. Any delay in that would be foolhardy and would be very, very dangerous. The GAO said if we cut this program it would take up to an entire year to establish a system.

I would tell my friend, the gentleman from Texas (Mr. PAUL), I hope we never have to go to a subscription program. I hope that that emergency and the conflict against the United States never happens to that point. I do not think it will. It could in the future. If that is necessary, then we have to provide that backup. Think of the consequences if we do not. Millions of people, American citizens, their lives would be lost.

This is a better insurance policy than we can have in almost any bill that we vote on. It is very important. It is the third tier to our active duty and our reservists.

Peace and freedom is elusive. It is very fragile. In the history of the United States, in the history of the world, there has been conflict. Is there any Member here in this body that says that we will not be in another conflict in the next year? And with the threats out there that we have, we dare not not support this particular amendment.

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

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

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

The gentleman has called attention to my voting record. I would say that if I could show the gentleman that I voted 100 percent for the Constitution, would the gentleman still complain about my voting record being 90 percent, 99 percent in opposition? Being for liberty is not a negative position.

Mr. CUNNINGHAM. Mr. Chairman, I reclaim the balance of my time. I said the gentleman has the right to do so very much. I respect that. I just happen to disagree with the gentleman on this particular amendment. Mr. Chairman, to seek compliance in this, we are trying to let the potential registrars know what their requirement is so they do not break the law.

President Carter in 1980 asked Congress if we would allow women to register. The Supreme Court found that Congress could restrict that because at that time we did not have women in combat.

This issue has been debated five times, Mr. Chairman. Each time we have restored the Selective Service. We will restore it today, I am sure. I would also tell my colleagues who are opposed to this that in conference we will be happy to work off the different dollars in funding out of the different areas.

I am not hard and fast on any of the offsets. The more important factor to us is the reselection and readministration of the Selective Service System.

Mr. UDALL of New Mexico. Mr. Chairman, as a former local draft board member, I rise in strong support of the amendment offered by my colleague from California. The most important decision Congress and the President can make is to send our young men and women to war. An all-volunteer military sometimes makes it easier for the President to use the military forces liberally. The draft and Selective Service ensure that we should only go to war when it is of vital concern to our national security.

At a time when our military services are failing to meet recruiting and retention goals, it is foolhardy and risky to eliminate the Selective Service System—a proven means of providing personnel to the Armed Forces during times of emergency. The men and women of our all-volunteer armed forces have performed superbly since its inception. The all-volunteer force is a strong force, but it is also a fragile force. It relies on recruiting and retaining quality people. Our armed forces have been reduced to the point where the military struggles to meet all the commitments we place on it. It should be noted that during the recent air war in Kosovo, the Air Force announced a "stop loss" policy, which suspended normal separations and retirements for men and women in critical career fields. Thankfully we did not have a ground war in Kosovo or another crisis of similar proportion at the same time. But if we did, I am sure that the Army and Marine Corps would likely have been forced to institute their own "stop loss" policies resulting in the possibility of sending soldiers and Marines with expired enlistment contracts into harms way.

The all-volunteer force has not been tested during a conflict with mass casualties. Would young men and women continue to volunteer in the numbers required for the armed forces if the war in Kosovo produced significant casualties? What if the peacekeeping force suffers significant casualties? Hopefully they will continue to volunteer, but the Selective Service System is our nation's insurance policy for our national defense.

Some people may say that the Selective Service System is obsolete and may not provide the type of individuals required for our hi-tech armed forces. But the Selective Service System provides a means to draft people with critical skills—such as doctors, nurses and other health care personnel, and in the future individuals such as computer technicians may be needed by our military to combat cyberwarfare.

Providing for a strong national defense is one of Congress' most important responsibilities. The Selective Service System is part of our national defense strategy and I strongly urge all my colleagues to vote "yes" on the Cunningham amendment.

Mr. BUYER. Mr. Chairman, I rise in full support of this amendment and urge my colleagues to support its passage.

In the post Cold War environment, the Selective Service System represents a "national security insurance policy" in a very volatile and unpredictable world community. Right now, American service personnel are deployed in numerous contingency operations around the globe. North Korea, Iraq and the Balkans still exist as potential flash points that could very easily erupt in the near future. Each would require a sizable force structure.

Simply put, the United States is militarily involved in three potential major theaters of war, despite having a force structure that is supposed to fight and win two near simultaneous major regional conflicts. This is truly alarming given the future uncertainty of military manpower as a result of the service's recruiting and retention problems. The Selective Service System is the primary source of leads for military recruiters when prospecting for candidates to join the all-volunteer force.

Equally important, registration represents one of the few remaining obligations our nation requires of its young men. In the nation's changing cultural environment that places more emphasis on receiving benefits, than on service to one's country, elimination of this program will further erode the consciousness of the populace about military service and its obligation to defend our country.

Finally, let me remind this chamber of its Constitutional obligation. Article 1, Section 8 of the Constitution states "that Congress shall have the power to . . . raise and support Armies, . . . to provide and maintain a Navy, . . . and to provide for organizing, arming and disciplining the Militia." I believe the Selective Service System is the foundation of this obligation.

Mr. Chairman, I urge my colleagues to remember their Constitutional obligation and vote to pass this amendment in order to adequately fund the Selective Service System.

Mr. UNDERWOOD. Mr. Chairman, I rise in support of the Cunningham-Spence amendment which will strike the language included in this bill to terminate the Selective Service System. Despite popular convention that the Selective Service System is an anachronistic vestige of days long gone, the fact remains that our nation requires an insurance policy in case of a national crisis. The Selective Service would provide manpower to the military by conducting a draft using a list of young men's names gathered through the Selective Service registration process. This process has stood the test of time and has proved its worth in times of emergency. And while the Selective Service System has been portrayed by some as an anachronistic vestige of a bygone era, the fact remains that it is a necessary component for the defense of our nation. Admittedly, the professionalization of the military has in some cases obviated the need to have a national registration system. However, should there ever be another global calamity such as the kind that occurred twice in this century, with the Selective Service System, our government would have the ready infrastructure in place to provide the necessary personnel resources to defend liberty. This safety net is provided at minimal cost to the taxpayer and is well worth the investment. I urge all my colleagues to vote for the Cunningham/Spence Amendment and restore the President's recommendation to fund the Selective Service System.

Mr. VITTER. Mr. Chairman, today, I reluctantly rise in opposition to the Cunningham-Spence-Buyer-Moran-Ortiz amendment to the Veterans/Housing and Urban Development Appropriations bill for FY 00, H.R. 2684. While I believe the world remains a dangerous place

and consider the selective service essential to ensuring the United States Armed Forces possesses adequate manpower for national emergencies, I cannot support legislation which cuts vital hurricane funding protection and environmental research for South Louisiana.

By striking $5 million from the FEMA Management and Planning account, the Louisiana coast will be unable to implement a buoy system to monitor hurricanes as they approach our coasts. Furthermore, the FEMA Management and Planning account includes funding to develop a New Orleans hurricane evacuation plan for a Category 3 or greater storm. Surely, providing $1 million to take steps toward implementing an evacuation plan for New Orleans is a small price to pay both in terms of lives and money.

In addition to the hurricane funding cuts, Congressman CUNNINGHAM's amendment would threaten to cut $1 million in funding from the University of New Orleans Urban Waste Management Center's budget. The UNO Urban Waste Management Center not only identifies the economic impact and benefits associated with various recycling programs, but it also provides additional educational institutions and national government agencies important waste management assistance.

In a $92 billion appropriations bill, it is unfortunate that we have not learned our lesson from previous hurricane tragedies and targeted superfluous spending to continue the selective service, instead of vital protection for the citizens of South Louisiana.

Mr. CUNNINGHAM. Mr. Chairman, I ask for a yes vote on the amendment, and I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. CUNNINGHAM).

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

Mr. CUNNINGHAM. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 275, further proceedings on the amendment offered by the gentleman from California (Mr. CUNNINGHAM) will be postponed.

The Clerk will read.

The Clerk read as follows:

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by 38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61, $1,469,000,000, to remain available until expended: *Provided*, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98–77, as amended.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

In title I, in the item relating to ''VETERANS BENEFITS ADMINISTRATION—READJUSTMENT BENEFITS'', insert at the end the following:

In addition, for ''Readjustment Benefits'', $881,000,000 for enhanced educational assistance under the Montgomery GI Bill: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

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

The CHAIRMAN pro tempore. The point of order is reserved.

Mr. FILNER. Mr. Chairman, I thank the chairman for his courtesy in making a unanimous consent request earlier in the day for another amendment which I will offer later, under our rules.

Mr. Chairman, I will be offering a series of amendments to increase funding under Title I for the Veterans Administration. I do this because I believe this budget is drastically underfunded.

From my personal relationships with the chairman, the gentleman from New York (Mr. WALSH), the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), I know these gentlemen are strongly in support of our veterans throughout the Nation.

They were given certain rules under which they had to operate. They, as the chairman points out, many times added a significant amount of money to the baseline budget. They wish they could add more. I wish I could add more. I have a series of amendments to make that wish come true.

Mr. Chairman, we all know that the veterans of this Nation got together early in our budget process and put together what they called an independent budget, a budget that called for about $3 billion more than the baseline for this year. That was a budget created by veterans for veterans. It was a very responsible, professional job.

The Democrats on the Committee on Veterans Affairs tried to offer that budget in our authorizing committee as instructions to the Committee on the Budget. We were not allowed by the majority in this Congress, the majority in that committee, to offer that amendment. They made the case that $3 billion must be added to this budget.

The chairman said that this budget offers the greatest increase in history to the veterans budget. That may be true, but that increase, number one, follows years and years of a real decline in our budget for veterans, so it follows probably the greatest decrease ever in the history of our veterans budget, and even their increase of $1.5 billion or so is only half of what responsible veterans organizations think is the minimum to keep our system going.

Even with this largest increase, as the chairman states, it presupposes, as I think the gentleman knows, and as stated in the Republican budget resolution that was passed by this Congress, that that $1.7 billion increase this year presupposes decreases over the next 10 years adding up to almost $3 billion.

If he is right in saying this is the largest increase in history, this is 1 year, and we will have larger decreases over the next decade. So my amendments, Mr. Chairman, are intended to redress this balance.

I took the idea for this amendment, that is, to declare this situation an emergency and therefore not requiring an offset, I took this idea from the subcommittee that has their report before us. They brought to their full committee a report that said we must declare the veterans programs an emergency and ask for about $3 billion.

I think they were right. I think their full committee was wrong in overruling that. My amendment declares the situation an emergency and asks for an addition of various amounts, according to the amendment I have before us.

Veterans in my district in San Diego and across the country cannot understand what my colleague, the gentleman from San Diego, said earlier, that we should be meeting our needs of our veterans but we cannot because we have this Balanced Budget Act of 1997. We should not allow something that Congress passed to prevent us from doing the right thing now, when the situation has changed.

They see a surplus of, depending on how we look at it, $1 trillion, $3 trillion. They say, why can we not have the $3 billion necessary to increase our health care and our benefit situation?

□ 1430

So, Mr. Chairman, this amendment under consideration at the present time asks for $881 million to enhance the Montgomery G.I. bill. This program was named after one of our most legendary Members who retired a couple of years ago, Sonny Montgomery, from Mississippi. He suggested this program. It is time that we made it clear that the modern member of the Armed Services needs an increased benefit if he is going to take advantage of this benefit.

POINT OF ORDER

Mr. WALSH. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN pro tempore (Mr. BARRETT of Nebraska). The gentleman will state his point of order.

Mr. WALSH. Mr. Chairman, I make a point of order against the amendment

because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 rule XXI.

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

The CHAIRMAN pro tempore. Does the gentleman from California (Mr. FILNER) want to reply to the point of order?

Mr. FILNER. If I may reply just briefly, Mr. Chairman.

Mr. Chairman, I assume that legislating in the appropriations bill refers to making this an emergency designation. I would just point out to the gentleman from California (Chairman WALSH) that is exactly what he would have asked the Committee on Rules to support had his subcommittee prevailed in those considerations for emergency designation.

The CHAIRMAN pro tempore. The Chair is prepared to rule.

The Chair finds that a proposal to designate an appropriation as ''emergency spending'' within the meaning of the budget-enforcement laws is fundamentally legislative in character. It does not merely make the appropriation. It also characterizes the appropriation otherwise made. The resulting emergency designation alters the application of existing law with respect to that appropriation. Thus, the proposal is one to change existing law.

On these premises, the Chair holds that the amendment offered by the gentleman from California, by including a proposal to designate an appropriation as ''emergency spending'' within the meaning of the budget-enforcement laws constitutes legislation in violation of clause 2(b) of rule XXI.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, $28,670,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That during fiscal year 2000, within the resources available, not to exceed $300,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $156,958,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

EDUCATION LOAN FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $1,000, as authorized by 38 U.S.C. 3698, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $214,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $57,000, as authorized by 38 U.S.C. chapter 31, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $2,531,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $415,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by 38 U.S.C. chapter 37, subchapter V, as amended, $520,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the Department; and furnishing recreational facilities, supplies, and equipment; funeral, burial, and other expenses incidental thereto for beneficiaries receiving care in the Department; administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; aid to State homes as authorized by 38 U.S.C. 1741; administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under 38 U.S.C. chapter 17, and the Federal Medical Care Recovery Act, 42 U.S.C. 2651 et seq.; and not to exceed $8,000,000 to fund cost comparison studies as referred to in 38 U.S.C. 8110(a)(5),

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROEMER:

In the matter relating to ''VETERANS HEALTH ADMINISTRATION; MEDICAL CARE'', after the second dollar amount, insert ''(increased by $350,000,000)''.

In the matter relating to ''PUBLIC AND INDIAN HOUSING; REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)'', after the first dollar amount, insert ''(increased by $50,000,000)''.

In the matter relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION; HUMAN SPACE FLIGHT'', after the dollar amount, insert ''(reduced by $2,080,000,000)''.

In the matter relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION; SCIENCE, AERONAUTICS AND TECHNOLOGY'', after the dollar amount, insert ''(increased by $675,000,000)''.

Mr. ROEMER. Mr. Chairman, I offer this amendment with the gentleman from South Carolina (Mr. SANFORD) which will obviously do two things. One, this amendment will eliminate the funding for the over budget and ineffective Space Station. Secondly, more justly, more effectively, more compassionately, and more fairly allocate that $2 billion that we are going to spend on the Space Station this year to some programs that vitally need the funding, including almost $1 billion for debt reduction, $350 million for our veterans health care, and $50 million for distressed public housing for the poorest of the poor in America, where their budget was cut by $50 million in this bill.

The Space Station, which continues to be billions and billions of dollars over the $8 billion initial funding figure, now the projections for the total cost will be well over $100 billion. It does not seem to matter how many delays and cancellations and inefficiencies are in the Space Station.

But when we come to the poorest of the poor, when we come to the severely distressed, housing needs, we cut them by $50 million. So this amendment would restore some balance and some fairness to that.

Why are we trying to cut the Space Station? The preeminent scientist in the mid-1800s Louis Pasteur said, and I will paraphrase him, I am getting closer and closer to the mystery, and the veils are becoming thinner and thinner and thinner. Well, the veils that have really camouflaged the Space Station over the last decade are now becoming very apparent.

What is the status of NASA, let alone a Space Station that was supposed to cost $8 billion and now is well over $100 billion for the American taxpayer? Well, the status of NASA today is that, in about 1989, the Space Station took about 4 percent of the NASA budget. In 1999, Space Station will take almost one-fifth of every dollar that we appropriate for NASA. One-fifth of every dollar is going to be eaten up by the Space Station when there are so many other important programs within NASA that

are doing magnificent work, whether it be Mars or Jupiter, whether it be follow-ups to our Cassinis and Rovers.

These programs are legitimate science and helpful science, and we have a Space Station that continues to massively vacuum up every available dollar.

The gentleman from Maryland (Mr. HOYER) said that this $1 billion cut to NASA will probably result in the closing of two NASA space centers. The entire shuttle fleet today in September is grounded. We cannot put a shuttle up today. We are cutting shuttle safety. We are cutting back on science and aeronautics efforts within the NASA budget.

It seems to me, Mr. Chairman, that we have to save the Space Station from consuming the NASA budget, and kill the Space Station, and put the money back into these other important programs as well as put $1 billion toward debt reduction.

Now, I also am very concerned about the severely distressed housing for the poorest of the poor in America. We allocated $625 million last year. This year, that allocation is $575 million, a $50 million cut.

Now, one travels as a citizen or a Member of Congress to Chicago, in the South side, and one sees some of the 40-year-old housing that we put people in in America that are drug infested and rat infested that we are going to continue to ask people to live in those kinds of severely distressed public housing for another year and another year and another year; but we have unlimited funds for a Space Station for 7 astronauts to be housed in when tens of thousands of Americans have to put up with housing that is unsafe, that is unsanitary, that should not be fit for children to have to live in, that some children risk having nose and ears bitten by rats. We should not be at this situation in America going into this new century.

So this Roemer-Sanford amendment would shut down the Space Station on its own merits or lack of them and restore $350 million to veterans health, $50 million to severely distressed public housing, and $1 billion for debt reduction.

I encourage support for this bipartisan amendment.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the last word and speak in opposition to the amendment.

Mr. Chairman, I rise in very strong opposition to this amendment. It is a tradition here in the House of Representatives to take up the Roemer amendment every year in the VA, HUD bill. I began debating the gentleman from Indiana (Mr. ROEMER) and his supporters, his dwindling number of supporters for his amendment, back in 1995 when I first got elected, both in the full Committee on Science, in the Subcommittee on Space and Aeronautics, on the floor of the House.

I commend the gentleman from Indiana (Mr. ROEMER) for his persistence in clinging to the idea that America should not be creating a permanent human presence in space and taking the next step that we should be taking in the process of human exploration of the universe.

But, clearly, the will of the House has been consistently in opposition to this. Indeed, in many ways, I am very pleased he is offering the amendment again, because each year we get more and more votes against the amendment. There is a reason for that, Mr. Chairman.

The reason is, number one, NASA is one agency that has been doing more with less. It is one of the few agencies in the entire Federal Government that has actually been responding to the demands of the Congress, and that is to reform and become more efficient. There is probably no better program than the Space Station program.

Many people like to point out the so-called cost overruns in the Space Station program. The vast majority of those cost overruns are being generated by some of the problems that the gentleman alluded to, the problems with the Russians. But here are some things we need to consider about the Space Station. Number one, most of it has been paid for already in terms of construction.

We are now at a point where we are ready to launch most of the elements. We are waiting for a Russian element; and when that element is on orbit, we will be in the process of constructing it, and then permanently putting a crew up there.

I think one of the most important aspects of this is that it has excited school children all over the country. When I talk to teachers anywhere I go, they all say the same thing to me, that the thing that they find motivates their kids more than anything else to study math and science, which is so critical to the future of our Nation, is when they use examples from space.

Let me talk about one other issue. We all know the incredible scientific breakthroughs that accrue to the entire human race from our human space exploration program. Everybody is familiar with some products like velcro, for example, something we see everywhere, a spin-off from NASA.

Before I came to the U.S. Congress, I worked as a medical doctor. I am a physician. I can tell my colleagues that I used to see the impact of NASA in prolonging lives, in improving lives, the new prosthetic devices using materials that are direct spin-offs of our space program, in imaging technologies, in MRI and CAT scanning, in materials that are used for pacemakers and cardiac catheterization.

Indeed, there are entire books published by NASA called spin-offs that are just filled with page after page of our investment in science and technology through our NASA investment.

So here we are today. We have got Space Station elements stacked up and ready to go at Kennedy Space Center. We have got the Japanese ready to deliver their element. The Europeans are ready to deliver their section. The Canadians have already delivered theirs. This is the greatest scientific and engineering undertaking in human history. Much of it has already been expended.

I say to my colleagues to vote ''no'' on this amendment, and let us proceed with the program, and let us make sure that we have a future. This country was founded by pioneers. The pioneering spirit dwells in the hearts of all Americans. The place where that pioneering spirit is fulfilled is within NASA and the work that the men and women of the National Aeronautics and Space Administration are doing on a daily basis.

So I encourage all of my colleagues to vote ''no'' on the Roemer-Sanford amendment and continue our effort to explore the universe.

□ 1445

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Mr. Chairman, again my friend, the gentleman from Indiana, joined by the gentleman from South Carolina, has proposed to terminate the International Space Station. Mr. Chairman, I rise in opposition to that amendment. In years past this has been an ideological battle: Do we or do we not want to have a permanent human presence in Earth's orbit? Time and again this body has answered that question with a clear and increasingly resounding ''yes.'' Let me quickly run through recent votes on virtually identical amendments. Reviewing these votes will, I believe, demonstrate the support which the International Space Station does enjoy in this House.

On April 29, 1992, the gentleman offered an amendment to delete authorization for Space Station. That amendment was defeated 254 to 159. On June 23, 1993, the gentleman offered an amendment to terminate Space Station on the NASA authorization, the only close vote we have had on it, but that amendment was defeated 216 to 215. On May 30, 1996, the gentleman offered an amendment to the authorization bill to terminate Space Station and that was defeated 286 to 127. Again, on April 24, 1997, an amendment was offered to terminate the station and that was defeated 305 to 112. On July 29, 1998, an amendment to the appropriations bill was offered to strike funding. That was defeated 323 to 109. And, finally, on May 19, 1999, just this spring, the gentleman offered an amendment to delete the station from the authorization bill, and that was defeated by a rather resounding vote of 337 to 92.

My colleagues, this trend is very clear. Support is growing for Space Station in this body, not subsiding. The time has passed when we should even be considering termination of Space Station. We have had this debate on authorization and appropriations bills in years past, and each time proponents of the Space Station have prevailed. At some point there must be some finality to the decision to proceed. Mr. Chairman, I think that time has come.

We have already spent more than $22 billion on Space Station, and that investment is beginning to bear fruit. Further, we are not the only country who has invested great sums of money into the Space Station. In addition to Russia, our international partners include Canada, Japan, Italy, France, and a number of other European countries. We must not suddenly pull the plug on the Space Station and leave our investments and those of our partners to go down the drain.

All that aside, Mr. Chairman, this is no longer simply an ideological debate. As of December 6, 1998, when a team of American astronauts and Russian cosmonauts connected the Russian Zarya module with the American Unity craft, we have a functional Space Station in Earth's orbit. What is more, the long awaited launch of the Russian Service Module will take place late this fall. Once it has docked with the existing structure, the International Space Station will finally be ready for a human crew. Once that happens, the Space Station will begin to fulfill its mission. As a scientific and as a technological platform, it represents the next logical step in our efforts to explore space by providing the necessary experience with building and operating large space-based structures and with measuring the effects on humans of long-term space travel.

The Space Station will also provide a platform for important scientific research, particularly medical and materials science research that require a microgravity environment. And like any other major undertaking at the cutting edge of technology, Mr. Chairman, the Space Station has had and will continue to have important spin-off benefits in terms of new products, new technologies, and new industrial processes.

Mr. Chairman, it is time to end this debate once and for all, and I urge my colleagues to vote against this amendment and subsequent amendments to the Space Station.

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

Mr. MOLLOHAN. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I thank my good friend from West Virginia for yielding to me and note his recollection of my tenacity but my losing record of Space Station.

Mr. MOLLOHAN. Reclaiming my time, Mr. Chairman, I would note that I admire the gentleman's tenacity.

Mr. ROEMER. If the gentleman will continue to yield, I want to note for the gentleman, as he mentioned in his remarks, that we have spent about $22 billion on the Space Station, and I think that is absolutely accurate, as my friend always is, but that the General Accounting Office has estimated that the total cost of putting a space station in space will be over $100 billion. So we still have $80 billion to go.

Mr. SANFORD. Mr. Chairman, I move to strike the requisite number of words.

I first of all want to commend the gentleman from Florida (Mr. WELDON) because if I lived in the area around Cape Canaveral, Titusville, Florida, I would want the gentleman as my representative; but I do not, and so I find myself with the gentleman from Indiana (Mr. ROEMER) on this amendment, reluctantly, because the gentleman has consistently been a tireless advocate for NASA and associated programs.

I rise in support of this amendment, though, because I think it makes common sense, first of all simply from the standpoint of the budget caps. The budget caps have become a bad word here in Washington, but in essence they are the rails along the highway that set the course in terms of what we are willing to spend out of people's pockets, our folks back home. We may well go over those rails, we may break the budget caps; but if we are serious about the budget caps, we have to find a couple of areas wherein we say we actually want to limit the growth of Government in this, that, or some other program; and this is an amendment that actually does that.

And, again, if we are going to stay true to those budget caps, doing that is incredibly important. And that is why, for instance, Citizens Against Government Waste have come out in support of this amendment, the National Taxpayers Union has come out in support of this amendment, and Taxpayers for Common Sense has come out in support of this amendment, because it helps us maintain some kind of fiscal discipline in this House.

The second reason I think this amendment makes sense is that there is a giant check floating around Washington, D.C. and on the top of that check are marked the words ''insufficient funds.'' And the person that that check is to be made payable to are the veterans of America. Because what I consistently hear from folks back home is that they fought in World War II, they had some friends killed in World War II, they either lost a limb or was shot, or maybe they were not even hurt at all but the promise made to them by the Federal Government was that when they grew a little older, when it came to retirement age, they would be taken care of. It turns out there are insufficient funds in that account.

So this amendment does something about that. It moves $350 million out of this funding, which is truly out in space, to something very much in need here on Earth. And that is why this amendment is supported by the American Legion, it is supported by American Veterans, it is supported by Paralyzed Veterans of America, and it is supported by Vietnam Veterans of America, because it addresses this critical need to which right now there is a check marked insufficient funds.

Thirdly, I support this amendment, going back to this theme of gravity, because we are looking, as the gentleman from Indiana (Mr. ROEMER) correctly pointed out earlier, we are looking at a program that basically started to the tune of around $8 billion or so and it has now grown to $100 billion. We are not talking about the elimination of NASA; we are not talking about the elimination of space programs. What we are talking about is one specific program. Because it is crowding out a lot of other priorities.

Going back to the point that the gentleman from Indiana raised earlier, if we were $200 short toward fixing our car, let us say the fixup would supposedly cost $1,000, but the $800 would not fix the car, would we spend the other $800? Or if we were going to make an investment and it was going to cost $2,000, but the total investment would be $10,000, would we spend the other $8,000 if it was a bad investment? I think the answer is clearly no. And that is where we are on this, I think.

Because this is what this amendment does: it moves $675 million of funding to things like, for instance, the Pathfinder, where for $250 million we can get to Mars; for $75 million on the Clementine we can get to the Moon. It goes to some fairly effective space programs. In fact, it restores 62 percent of the cut that was in that particular account in NASA, and it moves to some things that we can actually do something about, I think some much higher priority items.

Fourthly, I would just mention the issue of certainty. This has been touched on by several other folks. But anytime we have in the course of a critical path, whether it is in commerce or whether it is in business, a partner that is uncertain, is that the kind of investment we would make? At minimum we would put the brakes on and say let us look at this thing closely. I think that is where we should be with the Space Station.

Finally, this is about priorities. There are a limited number of dollars in Washington. And while inspiring schoolchildren is nice, if we really want to motivate them, we should put dollars into the classroom. That is how we really motivate students. This is

about priorities and, therefore, I urge its adoption.

Mr. EVANS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Roemer-Sanford amendment which would provide a $350 million increase for health care for our Nation's veterans. This will bring the total funding increase for VA health care to $2.05 billion. This amount is almost exactly what was proposed in the additional and dissenting views offered to the Committee on the Budget by Democratic members of the Committee on Veterans Affairs.

I want to thank my colleagues, the gentleman from Indiana (Mr. ROEMER) and the gentleman from South Carolina (Mr. SANFORD), for inviting me to work with them on this important amendment. The amendment will allow the VA to make important enhancements in veterans' health care. It will provide funding to reimburse emergency care for veterans. This will ensure veterans are not reduced to second-class citizenry as other Americans benefit from a patients' bill of rights.

It will allow critically needed funding to shore up long-term care and mental health programs, and it will assure adequate funds to provide screening and treatment for veterans who have the hepatitis C virus.

Veterans who served during the Vietnam era are at a greater risk for having hepatitis C virus than any other Americans; yet I have had to request VA's Inspector General to investigate allegations that, because of underfunding, the VA has to ration the screening and care it provides to our Nation's heroes with this disease.

I understand that this debate is about our priorities. I have encouraged and been encouraged by the efforts I have seen from Members on both sides of the aisle. It is high time we make our veterans a high national priority. A vote for the Roemer-Sanford amendment will allow us to do so. I urge my colleagues to join me in supporting it.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. WELDON of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding to me, and I just want to make two brief points.

The gentleman from South Carolina who spoke in support of this amendment mentioned the $100 billion price tag on the Space Station. I just want to again reiterate for my colleagues a point I have made previously in this debate, and that is that that $100 billion includes the construction cost of the Space Station, all of the shuttle mission costs, and all of the research that is going on there.

The gentleman's earlier assertion is akin, I would say, to someone who was going to purchase a house for $75,000 to say that they were actually spending around $300,000 because that is what it would cost for the cable bills and the electric bills and for the purchaser's food and clothing over the next 30 years. The actual construction cost on the Space Station is about $24 billion. I agree that is a lot of money, but it is money that has already been spent. We are ready to roll.

And for the sake of abbreviating the debate here, we have had this debate for many, many years, I will conclude and again encourage all my colleagues to vote ''no'' on the Roemer-Sanford amendment.

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Mr. CUNNINGHAM. Mr. Chairman, I would say to my friends, the issue of whether we want to end up in space or not is a valid issue. But we are ready to go with this system. The gentleman talks about cost, but this Space Station has been redesigned and redesigned and redesigned each time because of cuts in funding that has increased the funding. It is just like if we want to buy a system and we have to redesign it, then we have to almost double the cost. This would also kill the entire program.

I, unlike my colleagues, believe that the spin-offs are going to be very important. Whether we are looking at the world and the temperature controls or the different environmental concerns that we have on Earth, I think we are going to look at those from space; and there has been good evidence to do that.

In space, we can look at a cell from four different angles. On Earth, we can only do it in one dimension. The scientists at NIH and other areas have said that this kind of research is going to lead to the cure of AIDS and those different things in which they cannot even look at the cell division.

So I would rise in opposition to my friend. And though his goals are noteworthy in the areas that he wants to increase, I think for us to turn our heads away from a program that is ready to go with all the other nations that are involved not only sends a poor message to the leadership of this country but to what we will be able to achieve in space itself.

Mr. WALSH. Mr. Chairman, I rise to strike the requisite number of words and speak in opposition to the amendment.

Mr. Chairman, the committee and the subcommittee recommendation already cuts NASA funding more than any other program within this bill, with the exception of AmeriCorps and Selective Service.

The committee, while severe in the minds of some, still allows NASA to operate its core programs. This amendment would make it next to impossible for NASA operations to be conducted and it may jeopardize other programs within NASA.

The proposal to delete $2 billion of the funding for the International Space Station would effectively cause us to waste an investment of over $20 billion already expended in the program at a time when we are so close to making real progress on assembly and utilization of the on-orbit facilities.

The figure of $100 billion has been mentioned a couple of times. But, in fact, the General Accounting Office, as recently as August of 1999 suggested the total shuttle costs, including assembly, development, and all the science and research that have gone into this and the operation, GAO's estimate is $53 billion, not $100 billion. And so, almost all the major components of this station have been manufactured.

I recently visited Kennedy Space Center and witnessed as they had all of these different parts and pieces brought together, parts that were assembled all over the world, Italy, Russia, U.S., Canada, and so forth, testing them out; and now the really exciting aspect of this project begins, the aspect of this project that young people all over the country are focusing on at space camp and in schools and colleges around the country where they are glued to what is about to happen as we start sending these parts and pieces up into space, assemble them within the telescopic eye of everyone on Earth. Everyone has an opportunity to participate and be excited in this program.

And so the corner has been turned. It has been difficult and expensive to get to this point, but now we begin the assembly. But we have arrived at this point and it would be tragic if we are not to go forward and see the process through to its successful conclusion. A tremendous investment has been made and we should not waste it.

Much has been said about keeping commitments, especially keeping commitments to veterans. We have done that, Mr. Chairman. We have, as I said, increased the veterans medical health care budget by an amount of $1.7 billion, the largest increase in the history of veterans medical health care; and we are proud of that commitment that the subcommittee bill has made. But we need to keep our other commitments, too, within this bill. Given the budgetary constraints that we have had, it has been difficult, but we have accomplished that. We need to keep the commitments made to our partners here.

I urge that the Committee of the Whole reject this amendment.

Mr. HALL of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong and unchanged opposition to the Roemer amendment.

I am a little bit uneasy about the things that I have to say, and I am trying to think of something nice to say about the gentleman from Indiana (Mr. ROEMER) that I have not said before on all the other occasions that we have voted this amendment down.

A good American? You bet. Bad amendment? Absolutely. Great Member of Congress? No question about it. Bad amendment? It is a cinch it is a bad amendment. Fine personal friend? I do not have any better. As a matter of fact, we probably voted together on every other item that comes before this Congress but this one amendment.

He is a wonderful guy, just wrong on this amendment. I thought it was a bad amendment back when he first brought it up. I still think it is bad. This amendment, I think everybody knows, would cancel the Space Station just when we are really getting ready to reap the rewards of the investment we already made in this program, a huge investment we made.

The first two pieces of the Station are already in place. Much of the rest of the Station is hardware that is stacked out there somewhere around Cape Kennedy that is ready to be put in place, much of it already purchased. It would be a colossal waste of money to stop the Space Station at this late date just as we are starting to assemble it. At the same time, crippling the Space Station would really cripple our ability to conduct the important biomedical and research plan for the Space Station. And that is one of the reasons I am still in Congress, to see the biomedical thrust in space.

All of us have a reason for this. My reason is personal because I have had cancer in my family. I have had them wasting away in the cancer ward. I know the benefit of a biomedical thrust in space. We have it up there now. We have to keep it up there.

I think the U.S. and the taxpayers of this country are ready for a breakthrough from space. I say to the gentleman who has the amendment, we are ready for something other than giant expenditures of money. I agree with him on that. We are ready for something other than ticker tape parades. We are ready for a break-through from space, like a cure for cancer, diabetes, or any of the other dreaded diseases.

I think that certainly includes research that can help the veterans that are wasting away in VA hospitals with the dreaded diseases that we cannot cure today with the technology that we have.

My colleagues all know that I am a supporter of the veterans and I am a supporter of fiscal responsibility. However, this amendment does nothing to help either cause. It should be defeated. I urge the Members to oppose the amendment.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate the words of those NASA supporters here today; and I rise, too, in opposition to the Roemer amendment, which he is offering for the second time this year.

I have been here since the gentleman from Indiana (Mr. ROEMER) came here when we came into Congress together, and I have gone through this drill with him since 1992. And here we are again.

I would say some good things about him, but the gentleman from Texas (Mr. HALL) has already said those good things about him. The gentleman from Indiana (Mr. ROEMER) and I are occasionally on the same side of the same issue but never never over this issue of NASA.

I want to say to the chairman of the subcommittee, I am new to the subcommittee, as of course the chairman knows, and I have gone to the subcommittee because I looked forward to working with the chairman, looked forward to working with my ranking member, the gentleman from West Virginia (Mr. MOLLOHAN) here. I appreciate both their words today here in support of NASA. Of course, I am troubled by the overall NASA mark in this bill and hope that this is just the beginning of what we will have to go through and that we will eventually correct funding for NASA in general. Because I think, in general, a $1 billion cut is an unacceptable cut.

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

Mr. CRAMER. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I hate to take any of the valuable time of the Member because I know he has been waiting, but I would like to suggest that I look forward to working with him as we go through this process to try to find a way to meet the needs of a very important department in our Federal Government, and that is NASA.

I associate myself with the remarks of the gentleman regarding the funding of NASA, and I urge him to work with us as we go along.

Mr. CRAMER. Mr. Chairman, reclaiming my time, I appreciate that attitude and the attitude of the staff, as well. I know that this is a very difficult position for the chairman to be in, especially as our bill proceeds through this process late in the game. It has been very tough for us to come up with a passable bill. But I thank the gentleman for those remarks.

To the gentleman from West Virginia (Mr. MOLLOHAN) as well, we have been through this battle over the Space Station, over efforts to fund NASA at an appropriate level that would allow science and the Space Station to do the things that we know they can do, and I appreciate his work here today, as well.

I would say to the gentleman from Indiana (Mr. ROEMER) that he is wrong again. It is about time that he directs his attention to issues other than killing the Space Station. Let us look for other ways that we can work together other than having to come to the floor like this and go through what I now consider a very unnecessary drill here.

As my colleague knows, the prime contractor is 84 percent through with building the Space Station. I think it has already been said in this debate, if not in this debate, in the debate earlier this year, that by the end of this year half a million pounds will be in space. It is too late for us to turn our back on the Space Station program.

We are fooling ourselves to think that if we end the Space Station we will help all of NASA. That is simply not true. If we pull the heart out of NASA through killing the Space Station program, then we will be pulling the heart out of the science program.

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

Mr. CRAMER. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I too want to join in saying nice things about my colleague as well.

My good friend from Alabama (Mr. CRAMER) and I have served on the Committee on Science for many years and had fought to restore money into the aeronautics account and worked on the Doppler radar systems together for our respective districts.

This is just a difference of opinion. We have a bill before us that has great leadership in the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN). But we have a billion-dollar shortfall on the NASA budget the we have no money for AmeriCorps. We have $50 million less for severely distressed public housing for the poorest of the poor.

I do not support tax increases, as my colleague does not. We voted together against tax increases. So the only way that we can try to in some kind of fair and principled way resolve our differences is for me to go after a program that has not worked very well, in my humble opinion, and put money into debt reduction, put money back into severely distressed housing, and put money back into veterans organizations.

Mr. CRAMER. Mr. Chairman, reclaiming my time, because I do not have that much time to spare, I, of course, disagree with my colleague from Indiana. This is the wrong time to pull a further rug out from under NASA; and my colleagues are fooling themselves if they think by killing the Space Station they are helping other parts of this very difficult appropriations bill.

We have got our work cut out for us. I might agree with my colleagues that funding should be restored to other programs within this bill, but killing the Space Station is certainly not the

way to do it and this is certainly not the time to do it. I hope the Members coming back here after this long and enjoyable August break are not fooled by this annual battle that my colleague takes us through.

Oppose the Roemer amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I certainly want to follow up with some kind words of my good friend, the gentleman from Indiana (Mr. ROEMER), who shared so many hours on the Committee on Science. And I thought for a moment he might be born again, but I realize his commitment. And it gives me the opportunity to explain to the American people why this is a misdirected and wrong-headed approach to budget cuts or concerns about overspending because that is not what we are having in NASA.

Let me also thank the gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from New York (Mr. WALSH) for their kind remarks in opposing this amendment and their leadership.

Although joining my colleague, the gentleman from Alabama (Mr. CRAMER), I take great issue in the billion-dollar cut that we face in NASA overall in this bill, the VA-HUD bill, and think we need to fix it and hope that my colleagues will join me tomorrow in fixing it.

But I say to the gentleman from Indiana (Mr. ROEMER), this particular amendment is again wrong, juxtaposed against the billion-dollar cut. I, too, am a supporter of AmeriCorps. I am a supporter of veterans health care. In fact, I have made a commitment and talked to my veterans in my community to indicate to them that I would always stand with them for the kind of funding that they need that pays the right amount of respect for what veterans have done for America.

But at the same time, we are being foolhardy in cutting NASA, an agency that has cut itself. NASA has been one of the leanest and I would like not to say meanest but one of the most fiscally responsible agencies that the United States has had. And here we are attempting to cut NASA on top of the $924 million, almost a billion dollars, that is being cut.

What does that mean? I used a metaphor just a few minutes ago. To build or rebuild the San Francisco bridge, for many of us who have admired this bridge, get it halfway over the water and simply say, stop.

We realize that the Russian MIR is on its way to retirement. There is 77,000 tons in space now. The Space Station is potentially utilized to do research in space that covers aeronautical research or aviation safety. It covers, as well, research in HIV–AIDS, high blood pressure, heart condition, and cancer.

We still have not reached the point of determining the questions to those dreadful diseases or symptoms. At the same time we are talking about cutting NASA.

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In addition, we are talking about people who have invested their lives to do research for America so that we can advance and make life better for Americans all over this Nation.

We are a world power, and we stand strong as a leader in space and yet when we ask our partners, Italy and France and others, to be fiscally responsible and keep their commitment, look what we are doing today, cutting NASA again and then cutting it with a $924 billion cut.

In light of the docking that we have seen this summer, and Frank Culbersome of NASA said that the docking that went on with the Space Shuttle Discovery was a historic moment and yet today we cut NASA. Just a few years ago, some of my colleagues in Congress, before I came, thought it was important to cut the super collider. Many of my colleagues may not remember that, but right now most of that research is going on overseas and some of us think we have missed the boat.

We have been talking over the years about math and science prowess with our students and so NASA has been working with our educational systems, our school systems, our primary and secondary schools, to ensure that our children are excited about and competitive in math and science; and yet the dollars that I know my friend and colleague will be cutting will be cutting those very programs to make us competitive in the world and international markets. This is wrong headed and that is why I hope tomorrow to find the goodwill of my colleagues in restoring the $924 million that they will join me in recognizing that, though the gentleman from Indiana (Mr. ROEMER) is consistent that his cuts, added to the $1 billion cut or almost $1 billion cut, is completely hypocritical in light of the $792 billion tax cut that the American people are not asking for, but yet my Republican colleagues persist in wanting to give.

I would think that the American people want to see us fund veterans health care; and I would like my colleagues to support me in that, as well in housing, and to ensure that we remain competitive with the NASA leadership, provide our young people with training in science and math, be on the cutting edge of technology, provide us with safe travel and air travel, and ensure that the space shuttle and the space station stay on schedule and that we do not throw good money after bad and ruin the leadership role that the United States has had in space research and exploration.

Mr. Chairman, I rise to voice my concern because in its present form the VA–HUD appropriation bill will surely and deservedly be vetoed. The path that this bill presents is a steady decline in services. Despite the current economic strength of our nation, this Congress is ready to approve a budget that cannot even spend the same amount as last year on housing assistance for low income elderly or families with children, or basic research funded by NASA and the NSF, or on community service by our youth, or financial support for building businesses in impoverished urban and rural communities. During this time of prosperity we cannot afford these programs but we can afford an $800 billion tax cut.

I am proud of the Johnson Space Center and its many accomplishments, and I am a staunch supporter of NASA and its various programs. NASA has had a stunningly brilliant 40 years, and I see no reason why it could not have another 40 successful years.

There is no doubt, the spirit of NASA captures America's most treasured and valuable virtues—curiosity of the unknown, ingenuity beyond measure, and undaunted resolve in the face of adversity. That spirit is born out of the character of the NASA family, which is made up of agency employees and their loved ones, along with the business and residential communities of Houston.

This year, the Appropriations Committee has recommended funding for NASA that is over $924 million short of the NASA request. This situation is untenable. We cannot underfund this important agency.

In particular, the Committee's recommendation falls $250 million short of NASA's request for its Human Space Flight department. This greatly concerns me because this budget item provides for human space flight activities, including the development of the international space station and the operation of the space shuttle.

I firmly believe that a viable, cost-effective International Space Station has been devised. We already have many of the space station's components in orbit. Already the space station is 77-feet long and weighs over 77,000 pounds. We have tangible results from the money we have spent on this program.

Just this past summer, we had a historic docking of the space shuttle Discovery with the International Space Station. The entire world rejoiced as Mission Commander Kent Rominger guided the Discovery as the shuttle connected with our international outpost for the first time. The shuttle crew attached a crane and transferred over two tons of supplies to the space station.

Frank Culbertson, NASA's deputy program manager for space station operations noted, "The history of this moment shouldn't be lost on us. [This docking] was a very significant event."

Culbertson's words should not be lost on us mere months after he uttered them. History has been made, yet, we seek to withdraw funding for the two vital components, the space station and the space shuttle, that made this moment possible. We cannot lose sight of the big picture. With another 45 space missions necessary to complete the space station, it would be a grave error of judgment to impede on the progress of this significant step toward further space exploration.

Given NASA's recognition of a need for increased funding for shuttle safety upgrades, it is NASA's assessment that the impact of a $150 million cut in shuttle funding would be a reduction in shuttle flight rate, specifically impacting ISS assembly. Slowing the progress of the ISS assembly would defer full research capabilities and would result in cost increases.

Both the International Space Station and the space shuttle have a long, glorious history of international relations. We can recall the images of our space shuttle docking with the Russian Mir space station. Our nations have made such a connection nine times in recent years. This connection transcended scientific discovery: it signified the true end of the Cold War and represented an important step toward international harmony.

The International Space Station, designed and built by 16 nations from across the globe, also represents a great international endeavor. Astronauts have already delivered the American-made Unity chamber and have connected it to the Russian-built Zarya control module. Countless people from various countries have spent their time and efforts on the space station.

To under-fund this project is to turn our backs on our international neighbors. Space exploration and scientific discovery is universal, and it is imperative that we continue to move forward.

I plan to offer three amendments that would add $15.5 million to the Human Space Flight section of the NASA budget because it is imperative that we provide adequate funding for the Human Space Flight's programs. Offsets for this funding would come from the American Battle Monuments Commission, the Chemical Safety and Hazard Investigation Board, and Emergency Management Planning and Assistance.

These amendments do not come close to repairing the damage done by the Appropriations Committee, but they will provide much needed assistance, and they will show NASA, America, and our international neighbors that we do care about space exploration and our glorious history that we continue to create.

I also denounce the cuts made by the Appropriations Committee to NASA's science, aeronautics, and technology. This bill cuts funding for this program $678 million below the 1999 level.

By cutting this portion of the NASA budget, we will be unable to develop new methodologies, better observing instruments, and improved techniques for translating raw data into useful end products. It also cancels our "Pathfinder" generation of earth probes.

Reducing funding for NASA's science, aeronautics, and technology hinders the work of our space sciences, our earth sciences, our academic programs, and many other vitally important programs. By under-funding this item by $449 million, the Appropriations Committee will severely impede upon the progress of these NASA projects.

Some of the largest cuts in the bill come in the Department of Housing and Urban Development. Reductions in HUD programs below the prior year's level are spread throughout the bill. Of the 24 on going accounts within the HUD title, the bill increases spending for one, freezes 9 at the 1999 level, and cuts the remaining 14 below 1999. Some of the cuts are small, others are substantial. A recent study on housing needs found more than 5.3 million very low income families with worst case needs who were receiving no federal housing assistance at all.

Mr. BENTSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment and, for that matter, I rise in opposition to the bill as it is currently drafted. First, with respect to the amendment, in a press conference that a number of us just held where we talked about the bill, the underlying bill itself and how it funds NASA, one of my colleagues talked about how this bill was like eating the seed corn.

Well, this amendment, unfortunately, while well intentioned by the gentleman from Indiana (Mr. ROEMER) is a little bit like cutting your crops down before they are harvested. We have already put the seed in the ground. We have already fertilized the ground. We have already raised the crops and we are about to harvest those crops; and instead of doing so, we are just going to burn the field; and we are going to burn our entire investment in this program where we have already had some yield, but before we get the full potential of the crop or of the product, and I think that would be a terrible mistake.

If the gentleman believes, and I totally disagree with this, but if the gentleman believes that the funding is a waste of taxpayer dollars, what a terrible waste of taxpayer dollars it would be to destroy the project right now and get nothing in return for it.

I think that would be a very big mistake, and I would hope that our colleagues would once again reject this amendment.

Now, with respect to the underlying bill, I think the fact that we are cutting about a billion dollars out of NASA or proposing to cut about a billion dollars out of NASA, cutting about a quarter of a billion dollars from the National Science Foundation is really wrong headed, and I know that the chairman of the subcommittee and the ranking member and the chairman of the committee who is on the floor tried to do the best they can with what they have, but this bill and perhaps the coming Labor HHS bill, if that ever gets to the floor in a singular form, is a product of a failure on the part of the Congress to adhere to the agreement that we made in the 1997 Budget Act.

I sat on the Committee on the Budget in 1997 when we wrote that; and the fact is over the last couple of years, through abusive use of emergency spending, through a highway bill that was incredibly bloated, and through actions taken this year, we have blown through the caps in discretionary spending at the front end and now we are taking it out on the back end, and I do not think there is anybody in the Congress who truly believes at the end of the day that we are going to abide by that.

In the meantime, all we are doing is making these illusory cuts and saying that we are going to make these cuts which really send the country backwards. I think it would be a mistake. We ought to be making an investment in the future rather than consuming today, but the way this bill is written we would be consuming our seed corn and not investing for the future.

I would hope that my colleagues would reject the Roemer amendment and would reject the underlying bill as it is currently drafted, if it cannot be corrected during the amendment process.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment to terminate the International Space Station.

We go through this exercise every year and the outcome is a foregone conclusion. When Mr. ROEMER offered a similar amendment to the authorization bill this spring, he could not even muster 100 votes. We beat back this amendment by the biggest margin in the Space Station's history. We will do so again. But, there are a few points we should make clear before doing so.

First, the gentleman has challenged Congress to set priorities. The fact is, we have. Scientific research aboard the Space Station is—and has been—our top priority for the civil space program. Congress has made that clear on a bipartisan basis for years.

Second, there is hardware in orbit. Right now, the first and second elements are assembled in space and circling the Earth. Terminating now would send the program to a fiery ending as those elements burn up upon re-entering Earth's atmosphere. That's not the right beginning to the next millennium.

Third, we have already spent the bulk of the Space Station's development funding. We've passed the roughest financial hurdles and invested some $20 billion getting the hardware on the ground ready for launch. You can see that hardware at the Kennedy Space Center right now. It belongs in orbit, not in a museum.

Finally, there are 16 other countries counting on us to finish the Space Station. They have committed billions to this project because we made a pledge to them. That's a pledge we should not break. While it is true that Russia has let the partnership down and that the Administration's decision to put Russia in the critical path has cost the taxpayers more money, two wrongs don't make a right.

Mr. Chairman, I ask all my colleagues to do what is right for our country and vote down the Roemer amendment again.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from Indiana (Mr. ROEMER).

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

Mr. ROEMER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 275, further proceedings on the amendment offered by the gentleman from Indiana (Mr. ROEMER) will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

$19,006,000,000, plus reimbursements: *Provided*, That of the funds made available under this heading, $635,000,000 is for the equipment and land and structures object classifications only, which amount shall not become available for obligation until August 1, 2000, and shall remain available until September 30, 2001.

AMENDMENT OFFERED BY MR. EDWARDS

Mr. EDWARDS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWARDS:

In the paragraph in title I for the Department of Veterans Affairs, Veterans Health Administration, Medical Care, account—

(1) after the second dollar amount, insert ''(increased by $730,000,000)''; and

(2) strike the period at the end and insert a colon and the following:

Provided further, That any reduction in the rate of tax on net capital gain of individuals or corporations under the Internal Revenue Code of 1986 enacted during 1999 shall not apply to a taxable year beginning before January 1, 2001.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

Mr. EDWARDS. Mr. Chairman, let me first thank the gentleman from New York (Mr. WALSH), and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, for the plus-up that they are responsible for on a bipartisan basis in the Committee on Appropriations for VA health care. Because of these two gentlemen, veterans will get care that they otherwise would not have received. I, among others, appreciate that effort.

But my amendment is very straightforward. It tries to more adequately fund VA health care. It says that Congress should delay for one year the capital gains tax cut recently passed in this House and take that $730 million and add it for additional spending for VA health care so that we can at least try to maintain present levels of services for our Nation's veterans.

What this amendment says, in effect, is a Congress that can afford to offer Bill Gates a multimillion dollar if not a billion dollar tax cut ought to be able to afford to fully and adequately fund veterans health care.

Let us look at where we are today, even with the $1.7 billion plus-up that the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) have been responsible for pushing. Let me quote Andrew Kistler, national commander of disabled American veterans. ''While we greatly appreciate the $1.7 billion increase over the administration's budget request contained in the VA appropriations bill, it does not go far enough to provide for the health care needs of a sicker, older veterans population.''

Let me read from the American Legion a letter dated August 4 of this year from Steve Robertson, director of the National Legislative Coalition. He says: ''The VA currently has an extremely long list of veterans seeking various types of long-term care. The VA's budgetary constraints limit its ability to effectively and efficiently meet their needs. Currently, waiting times for appointments in the VA system are staggering. We are not talking days or weeks but months. If a veteran needs a specialist, the wait is even longer.''

He goes on to say: ''The American Legion supports this amendment and any waiver that may be in order for the amendment to proceed to the floor.''

Mr. Chairman, virtually every major veterans organization in this country has come out in support of this amendment which failed by only one vote in committee, and I would urge its passage on this floor.

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

Mr. EDWARDS. I yield to the gentleman from Illinois, who has been a great leader and fighter on behalf of veterans, the ranking member of the Committee on Veterans' Affairs.

Mr. EVANS. Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Texas (Mr. EDWARDS) to add $730 million for veterans medical care in fiscal year 2000. This amendment, which the Republican members of the Committee on Rules failed to protect under the rule, assures America's veterans of the health care they need and at the level they deserve.

To offset the costs of additional funding for veterans health care, the Edwards amendment would delay implementing for one year a proposed cut in the capital gains tax, a fraction of the nearly $800 billion tax cut being proposed and passed by this House.

The Edwards amendment is about our national priorities, providing additional resources for our veterans medical care, for delaying a tax cut for the wealthiest Americans for 1 year. For me, the choice is very simple. I strongly support the Edwards amendment for the same reasons I voted against the rule on this bill. The Congress needs to provide a higher priority to veterans medical care than tax breaks for the wealthiest Americans. Congress must take the initiative to fund VA and allow it to rebuild its most excellent programs, those that serve the veterans who were injured on the battleground, those that have borne the battle. The Edwards amendment will allow VA to do this.

I urge my colleagues to join me in supporting the measure that supports America's veterans. I appreciate the leadership of the gentleman from Texas (Mr. EDWARDS) on this issue.

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

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

Mr. FILNER. Mr. Chairman, I thank the gentleman from Texas (Mr. EDWARDS) for offering this amendment. It shows clearly that this Congress is playing off the needs of the veterans against the politics of tax cuts for those who least need them. That has been made very clear.

Now, we do not have any misunderstanding about what is going to happen to the gentleman's amendment. It is going to be ruled out of order on a technicality and the veterans all over this Nation should know that this Congress on a technicality will not pass additional funds for veterans health care.

Mr. EVANS. Mr. Chairman, I rise today in support of the amendment offered by CHET EDWARDS to add $730 million for veterans' medical care in fiscal year 2000. This amendment, which the Republican members of the Committee on Rules failed to make in order under the rule assures America's veterans of the health care they need delivered at a level of service they deserve.

To offset the cost of providing the additional funds for veterans' health care, the Edwards amendment would have delayed implementation of a proposed cut in the capital gains tax for one year, a fraction of nearly $800 billion tax cut passed by this House. I ask members of this body, can't Americans wealthy enough to benefit from this tax cut afford this small sacrifice to assure our veterans won't have to deal with delays and barriers in their access to high-quality health care? The Edwards amendment is about our national priorities. Providing additional resources for our veterans medical care programs or delaying a tax break for the wealthiest Americans for one year. For me this choice is simple. I am strongly supporting the Edwards amendment for the same reasons I voted against the rule on this bill. This Congress needs to provide a higher priority to veterans medical care than tax breaks for the wealthiest Americans.

Earlier this year, the Committee on Veterans Affairs considered fiscal year 2000 funding for VA health care. Unfortunately, I was denied the opportunity to offer an amendment providing more funding than proposed by our Chairman. The Edwards amendment will provide approximately the same increase in discretionary funding for VA next fiscal year, $2.4 billion, as I had earlier sought to provide. There remains a critical need for this significant increase in funding.

Our veterans know this. Their service organizations have steadfastly supported efforts to add funds to the VA health care budget. The American Legion, Disabled American Veterans, and Paralyzed Veterans of America sent letters to the Rules Committee in support of the Edwards amendment being made in order. A coalition of veterans' groups had earlier supported the increased funding level I planned to propose to the VA Committee.

The last few years in VA health care system have been pivotal ones. VA has reformed its

delivery system, bringing its acute care system into line with modern health care practice. But clinicians and patients alike have begun to cite waiting times and other problems with access to care that have been affected by this sea of change. I, and other Democratic Members met with members of the Administration to discuss this vital need. These meetings ultimately contributed to Democrats' success in securing a revised plan offered by Vice President GORE to add a billion dollars to the Presdient's FY 2000 proposal for VA health care and construction. I believe the President's revised budget proposal was critical to bringing awareness of the emerging crisis confronting the veterans' health care to Congress and I thank them for their willingness to hear the concerns of Members and take appropriate action.

There is still a case to be made for increasing the VA health care budget. Unfortunately just prior to the August District Work Period, this House voted for a rule that failed to protect the Edwards amendment being in order. This party-line vote is ''déjà vu all over again'' in helping us to help America's veterans. I remain incredulous that this Congress would knowingly choose a brief delay in the capital gains tax cut over adding funding that will better assure high-quality veterans' programs and I certainly understand why Republicans have thus far taken steps to avoid this debate.

VA needs this money. Members are aware that VA's progress in implementing some positive and necessary changes has come at a price. Shifting health care practice styles are eroding some of the VA's best programs—its long-term care programs, it rehabilitative and extended care for seriously disabled veterans, and its mental health care treatment for veterans with Post-Traumatic Stress Disorder or substance abuse issues. We are now at a point where we must restore certain programs to their past distinction. Congress must take the initiative to fund VA and allow it to re-build its most excellent programs—those that serve the veterans who were injured physically or psychically on the battleground—those that have borne the battle. The Edwards amendment will allow VA to do this. I urge my colleagues to join me in supporting a measure that supports America's veterans. Vote for the Edwards amendment.

[In billions of dollars]

	Medical care appropriation	VA discretionary programs
President's original request	17.3	19.8
VA Committee Democrats	19.3	22.1
VA Committee	19	21.5
Budget Committee	19	19
President's revised request		20.8
Appropriations Committee	19	21.5
Edwards-Stabenow-Evans amendment	19.7	22.2

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from New York (Mr. WALSH) insist on his point of order?

Mr. WALSH. Mr. Chairman, I do.

The CHAIRMAN pro tempore. The Chair recognizes the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I would like to yield time to the gentleman for the purpose of discussion. My understanding was that the gentleman was going to withdraw this amendment. Is that correct?

Mr. EDWARDS. No, I did not make that representation to anyone.

Mr. WALSH. Mr. Chairman, my understanding was that he would withdraw this amendment. Since that is my understanding, I will insist on the point of order.

Mr. Chairman, I make a point of order against the amendment because it proposes to change the existing law and constitutes legislation in an appropriations bill.

Mr. Chairman, I might add that this is not a real choice. This is anything but a real choice. First of all, this money is not available. I would suspect that the gentleman who proposes the amendment would oppose the tax increase in the first instance and would not vote for it. So to take funds that are out there somewhere in the ether and offer them for veterans health care is pretty disingenuous to the veterans.

What we have offered is real money. We have offered to provide $1.7 billion to the veterans to increase the medical care that we have promised them. This is keeping the commitment that we made. The President decided not to keep that commitment and the Congress, I believe, has stood up and offered to make the veterans medical administration whole.

So I would insist, Mr. Chairman, that the point of order be taken against this. This is truly, in my view, authorizing on an appropriations bill.

Mr. EDWARDS. Mr. Chairman, may I be recognized on the point of order?

The CHAIRMAN pro tempore. The gentleman from Texas (Mr. EDWARDS) is recognized on the point of order.

Mr. EDWARDS. First of all, let me again say the gentleman from New York (Mr. WALSH) and the gentleman from West Virginia (Mr. MOLLOHAN) did as well as they could for veterans health care funding given the constraints of the budget that have been built in by the tax bill.

□ 1530

I do not understand, frankly, the point that this would not be real money. If it is not real money, then it should not have been part of the tax bill that was passed and has been talked about greatly by my Republican colleagues over the last 30 days. If it is real money, which I assume it was when they voted for this in the tax cut bill, then it should be real money, just as real for veterans health care as it could be for tax cuts.

The CHAIRMAN pro tempore. The gentleman from New York.

Mr. WALSH. My point, Mr. Chairman, is, and I do not mean to argue, but my point is that this is not real money until the President signs that tax cut into law, and I think he would agree that the President has made his position fairly clear on that.

The CHAIRMAN pro tempore. The gentleman from Texas.

Mr. EDWARDS. Right, but I guess the point I would like to make is that if the Republican leadership felt $730 million was available for a tax cut, capital gains tax cut for 1 year for some of the wealthiest families in America then I would say I would argue that money is available, should be made available, to veterans.

PARLIAMENTARY INQUIRY

Mr. EDWARDS. I do have a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. EDWARDS. It is about the question, Mr. Chairman, one of the questions that has been raised: Is this legislating on an appropriation bill? I think in the committee discussion it came up, the point that perhaps there were some tax provisions in an appropriation bill.

My parliamentary inquiry, Mr. Chairman, is that on October 21 of last year, less than 1 year ago today, public law 105–277 was signed into law. This was the omnibus appropriations bill, and could I inquire to the Chair how was it that that appropriation bill allowed 6 different provisions dealing with research and other tax provisions, the research credit, the work opportunity tax credit, the welfare to work tax credit, contributions of stock to private foundations that tax credit, subpart F exemption for active finance and income tax credit, and finally the disclosure of returned information on the income contingent student loans. All of those provisions were legislating in effect and dealt with the issue of taxes, and my question is:

What rules of this House allow the House to pass less than 1 year ago an appropriation bill that funded, as my colleagues know I think it was $37 million for King Cove, Alaska, a community of 800 people, and yet today the House might not be allowed to offer this tax provision which pays for the veterans health care increase on a similar appropriation bill.

The CHAIRMAN. The matter before the House is the point of order raised by the gentleman from New York (Mr. WALSH), and the Chair will not comment on waivers that may have been granted for prior proceedings in the House on other measures.

Does the gentleman from West Virginia (Mr. MOLLOHAN) wish to be heard on the point of order?

Mr. MOLLOHAN. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman may proceed.

Mr. MOLLOHAN. Mr. Chairman, I just rise to commend the gentleman for offering this amendment. I wish it were in order, and I wish the Chair would rule it in order because it joins better than any other amendment or joins better than any other amendment I have heard the issue that is before us

in the Congress and the Nation at large, and that is, as my colleagues know, how are we going to deal with this surplus; tax cuts, or are we going to fund veterans, homeless, education, health care? I commend the gentleman for successfully doing that, I am afraid the amendment is not going to be in order, but I think this issue that it raises is very important and is the issue as we move forward policy in the next year.

Mr. EDWARDS. If I could just finish very, very briefly, I guess my point, Mr. Chairman, if this is ruled out of order is that I want to make it clear that this House had the right to, through its Committee on Rules, to write a rule that would have made this amendment in order that was supported by virtually every major veterans organization in America, and a very similar thing was done on issues I thought were far less important less than a year ago on a very similar appropriations bill.

The CHAIRMAN. The amendment offered by the gentleman from Texas (Mr. EDWARDS) constitutes legislation on an appropriations bill in violation of clause 2(c) of rule XXI. Since the gentleman from Texas has argued the tax nature of the amendment. The amendment also constitutes a tax measure in violation of clause 5(a) of rule XXI. The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

In title I, in the item relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', insert at the end the following:

In addition, for ''Medical Care'', $3,000,000 to provide a presumption of service-connection for veterans who were exposed to Hepatitis C risk factors during military service and now have Hepatitis C: *Provided,* That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

Mr. FILNER. Again, Mr. Chairman, I thank the gentleman for courtesy, for discussions of these issues.

Mr. Chairman, this is another in a series of amendments that I am offering this evening to show that the veterans health budget and the Veterans Administration budget in general is greatly underfunded.

We have a chance in this Congress to fund adequately what veterans need. We know what that figure is. All the veterans organizations of this Nation came together to recommend to us what they call the independent budget, a budget that recommended $3 billion more than the baseline we have been dealing with.

The President's budget that was submitted to this Congress was inadequate. It was $3 billion under what this recommendation was as it kept a straight-line budget. The budget, as recommended by this committee, does put in an additional 1.7 billion but that is only 50 percent of what all the veterans organizations say they need, and I might point out, Mr. Chairman, that that 1.7 billion increase presupposes about a $3 billion decrease for veterans programs over the next 10 years.

So what we see here is the biggest cut in veterans funding over a long period of time.

Now we have argued on this side of the aisle for additional funding that would do some things for our Nation's veterans that just will not be able to be handled if this budget goes through. We will not be able to have care for veterans who are involved in radiation risk activities and subsequently develop cancer. We will not have funding to increase long-term care programs for our aging veterans. We will not have funding to restore the VA psychiatric wards and an increase in mental illness research education. We will not have funding to keep Alzheimer's veterans in hospitals. We will not be able to treat the Persian Gulf war veterans who have come down, tens of thousands of them, with an unexplained illness; and, Mr. Chairman, we will not have the money as this amendment will try to correct to fund new health care initiatives for veterans suffering from hepatitis C-related illness.

Now this is a new situation, Mr. Chairman, and is why I have designated this funding as emergency. Hepatitis C is a disease which was only recently identified by reliable laboratory tests. So in the past, there has been no way to diagnose it at the time when veterans became infected. This infection may not have produced any symptoms or mild ones similar to a flu at the time of service to our country. The virus hides latent in the body for many years and may not show up for 20 or 40 more years after the initial infection.

Veterans at a particular risk for the disease include those who received blood or blood products prior to 1992 and veterans who worked in health care occupations are exposed to blood in combat situations. Veterans who were infected many years ago are now showing symptoms of the disease, and too often this disease, Mr. Chairman, is fatal. A fatal disease, hepatitis C, is now known to infect hundreds if not thousands of our veterans, and we do not put the money in for this program.

Mr. Chairman, my amendment would say that we have an emergency medical situation, that we should fund $3 million to provide funding for service- and presumed service-connection for veterans who are exposed to hepatitis C and make sure that we treat our veterans with the respect and commitment that we should.

Mr. Chairman, I know this amendment has been challenged by point of order. I assume that that challenge will be upheld by the Chair. At some point in the evening I will, as the Chairman knows, challenge the Chairman's interpretation of these points of order, but I am hoping that this Congress will not on a technicality, because we know we legislate on appropriation items all through the course of this process, will not on a technicality refuse the refunding for veterans who have hepatitis C and face death unless we come to their aid.

POINT OF ORDER

Mr. WALSH. Mr. Chairman, I must insist on the point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI. And if I might add, Mr. Chairman? The gentleman who offers the amendment is a good and respected member of the Committee on Veterans' Affairs. I would humbly submit that this is where these items should be discussed. These are authorizing issues. What he is proposing, this and several others to follow, are legislative riders.

Now we all hear the horror stories about legislative riders. These are not necessarily horror stories, but legislative riders do not belong on appropriation bills. Do they happen? Of course they happen in the course of events. But the Committee on Veterans' Affairs is a very activist committee. Members from all over the country really need to sit down and hash these things out and then come to the Committee on Appropriations and tell us what the committee wants us to do, and they have not done that in this case. An individual Member can have a pet project; they can have a pet policy. Basically the process is for the committee to come to a conclusion, establish priorities, set an agenda, and then bring it to us to help to get the funding, and that is the proper course of events here, Mr. Chairman.

So, Mr. Chairman, I would insist on the point of order.

The CHAIRMAN. Does the gentleman from California (Mr. FILNER) wish to be heard on the point of order?

Mr. FILNER. In response to my good friend from New York, Mr. Chairman,

the advice that he gave me is good advice. In fact, the Democrats on the Committee on Veterans Affairs tried to offer a budget which included these items. Not only did we not fail on that vote, we were not permitted a vote by the chairman of that committee, and as the budget rules point out, unless the budget that is accepted by the Committee on the Budget includes these items, the authorizing committee cannot later add them.

So the gentleman's advice is good. I wish the chairman of the authorizing committee had allowed us to have a vote on these issues so we could include them in the budget, and now I am asking for an emergency designation to make sure that we keep our commitment to our Nation's veterans.

The CHAIRMAN. As stated by the Chair earlier today, a proposal designating an appropriation as emergency spending within the meaning of budget enforcement laws constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

In title I, in the item relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', insert at the end the following:

In addition, for ''Medical Care'', $4,600,000 to provide pay parity for dentists with physicians employed by the Veterans Health Administration: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

Mr. FILNER. Mr. Chairman, out of respect for the courtesy offered by the Chair I will be very brief and point out that the $4.6 million included in this amendment goes to establish parity for the dentists who are employed by the VA, parity with physicians. I embody this amendment in legislation which I called: ''put your money where your mouth is.'' That is that we ought to be funding dentistry where we have an enormous recruitment and retention problem parity with physicians. Over the past 5 years, in fact, VA has experienced a decline of dentists from 830 to 677, and the turnover rate in the last 2 years has been over 11 percent. Young and mid-career dentists are leaving the VA in increasing numbers, and there are fewer higher qualified applicants available to fill these positions.

We must, I think, establish parity and make sure that dentists in the VA system are given the same pay respect that physicians are.

POINT OF ORDER

Mr. WALSH. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill and therefore violates clause 2 of rule XXI, and if I could just briefly explain the opposition?

We really are not opposed to this. Unless there is authorization, specific authorization that would preclude this from happening, the Secretary of the Veterans Administration should be able to do this, and I do not know specifically whether or not there is authorization that is specific to this expenditure, but it would seem to me that if this was a priority for the Veterans Administration and the Committee on Veterans' Affairs, it should happen. But this is the wrong place to do it, Mr. Chairman, and I respectfully request that the point of order be upheld.

□ 1545

The CHAIRMAN pro tempore (Mr. PEASE). As stated by the Chair earlier today, a proposal designating an appropriation as ''emergency spending'' within the meaning of the budget enforcement laws, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

In title I, in the item relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', insert at the end the following:

In addition, for ''Medical Care'', $35,200,000 for health care benefits for Filipino World War II veterans who were excluded from benefits by the Rescissions Acts of 1946 and to increase service-connected disability compensation from the peso rate to the full dollar amount for Filipino World War II veterans living in the United States: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. FILNER. Mr. Chairman, I thank my colleagues for their patience in dealing with these amendments.

Mr. Chairman, once again we have a situation which is an emergency dealing with veterans of World War II who are in their late seventies and early eighties and do not have long to live if we are going to recognize their service in World War II.

I would preempt the advice from my distinguished friend from New York who said this should be authorized by our committee. Again, the chairman of the committee would not allow this particular amendment to come before our committee, so the process breaks down in a circular sort of argument. When you advise me to get authorization, the authorizing committee says we will not take it up, so we have to come here to the floor.

We have a situation, Mr. Chairman, where there are approximately 75,000 living veterans of World War II, who happen to be two-thirds of them Filipino in nationality, one-third Filipino in ethnic origin but U.S. citizens. These veterans of World War II fought as brave soldiers and helped us win the war in the Pacific. After being drafted by President Roosevelt, they fought side by side with us in the battles of Corregidor and Bataan, and many marched to their death in the famous Bataan death march.

We rewarded this service to the United States as a Congress in 1946 by taking away all of the veterans benefits that had been promised and due them. For 52 years now, 53 years, this really dishonorable and immoral action by an earlier Congress has clouded our relationships with the Philippines and has made sure that we have a body of people who are rightfully claiming that their grievance be redressed. My amendment would go partway toward restoring benefits to these heroic veterans of World War II.

Whereas veterans are entitled to, under conditions that are given by law, certain pensions and certain medical care, this amendment gives medical care to those Filipino soldiers who fought alongside Americans. It would make available monies for care in this country and a small portion for our VA clinic in Manila, which serves U.S. citizens there.

What we are saying in this amendment is that the honor and bravery of veterans of World War II be recognized finally by the Congress, 53 years after they were taken away.

I would ask again this body to say let us recognize the bravery of our allies in

World War II, our Filipinos who we drafted, and provide with them the eligibility for benefits, healthcare benefits, that are given to U.S. soldiers of the same war.

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

Mr. Chairman, I just want to get something off my chest. I just want to take a few minutes to air my opinion about our VA medical system.

My older brother died in a veterans hospital 100 miles from his home. When a veteran is diagnosed with a terminal condition and is near death, why can that veteran not be allowed to spend his remaining days in a local hospital near his family and friends who will come and visit him?

I would also like to criticize the treatment many of our veterans receive in VA hospitals and the expenditure of tax dollars on new VA construction, when many existing VA hospitals are underutilized with many beds empty.

In Catawba County, North Carolina, when I was a county commissioner, we built a state-of-the-art 250-bed hospital for less than $8 million, complete with an oncology unit and outpatient unit. Now the VA is constructing an outpatient clinic in the mountains of North Carolina for an estimated $25 million. It is an expansion to an existing 300-bed VA hospital that is less than 50 percent occupied. Why should those tax dollars not be used to better utilize the existing underused space and transfer the remaining funds to provide the needed doctors, nurses, and medicine? Does anyone examine how VA capital expenditures are being made and whether they are needed or not?

POINT OF ORDER

The CHAIRMAN pro tempore. Does the gentleman from New York (Mr. WALSH) insist on his point of order?

Mr. WALSH. I do, Mr. Chairman.

The CHAIRMAN pro tempore. Does the gentleman wish to be heard on the point of order?

Mr. WALSH. Just to explain, Mr. Chairman, I make the point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The CHAIRMAN pro tempore. As stated by the Chair earlier today, a proposal designating an appropriation as ''emergency spending'' within the meaning of the budget enforcement laws, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

The Clerk will read.

The Clerk read as follows:

In addition, in conformance with Public Law 105–33 establishing the Department of Veterans Affairs Medical Care Collections Fund, such sums as may be deposited to such Fund pursuant to 38 U.S.C. 1729A may be transferred to this account, to remain available until expended for the purposes of this account.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by 38 U.S.C. chapter 73, to remain available until September 30, 2001, $326,000,000, plus reimbursements.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities, $61,200,000 plus reimbursements, to remain available until September 31, 2001: *Provided*, That project technical and consulting services offered by the Facilities Management Service Delivery Office, including technical consulting services, project management, real property administration (including leases, site acquisition and disposal activities directly supporting projects), shall be provided to Department of Veterans Affairs components only on a reimbursable basis, and such amounts will remain available until September 30, 2000.

GENERAL POST FUND, NATIONAL HOMES

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $7,000, as authorized by Public Law 102–54, section 8, which shall be transferred from the ''General post fund'': *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $70,000.

In addition, for administrative expenses to carry out the direct loan programs, $54,000, which shall be transferred from the ''General post fund'', as authorized by Public Law 102–54, section 8.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $886,000,000 to remain available until September 30, 2001: *Provided*, That funds under this heading shall be available to administer the Service Members Occupational Conversion and Training Act.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

In title I, in the item relating to ''DEPARTMENTAL ADMINISTRATION—GENERAL OPERATING EXPENSES'', insert at the end the following:

In addition, for ''General Operating Expenses'', $6,250,000 to provide an additional 250 employees to reduce backlog and waiting time for adjudication of claims: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

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

Mr. FILNER. Mr. Chairman, again, this is one of a series of amendments that shows specifically where we are underfunding the VA budget for the fiscal year 2000. I think any of us who have talked to veterans during the recent recess period, town hall meetings and tours of VA facilities, have constantly heard the complaint that our veterans are prevented from knowing about the adjudication of their claims for month after month after month after month after month. Six, 8, 12 months go by, maybe even 1 or 2 years, and if a process has to be appealed, it can go even longer.

The independent budget of the veterans organizations of this country proposed that an additional 250 positions dedicated to reduce the backlog and waiting time for the adjudication of these claims was absolutely necessary.

Mr. Chairman, we have an emergency situation amongst our veterans. These are the folks who fought for us, who have given us our freedom, given us our liberty, and we make them wait 1 year, 2 years, even longer, to find out whether their claims for disability or other such legal situations will be in fact granted to them. I think this is an emergency situation which would allow us to put in the $6.25 million that we need for this situation.

POINT OF ORDER

Mr. WALSH. Mr. Chairman, I insist on the point of order.

Mr. Chairman, we have within this bill added funds to hire employees to take care of this backlog. We did it last year, we are doing it this year, and I would submit to my colleague that if the Secretary of the Veterans Administration wants to do this, they can do this. To my knowledge, there is no specific authorization that prevents the Veterans Administration from hiring additional people with existing funds and from moving them around within the department, reassigning them to different tasks.

This is purely within their discretion. You do not need an act of Congress to do that. What you need is a secretary who sees things the same way that this Member does, eyeball to

eyeball, and let him make that decision. But this is not an action that should be undertaken by the Committee on Appropriations. This is an action that should be taken by the Secretary of Veterans Affairs.

Mr. FILNER. Mr. Chairman, speaking to the point of order, I understand the arguments of the gentleman. The department is authorized to move people around. It is authorized to put people in different positions. But the fact of the matter is, there are not sufficient funds that would allow them to put money into one area without taking it from another area. If you drop the backlog of one, you hurt healthcare somewhere else, so we are robbing Peter to pay Paul in this issue.

We need more money. I know the gentleman agrees with me that we need more money. If only we could get through these technicalities, we could provide the money. Our veterans do not understand with a $1 trillion surplus why we do not have $6 million to put in to improve the backlog.

Mr. WALSH. Mr. Chairman, just briefly, we have added within this budget, we have plussed up an additional $30 million for general operating expenses. Clearly what the gentleman is requesting is only one-fifth of that amount. So those funds are available at the Secretary's discretion to hire these people.

Let us not forget that we have added an additional $1.7 billion to this part of the budget, the largest increase ever. I hope that they can spend it all next year, but I have my doubts that they can spend all this money next year.

Mr. FILNER. Mr. Chairman, I would say to the gentleman, who knows full well that the needs of the VA are far in excess of the money we granted to them, they have had to prepare for layoffs; have had to prepare possibly for closure of hospitals. There is not sufficient money within the budget to treat all of the different areas that we want to do. You can play off any one I bring up and say, Oh, we have the money to do that, but you do not have enough money do all the things that veterans need in this budget.

I would just say again to the Chair, who, again, maybe rightfully says this is the biggest increase in history, it presupposes the biggest decrease in history over the next 10 years and is based on, under the Congress, of which his party is a majority, the biggest decrease over the last 8 years or so in real spending in the VA.

□ 1600

The CHAIRMAN pro tempore (Mr. PEASE). The Chair is considering debate on the point of order at this moment. Does the gentleman from New York (Mr. WALSH) wish to be heard on the point of order and insist on his point of order?

Mr. WALSH. Mr. Chairman, I insist on the point of order.

The CHAIRMAN pro tempore. As stated by the Chair earlier today, a proposal designating an appropriation as ''emergency spending'' within the meaning of the budget-enforcement laws constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses for the maintenance and operation of the National Cemetery Administration, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of two passenger motor vehicles for use in cemeterial operations; and hire of passenger motor vehicles, $97,000.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment Offered by Mr. FILNER:

In title I, in the item relating to ''DEPARTMENTAL ADMINISTRATION—NATIONAL CEMETERY ADMINISTRATION'', insert at the end the following:

In addition, for ''National Cemetery Administration'', $9,500,000 to reduce the repair backlog at national veterans cemeteries: *Provided,* That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN pro tempore. The gentleman from New York (Mr. WALSH) reserves a point of order on the amendment.

Mr. FILNER. Again, Mr. Chairman, this is one of a series of amendments to show how we are underfunding our veterans in this Nation. This one specifically asks for $9.5 million to reduce the repair backlog at veterans national cemeteries.

I know the chairman will say that the Department is authorized to do that, that we have plussed up the money, that we have put in the biggest money in the history of our Congress. The fact remains, Mr. Chairman, that while that could be said about any one item that I bring up today, the sum total of all the items that are in this budget that was prepared by our veterans organization, the independent budget, we simply cannot fund all of those with the present funding. We need another $1.5 billion or so to do that.

While any individual item I may bring up can be handled within the appropriation, all of the needs our veterans have cannot be.

Over the years the national cemetery system has struggled to maintain the appearance of our 115 national cemeteries, but budget shortfalls in the past have forced the system to address only the highest priority projects. As a result, preventative maintenance and infrastructure repairs have been neglected. Broken sprinkler systems, for example, which result in parched and dead grass and sunken graves which have not been reinforced contribute to an appearance of neglect in many cemeteries. This is not a way to treat the memory of our veterans. Some cemeteries have not had the funds to repair badly cracked walkways, and they are actually hazardous to the many older people visiting the grave of a loved one. Backhoes and other important equipment stand idle because funding is not available for repairs.

Families must postpone funerals, they must postpone funerals, Mr. Chairman, because the equipment required cannot even be used. National cemeteries are hallowed ground. They must be properly maintained if they are to look like the national shrines that all Americans consider they should be.

Mr. Chairman, my amendment is to plus up funds specifically to maintain our cemeteries. I know this amendment will be challenged on a point of order and will be sustained. I would hope that the veterans of this country would understand that on technicalities this Congress is being prevented from funding urgent needs for our Nation's veterans.

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

Mr. Chairman, I find it a bit ironic. I have been trying to get to the floor today to speak to a number of issues, a number of concerns that deal with veterans. I want to first of all, Mr. Chairman, thank the gentleman from California for coming out to my district last week to attend a veterans town hall meeting.

At this town hall meeting we discussed a number of issues, a number of concerns that were raised that were raised by our veteran population. There are a number of things that we deal with in this House that are vitally important. I cannot think of a single thing that is more important than the issue of benefits that were promised to our veterans and benefits on which we have not kept our word.

That message came across loud and clear last week. That message is coming across loud and clear this afternoon in this House. There is a tremendous,

deep sense of frustration by our veteran community that they have been betrayed by their government.

This issue here, whether we are talking about the amount of funding proposed, the amount of funding that was approved, the amount of funding that theoretically is or is not, this in the eyes and minds of our veterans is irrelevant. It is irrelevant because they have a deep sense of frustration when they go to the VA hospital, to the VA clinic, to the military hospital. They are asked to wait 4 to 6 months for an appointment.

It is irrelevant because this afternoon, as I was sitting in a hearing dealing with diabetes, diabetes that affects our veteran population as well as the rest of the population in this country, veterans are frustrated because they cannot get the kind of medical attention they need and that they must have.

It seems to me that as we talk and talk about issues dealing with the Veterans Administration about who proposes a budget here, who counters with an equal amount of money there, the bottom line keeps coming back, we are not doing the job for veteran communities. We must do better. We have to do better. Our veterans deserve better.

Let me tell the Members, the veterans understand, by virtue of the frustration that they expressed last week in a town hall meeting in El Paso, they understand that we are not doing the job for them, that we are not coming through on the promises that were made.

The last thing I would like to say, Mr. Chairman, in closing, is that as we deal with the Veterans Administration budget, I hope that we have a sense of obligation to our veterans community. I hope that we can stand alongside our veterans, and I hope that finally we realize that we owe them, in a time of great prosperity in this country, we owe them that funding that the veterans service organizations have identified and they have proposed.

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

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

Mr. FILNER. Mr. Chairman, I want to just thank the gentleman for his comments, but also to thank the gentleman for holding a series of meetings across his district in El Paso. I was able to attend a town hall meeting with him. Representatives of the 60,000 veterans that he has in his district were there.

I would just say to the chairman, and I am sure he is aware of this, the veterans that I represent in San Diego, the veterans that the gentleman represents in El Paso, and I am sure that the gentleman represents in Syracuse, all of them are frustrated. They do not understand how we can have this surplus and talk about these tax cuts, yet they walk into the VA and they are told that this specialist does not exist, or they have to wait 8 months for that appointment, or they cannot get honors at this funeral, or their family member has to be released even though they have Alzheimer's, and on and on and on.

I would just say that this frustration is going to break out and come back at all of us unless we can find a way to adequately fund these programs.

Mr. REYES. Mr. Chairman, I thank the gentleman for his comments.

Let me just in closing, Mr. Chairman, say that I have a deep sense of frustration when in our own committee we are unable to bring forth and even get a vote on the budget that was proposed by the veterans service organizations. Frustration is going round and round, but the buck stops here. The buck stops here in the people's House.

POINT OF ORDER

Mr. WALSH. Mr. Chairman, I insist on the point of order against the amendment because it proposes to change existing law, and constitutes legislation on an appropriation bill.

If I may go on and explain, again, this is another legislative rider that, unless specifically denied during existing law and authorization, the Secretary can implement these expenditures.

We have increased in this bill the Veterans Cemetery Administration by $5 billion, equal to the President's request. I would remind my colleagues again that the President requested a freeze in veterans' medical health care. He requested a freeze. In other words, he saw no reason to increase the budget for veterans' medical health.

Everyone we have heard on the floor today has said that we need more money for veterans' medical coverage. Everyone agrees, except for the President. The President does not think the veterans should get those additional funds, although recently, approximately a month ago, we did receive a letter from the White House suggesting that yes, now they, too, agree that Congress was right by increasing the funding, the appropriation for veterans' health. We have put an additional $1.7 billion into this bill to provide for those needs.

Mr. Chairman, in the discussion, as I have mentioned and as my colleague, the gentleman from California, has also mentioned, the largest increase ever in veterans' medical care has been put in, but it is not on the heels of, as my colleague suggested, the largest decrease in the history of veterans' medical care.

In fact, there has been no decrease. I have the budget figures before me. In 1996, which was the first budget that my party as the majority party was responsible for, was $15.7 billion for the Veterans Health Administration. In fiscal year 1997, it was $16.3. In fiscal year 1998, it was $17 billion. In fiscal year 1999, it was $17.3 billion. We are proposing for fiscal year 2000 a $19 billion budget.

Those are consistent increases, so there has been no dramatic cut in veterans' health care. Has it gone up rapidly enough? No, it has not. But we are trying to resolve that situation this year by providing the largest increase in the history of veterans' health. So the facts belie the argument. The facts are that this is a substantial increase, and this is the authorized level from the Veterans Affairs committee. It is the authorized level under the budget document.

So I insist on the point of order, Mr. Chairman, and await the Chair's ruling.

Mr. FILNER. I would speak to the point of order, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman from California (Mr. FILNER) may speak to the point of order.

Mr. FILNER. Mr. Chairman, I would speak to the point of order as the gentleman from New York spoke to the point of order. The real needs, the real dollars of the VA have decreased over the last 5 years because of the aging population and because of the increase of needs of our population.

I will repeat to the gentleman that the $1.7 billion plus-up presupposes the biggest decrease in history over the next 10 years, as there will be declines from that $19 billion over the next 10 years in the budget.

The CHAIRMAN pro tempore. As stated by the Chair earlier today, a proposal designating an appropriation as ''emergency spending'' within the meaning of budget-enforcement laws constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $38,500,000.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

In title I, in the item relating to ''DEPARTMENTAL ADMINISTRATION—OFFICE OF INSPECTOR GENERAL'', insert at the end the following:

In addition, for ''Office of Inspector General'', $838,430 to provide an additional 10 employees for the Office of Inspector General Hotline: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by

the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN pro tempore. The gentleman from New York (Mr. WALSH) reserves a point of order.

Mr. FILNER. Mr. Chairman, I thank the chairman of the subcommittee and the ranking member, the gentleman from West Virginia (Mr. MOLLOHAN), for allowing me to make the points that this process allows us to do. I sincerely believe that all of us want to do better by our veterans, that we want to see to it that our commitment is kept. I know the gentleman from New York (Mr. WALSH) believes that personally, and would like to see that happen institutionally.

We are governed, unfortunately, by certain agreements in the past. I believe those commitments were made in error and that we should in effect look at the reality at the present time.

Again, this is just one last example of where we might improve our services, less than $1 million to the office of Inspector General to provide for the hotline that they have. Thousands of veterans, tens of thousands of veterans, use this hotline. It is vastly understaffed. Most of the comments received and the situations described have to be referred rather than followed up by the Office of Inspector General.

I would hope that this Congress could fund additional monies to make sure that the frustration of our veterans that we have heard from both sides of the aisle be met, and that we fund this item.

Once again, I do thank the chairman and the ranking member for their courtesies and indulgence. This will be the last amendment, up until the point provided for by the unanimous consent agreement that the gentleman will have to rise and make the point of order on, Mr. Chairman.

POINT OF ORDER

Mr. WALSH. Mr. Chairman, I insist on my point of order against the amendment because it proposes to change existing law and constitutes legislation on an appropriation bill.

On this specific amendment, Mr. Chairman, the gentleman is asking that the Committee on Appropriations and the Congress of the United States direct the Secretary to spend $838,000 in a specific way.

□ 1615

This is a $44 billion bill. Now my colleagues can imagine if we directed the Secretary to spend every parcel of $500 to $500,000 how long this process might take. The fact is, hopefully, ideally, the Secretary has a better idea on how to spend that than Congress does.

So this is another legislative rider. And I would suggest that this is micromanaging the Veterans Affairs Department. We have given them an additional $1.7 billion this year for health care. It is the largest increase in history for the Veterans Administration, I remind my colleagues once again.

I also remind my colleagues that we have letters of support from the Veterans of Foreign Wars who support this level of funding, as we do from the American Legion who signed on to this level of funding who said it was more than adequate, and that it will provide the medical care that the veterans of our country need and are owed.

So for that reason, I insist on my point of order.

The CHAIRMAN pro tempore. As stated by the Chair earlier today, a proposal designating an appropriation as emergency spending within the meaning of budget-enforcement laws constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained. The amendment is not in order.

The Clerk will read.

The Clerk read as follows:

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is $4,000,000 or more or where funds for a project were made available in a previous major project appropriation, $34,700,000, to remain available until expended: *Provided*, That except for advance planning of projects including market-based assessments of health care needs which may or may not lead to capital investments funded through the advance planning fund and the design of projects funded through the design fund, none of these funds shall be used for any project which has not been considered and approved by the Congress in the budgetary process: *Provided further*, That funds provided in this appropriation for fiscal year 2000, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2000; and (2) by the awarding of a construction contract by September 30, 2001: *Provided further*, That the Secretary shall promptly report in writing to the Committees on Appropriations any approved major construction project in which obligations are not incurred within the time limitations established above: *Provided further*, That no funds from any other account except the ''Parking revolving fund'', may be obligated for constructing, altering, extending, or improving a project which was approved in the budget process and funded in this account until one year after substantial completion and beneficial occupancy by the Department of Veterans Affairs of the project or any part thereof with respect to that part only.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities under the jurisdiction or for the use of the Department of Veterans Affairs, including planning, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, where the estimated cost of a project is less than $4,000,000, $102,300,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is less than $4,000,000: *Provided*, That funds in this account shall be available for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

PARKING REVOLVING FUND

For the parking revolving fund as authorized by 38 U.S.C. 8109, income from fees collected, to remain available until expended, which shall be available for all authorized expenses except operations and maintenance costs, which will be funded from ''Medical care''.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by 38 U.S.C. 8131–8137, $80,000,000, to remain available until expended.

GRANTS FOR THE CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veteran cemeteries as authorized by 38 U.S.C. 2408, $11,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Any appropriation for fiscal year 2000 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred to any other of the mentioned appropriations.

SEC. 102. Appropriations available to the Department of Veterans Affairs for fiscal year 2000 for salaries and expenses shall be available for services authorized by 5 U.S.C. 3109.

SEC. 103. No appropriations in this Act for the Department of Veterans Affairs (except the appropriations for ''Construction, major projects'', ''Construction, minor projects'', and the ''Parking revolving fund'') shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 104. No appropriations in this Act for the Department of Veterans Affairs shall be available for hospitalization or examination

of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment under 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless reimbursement of cost is made to the ''Medical care'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 105. Appropriations available to the Department of Veterans Affairs for fiscal year 2000 for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 1999.

SEC. 106. Appropriations accounts available to the Department of Veterans Affairs for fiscal year 2000 shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from title X of the Competitive Equality Banking Act, Public Law 100–86, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

SEC. 107. Notwithstanding any other provision of law, during fiscal year 2000, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: *Provided*, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2000, that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: *Provided further*, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: *Provided further*, That the Secretary shall determine the cost of administration for fiscal year 2000, which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 108. Beginning in fiscal year 2000 and thereafter, funds available in any Department of Veterans Affairs appropriation or fund for salaries and expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided by such office at rates which will recover actual costs. Payments may be made in advance for services to be furnished based on estimated costs. Amounts received shall be credited to the ''General operating expenses'' account for use by the office that provided the service: *Provided*, That the amounts listed in the House Report accompanying this Act for each office and administration reimbursing the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for service rendered shall not be exceeded.

SEC. 109. The Secretary of Veterans Affairs may carry out a major medical facility project to renovate and construct facilities at the Olin E. Teague Department of Veterans Affairs Medical Center, Temple, Texas, for a joint venture Cardiovascular Institute, in an amount not to exceed $11,500,000. In order to carry out that project, the amount of $11,500,000 appropriated for fiscal year 1998 and programmed for the renovation of Building 9 at the Waco, Texas, Department of Veterans Affairs Medical Center is hereby made available for that project.

TITLE II—DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

HOUSING CERTIFICATE FUND

(INCLUDING TRANSFERS OF FUNDS)

For activities and assistance to prevent the involuntary displacement of low-income families, the elderly and the disabled because of the loss of affordable housing stock, expiration of subsidy contracts (other than contracts for which amounts are provided under another heading in this Act), or expiration of use restrictions, or other changes in housing assistance arrangements, and for other purposes, $10,540,135,000 and all amounts that are recaptured in this account, and recaptured under the appropriation for ''Annual contributions for assisted housing'', to remain available until expended: *Provided*, That from the amounts provided, the Secretary of Housing and Urban Development shall use amounts, as needed, for assistance under the United States Housing Act of 1937 (42 U.S.C. 1437) in connection with expiring or terminating section 8 subsidy contracts, for amendments to section 8 subsidy contracts, for enhanced vouchers (including amendments and renewals) as described in the Administrative Provisions of this title, for enhanced vouchers (including amendments and renewals) as provided in paragraphs (3) and (4) of section 515(c) of the Multifamily Assisted Housing Reform and Affordability Act of 1997, and for enhanced vouchers (including amendments and renewals) as provided under or pursuant to the ''Preserving Existing Housing Investment'' heading in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997: *Provided further*, That in the case of enhanced vouchers provided under this heading, if the income of the family receiving assistance declines to a significant extent, the percentage of income paid by the family for rent shall not exceed the greater of 30 percent or the percentage of income paid at the time of mortgage prepayment: *Provided further*, That amounts available under this heading may be made available for section 8 rental assistance under the United States Housing Act of 1937 (1) to relocate residents of properties: (A) that are owned by the Secretary and being disposed of, or (B) that are discontinuing section 8 project-based assistance; (2) for relocation and replacement housing for units that are demolished or disposed of: (A) from the public housing inventory (in addition to amounts that may be available for such purposes under this and other headings), or (B) pursuant to section 24 of the United States Housing Act of 1937 or to other authority for the revitalization of severely distressed public housing, as set forth in the Appropriations Acts for the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies, for the fiscal years 1993, 1994, 1995, and 1997, and in the Omnibus Consolidated Rescissions and Appropriations Act of 1996; (3) for the conversion of section 23 projects to assistance under section 8 of the United States Housing Act of 1937; (4) for funds to carry out the family unification program; and (5) for the relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecuting agency: *Provided further*, That of the total amount available under this heading, $25,000,000 may be made available to nonelderly disabled families affected by the designation of a public housing development under section 7 of the United States Housing Act of 1937, the establishment of preferences in accordance with section 651 of the Housing and Community Development Act of 1992, or the restriction of occupancy to elderly families, or the restrictions on occupancy to elderly families in accordance with section 658 of such Act: *Provided further*, That amounts available under this heading may be made available for administrative fees and other expenses to cover the cost of administering rental assistance programs under section 8 of the United States Housing Act of 1937: *Provided further*, That the fee otherwise authorized under section 8(q) of such Act shall be determined in accordance with section 8(q), as in effect immediately before enactment of the Quality Housing and Work Responsibility Act of 1998: *Provided further*, That all balances for the section 8 rental assistance, section 8 counseling, new construction sub-rehabilitation, relocation/replacement/demolition, section 23 conversions, rental and disaster vouchers, loan management set-aside, section 514 technical assistance, and programs previously funded within the ''Annual Contributions'' account shall be transferred to this account, to be available for the purposes for which they were originally appropriated: *Provided further*, That all balances previously recaptured in the ''Section 8 Reserve Preservation'' account shall be transferred to this account, to be available for the purposes for which they were originally appropriated: *Provided further*, That the unexpended amounts previously appropriated for special purpose grants within the ''Annual Contributions for Assisted Housing'' account shall be recaptured and transferred to this account, to be available for assistance under the Act for use in connection with expiring or terminating section 8 subsidy contracts: *Provided further*, That of the amounts previously appropriated for property disposition within the ''Annual Contributions for Assisted Housing'' account, up to $79,000,000 shall be transferred to this account, to be available for assistance under the Act for use in connection with expiring or terminating section 8 subsidy contracts: *Provided further*, That of the unexpended amounts previously appropriated for carrying out the Low-Income Housing Preservation and Resident Homeownership Act of 1990 and the Emergency Low-Income Housing Preservation Act of 1987, other than amounts made available for rental assistance, within the ''Annual Contributions for Assisted Housing'' and ''Preserving Existing Housing Investments'' accounts, shall be recaptured and transferred to this account, to be available for assistance under the Act for use in connection with expiring or terminating section 8 subsidy contracts.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NADLER:

Page 17, line 13, after the first dollar amount insert the following: ''(increased by $200,000,000)''.

Page 22, line 9, after the first dollar amount insert the following: ''(increased by $105,000,000)''.

Page 79, line 5, after the first dollar amount insert the following: ''(reduced by $305,000,000)''.

Mr. NADLER. Mr. Chairman, this amendment would add $200 million to provide section 8 vouchers for 32,000 additional families and would further provide an additional $105 million for the Public Housing Operating Fund to help our public housing authorities to maintain the safe, decent housing that is in such short supply.

The underlying bill reneges on our national commitment to provide decent, affordable housing to those families who cannot afford market rents and specifically fails to fulfill the promise that this Congress made to poor families in the Quality Housing and Work Responsibility Act of 1988. In that act, we authorized 100,000 new section 8 vouchers for fiscal year 2000. But the bill provides no funding for any of these authorized vouchers.

In addition, the bill provides no increase above last year's funding level, denying the administration's $185 million requested increase for public housing authorities to make necessary repairs that are desperately needed in public housing in this country. Families in need will suffer under this bill for lack of these funds.

The need for housing assistance remains staggering. Over 5 million low-income families pay more than 50 percent of their incomes for rent or live in severely substandard housing. The Federal Government does not do enough to assist these families whose needs are desperate.

Franklin Delano Roosevelt spoke eloquently in 1944 of the fact, and I quote, ''True individual freedom cannot exist without economic security and independence. Necessitous men are not free men.'' FDR was right. Every family deserves a decent home, or perhaps we no longer believe this to be true.

President Roosevelt's commitment to provide decent, safe, affordable housing to those who could not afford the rents in the private market through no fault of their own continued through both Republican and Democratic administrations. Richard Nixon, Ronald Reagan, George Bush all to some degree continued that commitment.

Two years ago, the majority in this Congress decided to break that commitment. For the first time since the program began, no money at all was provided for new section 8 vouchers.

I challenge anyone to argue that tenant-based section 8 vouchers and public housing do not achieve their goals. Over a million families receive section 8 vouchers. Section 8 allows families to enter the private housing market and choose where they want to live, helping them to escape from the cycle of poverty and creating better income mixes throughout our communities.

Thanks to section 8, families can afford decent, safe housing, nothing extravagant, and frankly sometimes not very nice at all, but much better than without the section 8.

Millions of Americans reside in public housing. Public housing should not be synonymous with dilapidated housing. This amendment will allow 32,000 additional families to afford safe, decent housing through additional section 8 vouchers. It is not asking for much. I only ask that today we commit to meet less than 1 percent of the need for affordable housing in our Nation.

Second, the $105 million this amendment would provide for housing maintenance will not fix all the physical problems in public housing units, but it is at least a start. This amendment would fund less than a third of the authorized 100,000 new section 8 vouchers, but that, too, is a start.

Mr. Chairman, it is shameful that so many Americans must continue to live in dilapidated and unsafe housing while the country is in the midst of prolonged economic prosperity.

The money for this amendment would be found by reducing the Space Station allocation. But, nonetheless, the Space Station would still receive in this fiscal year over $2 billion. If history is to look back on this Congress as a decent Congress, we must provide for adequately housing our people.

Let us continue the legacy of FDR and of this great Nation. I urge a ''yes'' vote on this amendment.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment just shows the difficulty of this bill. Certainly the items that the gentleman from New York (Mr. NADLER) is correct that adequate funds are necessary for section 8 housing and public housing operating funds. But I would remind him that this bill provides almost $1 billion more for section 8 housing vouchers than last year. Let me repeat, we have fully funded section 8 housing renewals for the year 2000.

Would he like more? Sure. Would I like more? Sure. But the fact is we had to cut NASA by $1 billion to fully fund section 8 vouchers. Mr. NADLER proposes a further dramatic reduction in NASA, specifically in the Space Station. We have just rejected an amendment that would basically eliminate the Space Station program.

This $300 million deduction will do a great deal of damage to a program that is already substantially reduced. NASA has sustained the largest cut in this entire bill outside of AmeriCorps and Selective Service.

Therefore, I urge my colleagues to oppose this amendment. Tough choices were made when we put together this bill. But the subcommittee and the full committee weighed all of the items within the bill EPA, NASA, HUD, VA, National Science Foundation, Federal Emergency Management Agency—and we are spread thin. To take $300 million out of NASA when it has already been cut by $1 billion is a deep and cruel cut that I am not sure that they could handle.

We have done our level best to provide funds for public housing. We have done our level best to fully fund the section 8 program. For that reason, Mr. Chairman, I would urge my colleagues to reject the amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I agree with the gentleman from New York (Mr. WALSH), the subcommittee chairman, that he was given an impossible job, and he did well at the impossible job. But there is a problem. When one is given an impossible job, no matter how well one does, one comes up with an impossible product.

The gentleman from New York is a very diligent and able and conscientious Member, but he is not a magician. What we have is a budget which substantially underfunds housing needs.

I want to be clear. We had a press conference before, and someone said, ''well, are you not getting into the situation where you are defining as cuts a failure to go up by as much.'' No. In this bill, we are talking, as people have acknowledged, about real cuts.

A couple of areas that we are talking about now, we are talking about whether or not we are going to meet a need. Absent this amendment, which authorizes new vouchers, there will be no addition to the number of subsidized housing units available to people in that category. There are no new vouchers.

We know that housing needs will grow. Similarly, we have long lamented public housing. Remember, the bad conditions in public housing are not on the whole the fault of the people who live there. They are the fault of we, the society, that did not build adequately.

We came up with a formula that is needed to run public housing well, and we shortchanged it. This is an amendment about 3, 4, 5 and 6 year olds and whether or not their housing will have adequate maintenance, adequate operations.

I have not liked the Space Station. But even if one does, can one justify morally spending money so a dozen people live in space, and the price of that is hundreds of thousands of people live in squalor? That is what my colleagues are talking about. The Space Station for a few versus a mean and dangerous and unhealthy existence for thousands and thousands of children. It simply is not morally acceptable.

I said before I am going to engage in one of the favorite practices of this body, I am going to quote myself. We had a press conference, and I said, ''I am going to acknowledge that I feel overshadowed.'' We do not like to admit that. We do not like to be overshadowed, but we do not like to admit it.

I will admit that when I had my heart bypass operation over a month ago, I very much appreciate the colleagues on both sides of the aisle who were generous and thoughtful, and they paid a lot of attention to me. But now I have been left behind. I got a heart bypass operation from a couple of doctors. This bill gives a heart bypass operation to America. I pale into insignificance. What is 5 of my arteries compared to tens of thousands of 5 year-olds who are going to live in squalor? What does this mean when we say no new vouchers? We do not care how badly one is housed today.

Let me say to people who talk about in their districts to those in need, ''Oh, I am sorry for you, dear. Yeah, I will try to get you some housing. Oh, I am sorry for you.'' Well, this is the honesty test. Because if this amendment goes down, what my colleagues are saying to people is there will be no new housing. There will be no improvement from public housing. There will be a deterioration.

We have imposed on people in public housing a work requirement. We have tried to change the mix of income.

□ 1630

But how are we going to carry out the policy of changing the mix of income if these places are badly run? We have an acknowledgment that more money is needed to run public housing than this bill provides, and we are sending it to the space station.

Maybe the amendment should have been different. Maybe the gentleman from New York should have sent some public housing tenants into the space program. Maybe we ought to say that instead of living in squalor in some of these places, we will create a kind of public housing unit in the sky. Maybe that is what we should be looking at. HUD housing in the sky would probably do better than public housing on the ground. Because that is where we are. We could not have pie in the sky. Maybe we can get I. M. Pei to be the public architect of public housing and we will have Pei in the sky instead of pie in the sky.

It is distressing. It is sad. And I understand the tough choices the gentleman was presented with. It is not his fault. It is the problem with this budget, and it is why I think we ought to send the whole budget back and redo it so that we do not condemn the poorest of the poor to this.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

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

Mr. WELDON of Florida. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank my friend and colleague from Florida for yielding to me. The point I wanted to have the opportunity to make is if we look at the budget request of the President, there was enough funding in the bill on paper to increase these programs. But if we look at the bill closely, we can see there is a $4.2 billion advance appropriation in there that some would refer to as a gimmick because it looks like the President has increased HUD's budget when in reality the $4.2 billion is not available to be spent until the year 2001. So if those funds are not available in the year 2000, then without that gimmick the President would have had to show reductions in those same programs. We did it honestly. We presented what we felt was a real budget with real money for real people and real programs.

If we are to compare apples with apples and throw out the $4.2 billion budget gimmick, we have put more money into housing than the President did.

Mr. FRANK of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman from Florida (Mr. WELDON) have an additional minute so that I might respond and it would not come out of his time.

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

There was no objection.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman for yielding to me, because I know how important the space station is to him and to his district.

I would say to my friend from New York if he heard somebody mention the President during my speech he must have been listening to the radio. I would agree with him. The President's budget is inadequate. I hold no grief for the President's budget. I think the President has made a grave error. All I am saying is the gentleman has made bad worse.

I do not care whose gimmick was what gimmick. I do not want to go to a bunch of 5-year-old children and tell them the reason they are living in squalor is not so much the 1997 budget did not give us enough money and we gave it to the space station, it is the President's gimmick. I do not care about either one of those. I am talking about inadequacy. And the failure of the President to adequately do the job is no justification for our failure also to adequately do the job.

Mr. WELDON of Florida. Reclaiming my time, Mr. Chairman, I rise in strong opposition to the amendment primarily for the source of the gentleman's offset. I understand the passions that some people may feel on the issue of public housing, though I would just assert at this time in the debate that the reasons for poverty extend far beyond a lack of sufficient funding from the Federal Government.

The offset that this gentleman used is coming out of the space station program, which I am very familiar with. All the space station elements are being checked out at Kennedy Space Center. Most of them have been built. The foreign elements are arriving. They are ready to go up on the shuttle. And the budget for the space station is extremely tight. There is not elasticity that we can just come in and make this kind of cut and they will continue to march on. What will happen, if this goes through, is we will slow down the progress on this thing and we will end up adding to more cost overruns for the space station.

Let me just finally add that this bill already has almost a billion dollar cut in NASA, and about $250 million of it comes out of mission support. What is mission support? Well, it funds the salaries of all the people that are working to support programs like this, space station. So we have very, very serious problems with the bill as it is in the NASA account, and to come along at this point and take another offset out of space station I have to very, very strongly oppose.

I think the gentleman from New York has done a very generous job in trying to do his best with HUD, and he should be commended for that, not criticized for that. If anything, he should be criticized for underfunding NASA and not for underfunding HUD.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

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

Ms. PELOSI. I yield to the gentleman from New York.

Mr. NADLER. Mr. Chairman, I will be very brief. No one claims that public housing or Section 8 solves poverty. What Section 8 does, which is what we are talking about here, is to enable people, working people for the most part who are making minimum wage and who cannot afford decent housing in the open market, to afford decent housing. And that is a very elementary and human thing to do, and it is an obligation of ours to do.

The other part of this amendment is to provide a little more money to enable the public housing authorities to stop the existing public housing from falling apart for lack of maintenance. And that too is at least as important as the space station.

Ms. PELOSI. Mr. Chairman, I thank the gentleman from New York (Mr. NADLER) for his leadership in bringing this very important amendment to the floor. I am very disappointed, and I joined my colleagues earlier in stating that disappointment, at the funding that is in the VA–HUD bill this year, because of the cuts in affordable housing.

The amendment of the gentleman from New York, which funds $305 million for 50,000 new incremental Section 8 housing vouchers is an important one. Affordable housing is scarce and getting scarcer. As one who represents a very high-cost area, in terms of housing, this amendment is essential. The amendment will provide 50,000 individuals and families with affordable, safe and decent housing.

The maker of the amendment very eloquently laid out the justification for the funding in his amendment, and I would like to join him in that. A previous supporter of the amendment spoke, the gentleman from Massachusetts (Mr. FRANK), said he was going to quote himself. And since he took that point of personal privilege, I am going to quote my mother. When my mother was First Lady of Baltimore in the 1950s, her project was affordable housing for working poor families. And she used to say then, and I recall it very well, how can we teach children about love and respect and dignity if we do not even provide them with a decent place to live? It was true then, and it is even truer now in this time of unprecedented economic prosperity for our country.

With the stock market going past 11,000, with unemployment at record lows, with inflation practically nonexistent, it has been demonstrated that a rising tide does not lift all ships. When we have people who work full time making the minimum wage who cannot afford a decent place to live for their families, then it is important for us to have adequate funding for the Section 8 voucher.

Our budget, Mr. Chairman, as we have said over and over again, our federal budget should be a statement of our national values, and we have to make some important choices as we consider spending. We have to be fiscally responsible. We all agree to that. But we also have to get back to basics. What is more basic than a decent place to live for America's families? Especially those who toil at a wage which I wish would be higher, but it is not, and it creates a need for some public intervention in the form of the Section 8 voucher.

So I believe it is a statement of the values of the American people to prevent homelessness. I think it is a statement of values of the American people that America's children have a decent place to live. I think dignity and respect are important values for the American people and that funding in our Federal budget should reflect that priority that the American people give it. And that dignity is that which comes when a family can have a decent place to live; where children at school can say I am going home now. And home does not mean a homeless shelter or something worse. Home means home, and in many cases homes that would be provided by the Section 8 vouchers.

So I thank and commend personally, politically, civically, officially, and in every way the gentleman for his important amendment and urge my colleagues to support the Nadler amendment.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I have absolutely no disagreement with the gentleman's objective of adding funds for incremental Section 8 housing assistance vouchers in fiscal year 2000. Quite the contrary. I support this objective and will do all I can to bring it about by the time this bill becomes law.

These vouchers are badly needed. HUD's latest housing needs report tells us that there are more than 5 million very low income families paying more than half their income for rent or living in seriously substandard housing and yet receiving no federal housing assistance. Last year's VA-HUD bill provided funds for 50,000 additional housing vouchers to help make a small dent in this backlog of needs. I think it is unfortunate the bill now before us is unable to provide any funds for new vouchers.

I also support the gentleman's effort to add funds to public housing operating subsidies. I think that there is widespread agreement that additional funding is needed to allow this housing to be maintained in decent conditions. However, I part company with the gentleman and his good intentions when he proposes to cut the appropriation for the space station.

We have already had a lengthy debate about the space station in connection with the Roemer amendment, and I will not repeat all my arguments again now. Let me simply say the station is an important part of a program that will offer valuable scientific and technological benefits. Perhaps even more to the point, Congress has repeatedly voted to proceed with this project; and, if the voice vote we heard today is any indication, is still doing so.

The space station is now coming to fruition, with the first two components on orbit in the next awaiting launch. We should stand by our earlier decisions and let the program proceed, rather than jeopardizing investments already made by the United States and its international partners. The $305 million cut proposed by the gentleman certainly would hamper progress on the space station. It would disrupt the current assembly schedule, raise costs in the long run, of course, and delay the point at which the station is permanently occupied and scientific experiments begin.

But more fundamentally, Mr. Chairman, I reject the notion that we have to choose between science and housing. I think we can and must do an adequate job on both fronts, and on many others as well. The reason that housing is underfunded in this bill is not because the NASA budget is crowding it out. Rather, this bill cuts the NASA budget by $1 billion below the prior year's level. The NASA budget. It is cut by $1 billion in this bill below last year. A cut roughly comparable in dollar terms and larger in percentage terms than the cut in the HUD's budget, as bad as the cut is in the HUD budget. So we must oppose any further cuts to NASA even if done in order to restore some cuts in housing, just as I would oppose any further cuts in housing to restore cuts in NASA.

The proper solution here is not cutting one underfunded program to take care of another, but seeking to ensure that this bill has enough funding available to address needs in all the programs it covers. An unrealistic budget resolution that was passed by a majority of this House, promoted and pushed by the majority leadership, pits advocates for good programs against each other. The budget extremists win when their victims start competing against one another. The real solution here is to openly acknowledge that we need to raise these budget caps, as we have acknowledged de facto by robbing other subcommittees to pump up the funding in the ones that are being brought to the floor so that the subcommittee, particularly Labor-HHS that is left behind, is woefully underfunded.

□ 1645

That is an implicit, de facto acknowledgment that we have raised the caps. The way to solve this problem is to acknowledge it publicly and get about doing it and getting adequate funding in these programs and not to proceed to assume surpluses that do not exist with large tax cuts, as this House passed a month or so ago.

We cannot pit tax cuts against domestic discretionary programs that are woefully underfunded and at the same time allow the budget extremists to allow these programs, these domestic discretionary programs that so desperately need funding that prove themselves that have widespread support, as we hear on the floor, to start trying to cannibalize each other. That is a process that I regret.

Mr. Chairman, I regretfully oppose the amendment but look forward to working with the gentleman to try to get additional funding in this bill so that we can fund adequately the program that he is fighting for so hard and so effectively.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to Mr. NADLER'S amendment.

It's an overused colloquialism, but this amendment is penny-wise and pound-foolish. If you don't like the Space Station and want to

set our human spaceflight program back decades, vote to kill the Space Station. the Roemer/Sanford amendment is intellectually honest in making this choice. Sadly, the amendment before us now offers a false choice. It creates the illusion of savings by reducing a program budget, but the amendment will only increase our costs in the future when NASA has to work overtime to make up for near-term budget shortfalls.

Last year, the Committee on Science received testimony from the Chairman of the Cost Assessment and Validation Task Force, which NASA created at the request of Congress. The Chairman of the Task Force, Jay Chabrow, testified that Space Station costs had grown because the Administration underfunded the program. The gentleman from New York's amendment would worsen that problem by cutting $305 million from the space station account. Such a cut promises to increase Station costs in the future.

Mr. Chairman, we all know that the sooner we fix a problem the cheaper it is to fix. The only way to fix problems now and prevent them from growing in the future is to provide NASA with enough resources to do the job we're asking it to do. If you support the Space Station, and the vote margins of the last few years make it clear you do, then you should reject this amendment.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 275, further proceedings on the amendment offered by the gentleman from New York (Mr. NADLER) will be postponed.

The Clerk will read.

The Clerk read as follows:

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFERS OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437), $2,555,000,000, to remain available until expended: *Provided*, That of the total amount, up to $50,000,000 shall be for carrying out activities under section 9(d) of such Act, and for lease adjustments to section 23 projects, including up to $1,000,000 for related travel: *Provided further*, That all balances for debt service for Public and Indian Housing and Public and Indian Housing Grants previously funded within the ''Annual contributions for assisted housing'' account shall be transferred to this account, to be available for the purposes for which they were originally appropriated.

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WELDON of Florida:

Page 21, line 20, after the dollar amount, insert the following: ''(reduced by $445,000,000)''.

Page 79, line 5, after the dollar amount, insert the following: ''(increased by $92,000,000)''.

Page 79, line 19, after the dollar amount, insert the following: ''(increased by $112,000,000)''.

Page 80, line 14, after the dollar amount, insert the following: ''(increased by $241,000,000)''.

Mr. WELDON of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MOLLOHAN. Mr. Chairman, I reserve a point of order against the amendment offered by the gentleman from Florida (Mr. WELDON).

Mr. WALSH. Mr. Chairman, I reserve a point of order against the amendment offered by the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Chairman, my amendment would shift $445 million from the Department of Housing and Urban Development Capital Fund Account to NASA which is funded at a woefully inadequate level in this bill.

Mr. Chairman, my amendment would simply result in bringing the budget for HUD's Capital Fund Account to a level equal to the budget request submitted by the Clinton administration over the past 2 years.

While the funding level of HUD's Capital Fund in the bill before us is equal to the administration's request, it is important to note that last year's Congress provided $445 million more than the request of the administration for this account.

My amendment shifts this $445 million to partially restore NASA's budget. Specifically, my amendment would shift $92 million to human space flight to fully restore this account in the fiscal 1999 level.

My amendment would also fully restore NASA's Mission Support Account to last year's level by increasing the amount in the bill for this account by $241 million.

Finally, my amendment would add $112 million to the Science, Aeronautics, and Technology Account and partially restore this to last year's level.

Mr. Chairman, I am committed to fully restoring NASA's budget; and I look forward to continuing to work with the chairman of the subcommittee in restoring NASA's funding.

Now, I understand the concern of the gentleman from New York (Mr. WALSH), the chairman of the subcommittee, about my amendment; and, for that reason, I understand his point of order and I will withdraw my amendment. But I am looking forward to engaging the gentleman from New York in a colloquy later and working with him in the process of restoring the NASA fund.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

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

Mr. Chairman, I have been listening very attentively to the debate today. I want to congratulate the subcommittee, under the leadership of my good friend and colleague the gentleman from New York (Mr. WALSH), for the way that they have been able to balance the priorities within tight budget caps. It is not easy. We all know that. But I will tell my colleagues this, the Walsh product is something that all of us can be proud of.

We have just spent a couple of hours discussing veterans assistance. I am a concerned veteran myself so, obviously, I am very interested in this debate. I want to point out that a large portion of the bill's funding, $44.1 billion, supports the Department of Veterans Affairs' efforts to provide funding for important health, housing, education, and compensatory benefits to military veterans and their dependents.

This is $1.5 billion more than the current fiscal year and $1.6 billion more than the President's request. I think that is very good, and the gentleman from New York (Chairman WALSH) is to be congratulated.

I also am particularly pleased that this bill provides almost $106 million more than the President requested for the Environmental Protection Agency. Much of the increase over the request is devoted to the State revolving funds, and we all know how important they are to all of our governors and all of our communities. They are overseen by the House Subcommittee on Water Resources and Environment, which I am privileged to chair.

The EPA itself has estimated that about $200 billion, that is ''billion'' with a ''b,'' will be needed over the next 20 years to ensure that our local sewage systems are doing an adequate job of keeping sewage and other pollutants out of our Nation's waters. The Association of Metropolitan Sewage Agencies estimates that need at more than $300 billion.

Yet the President's budget actually cut the funding for these programs which States and localities depend upon to protect the environment and public health.

Now, I am not suggesting that the President is for pollution and is not sympathetic to veterans. That is nonsense. Of course the President is concerned about veterans, and of course he is concerned about the environment.

What I am saying and very emphatically and providing evidence to prove

the case is that the Walsh committee examined the President's budget request and in these 2 areas, providing for veterans assistance and providing for the Environmental Protection Agency, did a better job and, therefore, they are to be commended.

So I am proud to support this product. I know how tough it is. I know that in many areas we want more money and we wish that we can wave the magic wand and create those extra dollars instantly. We would do more. But I think we are doing a very good job, and I think the leadership of the gentleman from New York (Chairman WALSH) is to be commended and acknowledged.

Mr. Chairman, I am also pleased that this bill provides almost $106 million more than the President requested for the Environmental Protection Agency (EPA). Much of the increase over the request is devoted to the State Revolving Funds, which are overseen by the House Subcommittee on Water Resources and Environment, which I chair.

The EPA itself has estimated that about $200 billion will be needed over the next 20 years to ensure that our local sewage systems are doing an adequate job of keeping sewage and other pollutants out of our nation's waters, and the Association of Metropolitan Sewerage Agencies (AMSA) estimates the need at more than $300 billion. Yet the President's budget actually cut the funding for these programs, which states and localities depend upon to protect the environment and public health. This bill restores funding for the revolving funds and begins to make a downpayment on our future needs.

I congratulate the Chairman on putting money where it is most needed. This bill uses its limited allocation wisely. I urge its support.

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

Mr. Chairman, my constituents and I have been anxiously awaiting the VA-HUD appropriations to be presented to the entire House. We have been watching and have received some of the preliminary reports in the latest bill with dread.

Just in my district alone, one of the highest housing cost areas in the country, we lose over $12 million and hundreds and hundreds of jobs. We are appalled with the proposed cuts, all of the proposed cuts.

However, I want to focus very quickly now on what the bill does to our housing programs. As a member of the Subcommittee on Housing and Community Opportunities of the Committee on Banking and Financial Services, I am acutely aware of the enormous housing needs of this country and of my constituents and of the efforts made by our economy to respond to our national housing crisis.

Housing costs in the San Francisco-Oakland Bay Area are particularly alarming. Housing costs are reaching astronomical heights and are becoming increasingly impossible for moderate wage earners to meet. The working poor and disabled are in greater jeopardy than ever.

In this best of all economic times for some and the worst of times for many, why are the Republicans cutting the bare necessities for keeping the poorest of our working people working and those who absolutely cannot survive without help, why are we cutting their bare bones of housing and the economic opportunities to reach some level of self-sufficiency?

Those who wave the flag of family values yet gut the basic safety net of families should really be exposed. These cuts do not create family stability. They create family dislocation and upheaval. I do not understand the level of meanness in this highest legislative body of the most powerful nation on Earth. These cuts are hypocritical and go against the very core of our creed of liberty and justice for all.

We kick people off of welfare and tell them to be independent, yet we destroy the basic support system that they need for self-sufficiency. What do we suppose will be the outcome?

A New York Times report from this weekend quoted a study. It showed and demonstrated that in the last 2 years the poorest 20 percent of these families lost an average of $577 a year, with incomes falling over $8,000. They had left welfare but had not made up the lost benefits with wages.

The situation was worse for the poorest 10 percent, who lost an average of $814 a year. A clear majority of Americans also do not want tax cuts if it means ignoring our public school system, if it means ignoring reducing crime, protecting Social Security, Medicare, and about protecting our environment.

I ask our colleagues to vote against this VA-HUD appropriations bill that provides no new housing support and which seriously underestimates the cost of housing renewal efforts in our country. I ask my colleagues to vote against this bill, which undercuts by $450 million the maintenance of present public housing stock.

I ask my colleagues to vote against this bill which deletes and reduces homeless programs and funds by over $45 million. I ask my colleagues to vote against this bill because it cuts the Fair Housing program to reduce discrimination by $2.5 million and homeownership partner programs by $20 million.

Racism is alive and well in America. We need to increase, not reduce, our efforts to eliminate discrimination from the face of this country.

I remember the promises of a bipartisan approach earlier this session with the election of the new Speaker. But this is not a bipartisan bill. This is a bill that is meant to be confrontational and to move us to an ever-increasing crisis point.

These proposed cuts are certain to create more homelessness and more hopelessness, which leads to despair. This is wrong. This is immoral in a land of plenty. There are too many unacceptable items in this bill, and I ask my colleagues to reject it.

Mr. WELDON of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to engage the subcommittee chairman, my good friend from New York (Mr. WALSH), in a colloquy regarding the NASA provisions in the bill before us.

I acknowledge and respect the fact that my friend from New York was given a very difficult budget allocation. Being fiscally responsible, by definition, is not an easy proposition. Millions of Americans know that they do that every year with their family budget.

Nonetheless, as we attempt to prioritize each title and agency within each bill, we need to take a step back and look at what we have wrought. I remain very concerned about the adverse impact this bill would have on NASA and its ability to lead the world in space exploration and technology development.

The Human Space Fleet account is funded at $92 million below last year's level. Mission Support is at $241,800,000 below last year's level. And the Science, Aeronautics and Technology account is $678,200,000 below last year's level.

These are far-reaching reductions that would have significant impact on the NASA team and the science it does for a long time to come.

I am sure the chairman would conclude, as do I, that NASA's work should be a priority with this Nation because of the huge benefit and payoff we as Americans receive from such an investment. At the core of that investment is man's interaction with space, our need for revelation and new discovery. Human involvement in space is a mere 40 years old, not even a generation. We cannot extinguish this noble quest in a manner that might be questioned by others after us.

While the usual debate over NASA funding includes much technical and scientific discussion, I must stress that NASA has a value that goes beyond the temporal. NASA has a unique ability to inspire our children. Every time I talk with a teacher about space, they always stress to me how much of a motivator space exploration is to their children. I think this is an outstanding tribute of what a value science is to our Nation.

Would the chairman of the subcommittee agree with me that NASA has been and will continue to be a significant national priority and that NASA will continue to be a priority

with him and with this Congress, and would he also agree that minimizing NASA's budget reductions as much as possible during conference will be a priority with him?

I would urge and ask the subcommittee chairman to do all that he can between now and conference to address this budget shortfall.

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

Mr. WELDON of Florida. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentleman for yielding to me for the purpose of this colloquy. I appreciate very much the many discussions that we have had regarding NASA over the past several months. I understand the serious concerns of the gentleman about the level of funding.

Having visited the constituency of the gentleman in Florida and visited the Kennedy Space Center and met with the leadership there, I was deeply impressed by the scope and breadth of knowledge that he has in the NASA area. So I very much respect his point of view on this.

□ 1700

I certainly understand the concerns, and I can assure the gentleman that I will work with him and other leaders in our Nation's space program to see that the NASA budget is further accommodated in conference.

NASA is very important to this Nation, and I appreciate the leadership that the gentleman has shown in addressing our Nation's space issues. I appreciate the gentleman's commitment to continuing to work with me between now and the beginning of the fiscal year on October 1 to improve the budget picture of NASA.

Mr. WELDON of Florida. I appreciate the gentleman's commitment and I look forward to working with him on this matter of critical importance to our Nation and my constituency at Kennedy Space Center.

Mr. WALSH. I also would like to take this opportunity to thank the gentleman and his colleague, the gentleman from Florida (Mr. MCCOLLUM), for their leadership with the East-Central Florida veterans inpatient pilot program. When I visited Brevard County earlier this year, I was briefed on the successes of the pilot program and the possibility it holds for improving veterans health care in other parts of the country.

The committee looks forward to the continued success of the program and a report from the Veterans Administration about the aspects and benefits of the East-Central Florida patient pilot program.

Mr. WELDON of Florida. I thank the gentleman for his comments and his support for this pilot program. I have received very positive feedback from veterans, my constituents who have been served under this program, and I look forward to the continued delivery of services in this way, and I thank the subcommittee chairman.

The CHAIRMAN pro tempore (Mr. PEASE). The Clerk will read.

The Clerk read as follows:

PUBLIC HOUSING OPERATING FUND

For payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g), $2,818,000,000, to remain available until expended.

DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING

(INCLUDING TRANSFERS OF FUNDS)

For grants to public housing agencies and Indian tribes and their tribally designated housing entities for use in eliminating crime in public housing projects authorized by 42 U.S.C. 11901–11908, for grants for federally assisted low-income housing authorized by 42 U.S.C. 11909, and for drug information clearinghouse services authorized by 42 U.S.C. 11921–11925, $290,000,000, to remain available until expended, of which up to $4,500,000 shall be for grants, technical assistance, contracts and other assistance, training, and program assessment and execution for or on behalf of public housing agencies, resident organizations, and Indian tribes and their tribally designated housing entities (including up to $150,000 for the cost of necessary travel for participants in such training); $10,000,000 shall be used in connection with efforts to combat violent crime in public and assisted housing under the Operation Safe Home Program administered by the Inspector General of the Department of Housing and Urban Development; and $10,000,000 shall be provided to the Office of Inspector General for Operation Safe Home.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, $575,000,000 to remain available until expended of which the Secretary may use up to $10,000,000 for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the Department and of public housing agencies and to residents: *Provided*, That for purposes of environmental review pursuant to the National Environmental Policy Act of 1969, a grant under this heading or under prior appropriations Acts for use for the purposes under this heading shall be treated as assistance under title I of the United States Housing Act of 1937 and shall be subject to the regulations issued by the Secretary to implement section 26 of such Act: *Provided further*, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (Public Law 104–330), $620,000,000, to remain available until expended, of which $6,000,000 shall be used to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the oversight and management of Indian housing and tenant-based assistance, including up to $100,000 for related travel: *Provided*, That of the amount provided under this heading, $6,000,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $54,600,000: *Provided further*, That for administrative expenses to carry out the guaranteed loan program, up to $200,000 from amounts in the first proviso, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (106 Stat. 3739), $6,000,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $71,956,000.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $150,000 from amounts in the first paragraph, which shall be transferred to and merged with the appropriation for ''Salaries and expenses'', to be used only for the administrative costs of these guarantees.

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901), $215,000,000, to remain available until expended: *Provided*, That the Secretary may use up to .5 percent of the funds under this heading for technical assistance.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NADLER:

Page 26, line 6, after the first dollar amount insert the following: ''(increased by $10,000,000)''.

Page 82, line 23, after the first dollar amount insert the following: ''(reduced by $10,000,000)''.

Mr. NADLER. Mr. Chairman, before I begin, I would like to thank my colleague, the gentleman from Connecticut (Mr. SHAYS), and my colleague, the gentleman from New York (Mr. CROWLEY), for joining me in offering this amendment.

Mr. Chairman, this amendment would restore $10 million to the housing opportunities for persons with

AIDS, or HOPWA program. This does not represent new funding but seeks merely to maintain last year's funding level. The HOPWA program, which enjoys wide bipartisan support, is the only federal housing program that provides cities and States with the resources to address specifically the housing crisis facing people with AIDS.

Currently, HOPWA is helping nearly 75,000 people in over 41,000 housing units. These people live in over 100 communities across 37 States, plus the District of Columbia and Puerto Rico.

Mr. Chairman, individuals with AIDS are living longer and more productive lives. According to a new report, AIDS deaths have fallen dramatically in recent years from roughly 50,000 4 years ago to 17,000 last year. We owe these encouraging statistics to new and effective drug therapies. We have made great strides in the treatment but most of these therapies require a stable living environment. They usually involve a strict regime built around regular meals and a regular schedule. Medication must be refrigerated and often must be taken on a rigid time stable. HOPWA provides a stable housing situation in which individuals can get the treatment they need and can have the regularity in their lives and their schedules that they need. To deny this to people living with AIDS would be an unacceptable cruelty.

As the success of HOPWA grows, so too does the need for funding. Nine new communities joined HOPWA in 1999. At least five more are expected to do so in 2000. Add to these figures the 40,000 new AIDS cases each year and available funding will be spread even thinner. As I said, funding for this program ought to be increased but at the very least it should not be cut below existing levels.

As for the offset, this amendment would cut $10 million from the $246 million appropriation for the National Science Foundation's Polar and Antarctic Research Fund, a very small reduction. I should note that there are 12 other agencies that also support antarctic research so we would not be greatly hindering this research.

With this amendment, we would do minimal damage to long-term research goals while significantly improving the lives of individuals with AIDS who desperately need our help now. I urge the adoption of this amendment.

Mr. Chairman, I yield to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I rise to support the amendment of the gentleman from New York (Mr. NADLER) and the gentleman from New York (Mr. CROWLEY) and am happy to be a part of it. This very modest $10 million increase is vital. It will allow thousands of people living with HIV/AIDS to live longer and healthier lives. It is crucial that the Federal Government continue to address the AIDS epidemic by investing in this program, and I sincerely believe cutting the funds to HOPWA would be a mistake.

Between one-third and half of all people living with HIV/AIDS are currently homeless or in imminent danger of becoming so. Sixty percent of all people living with AIDS will face a housing crisis at some point in their lives. While there is reason for hope with new AIDS treatment and research, the battle against HIV/AIDS is far from over. The World Health Organization announced in May that AIDS is now the world's most deadly infectious disease.

The good news is people living with AIDS are living longer and more productive lives, but this means care-giving services are needed now more than ever. Given the 57,000 new cases of AIDS in the period between March of 1997 and March of 1998, the already long waiting lists in the new jurisdictions competing for these much needed funds, it's essential that we add this $10 million.

Daily costs for persons with AIDS in acute care facilities are $1,085, while the daily cost to HOPWA community housing ranges from only $40 to $100. Providing services in acute care facilities equals more than 10 times the cost of providing housing and services in residential settings. It is a mistake to do that. We should provide this $10 million for HOPWA. It's cost-effective and it's compassionate.

Again, I thank my colleagues for offering this amendment.

Mr. NADLER. Mr. Chairman, I thank the gentleman from Connecticut (Mr. SHAYS) for his support. I simply want to add again that the funding in the offset is $246 million plus 12 other agencies doing Antarctic research. This is taking $10 million from that for keeping the existing level of funding for HOPWA in the face of the greatly increased need. With more and more communities coming into the program, and seeking funds from the Federal Government, I would hope we can have bipartisan support, thorough bipartisan support, for voting for the amendment as we do for the sponsorship of the amendment.

Mr. WALSH. Mr. Chairman, I rise in reluctant opposition to the amendment.

Obviously this is a well-intended amendment to provide resources to a population that is sorely in need of those resources. It is a very popular program in the Congress. I think most Members support it. The difficulty once again is striking a balance, and what we did when we drew up this appropriation bill was we provided the same level of funding that we provided in 1999, basically level funding. We did not want to cut it, and we did not cut it.

What happened was in the omnibus bill that concluded after the appropriations bill passed the House, the conference put in an additional $10 million, which brought it from $215 million up to $225 million. We appropriated the same level as last year, $215 million and the Crowley-Nadler amendment would put that $10 million back in, which would make it back even with the omnibus level.

The difficulty is where do they find the money? And they went all the way to Antarctica to find it. It seems like a good place to go to find money for Americans who are in need, but it does do harm to our scientific work in Antarctica.

We have reduced funding for the National Science Foundation by over $200 million. That is the last thing that I wanted to do in this bill but, again, the balance that we had to strike was very, very fragile, very, very difficult. We literally are borrowing from Peter to pay Paul here.

What does this do to Antarctica? The National Science Foundation's Antarctic program is this Nation's way of exercising a peaceful, scientifically productive and critically important year-round influential presence on this continent.

As in every other part of the world, there are political considerations. There are territorial claims to this land that if the United States does not play its important role as honest broker, we could conceivably have some political difficulty there in that remotest of all parts of the world.

We have also made commitments to our foreign partners in continuing this research, and the work that is being done there is very important to our overall earth science effort. Lord knows we have affected our Earth science in the NASA budget also.

So I would again reluctantly oppose this amendment. I understand the goodwill of all involved, but it really does do damage to our scientific effort. And by level funding HOPWA from the 1999 level and providing level funding in disabled housing, I think we have done the best that we can.

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

Mr. Chairman, I have a great deal of respect for my colleague, the gentleman from New York (Mr. WALSH), but I rise today in support of the Nadler-Crowley-Shays amendment to increase funding for the housing opportunities for persons with AIDS by $10 million, to restore the program to its fiscal year 1999 level.

While seemingly small, this increase is vital to HOPWA programs and will greatly help the individuals and families who suffer from AIDS by providing them with desperately needed housing.

The housing provided by HOPWA allows people to improve the quality of their lives and access life-extending care.

In 1998, the Center for Disease Control reported that 665,000 were living with AIDS and the AIDS virus; and

CDC estimates that between 650,000 and 900,000 Americans live with the HIV virus. In New York and in my district particularly the AIDS crisis is particularly acute. In 1998, there were approximately 130,000 reported AIDS cases in the State of New York.

Once diagnosed, individuals with the HIV virus must take on an aggressive treatment regime that requires strict timetables and strict diets. Over the past 3 years, CDC has reported a steep decline in AIDS. A decrease in deaths and the longer life spans of individuals with AIDS is a positive step resulting from nonstop research and advances in medications. Research and funding needs to be continued to effectively combat this deadly disease.

Now that we have had the breakthroughs in the treatment of HIV and delaying the onset of full-blown AIDS, we must concentrate more of our efforts on preservation, treatments and assistance programs. With the longer life span comes the need for more assistance, both in medical care and in housing.

Lifesaving drugs are costly, forcing many people to decide between essential medicines and other necessities, such as food and housing.

No person should have to choose between extending their life or keeping a roof over their head, and the fact is without adequate housing and nutrition it is extremely difficult for individuals to benefit from these new treatments.

Sadly, we here in Congress are now considering cutting funds from a program that actually saves lives. HOPWA programs provide rental assistance, mortgage assistance, utility payment assistance, information on low income housing opportunities and technical support and assistance with planning and operating community residences. These important services assist individuals and families financially, not forcing them to choose between housing and medicine.

Currently, HOPWA benefits 75,000 people and 41,000 housing units. HOPWA is the only federal housing program addressing the housing crisis facing people with AIDS.

Another problem is that many people with AIDS can no longer afford their homes and must look for new living accommodations. Oftentimes they face discrimination because of their illness. This was brought to my attention by an organization within my district, Steinway House, who run a Scattered Site Housing Program which locates dwellings in Queens for homeless persons with AIDS and their families. It is currently the largest program of this type in the country.

Steinway House and other similar programs benefit from HOPWA, and I find it unconscionable to decrease their funds.

□ 1715

Individuals with AIDS are living longer than ever and while we have made progress in awareness of how the virus is transmitted, recent studies show that rates of infection are decreasing at a slower rate than in years past. To remove funds from a program with increasing participation is wrong, and to take funds away from patients whose lives literally depend on it is irresponsible.

To allow for this increase, my colleagues and I have proposed a $10 million offset from the National Science Foundation's Polar and Antarctic Research Program. I want to make it perfectly clear that I am not opposed to science research and understand the value it can have on our lives and the future of all human kind. However, the Polar and Antarctic Research Program is coordinated by the NSF but has 12 other federal agencies also contributing funds and participating. In sum, I believe that $10 million is a small sum to transfer to prevent individuals with AIDS and their families from ending up on the street.

We ought to be farsighted in looking at problems in our global atmosphere and scientific research, but we must not be shortsighted, that we harm the citizens of this country in our efforts. I am not saying that NSF's programs are not worthwhile, but we need to have compassion for those people who struggle to live each day with AIDS. They need our assistance, and we cannot leave them out in the cold.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. Cutting research funding for the National Science Foundation on top of cuts already proposed in this appropriation I think is shortsighted no matter how noble the cause.

The amendment would cut $10 million from the NSF, not from the Antarctic money in the NSF, but from the general fund of the NSF. It is an agency already facing a $25 million budget reduction. To continue the cuts further would jeopardize our commitment to scientific discovery and innovation, a commitment that has been crucial to maintaining and increasing our current prosperity and quality of life. As Chairman of the Subcommittee on Basic Research of the Committee on Science, I have been able to learn firsthand of the benefits and the commitment to research that this country needs to make. I would like to share some examples with my colleagues.

Working with NSF, a particular grant, researchers at Rice University have developed a new process for creating ultra porous ceramic materials. These materials could make membranes with pores measuring 1 to 2 nanometers, one one billionth of a meter, small enough to help medical researchers filter viruses or help chemical workers with new techniques to clean up hazardous waste. NSF funded researchers at Washington University in St. Louis have created nano-sized synthetic particles that could some day be the carriers of drugs or genes to help fight the battle against many diseases including cancer.

So again, taking the money from NSF I think is not justified in this case. NSF funded-researchers at Yale University are using powerful computers to develop drugs that bind more strongly to target proteins making them more effective at lower dosages and reducing unwanted side effects. These drugs show promise in preventing transplanted organs from being rejected, keeping HIV infections in check, even stimulating nerve regrowth in spinal cord injuries.

Researchers at my alma mater, Michigan State University, funded, in part, by NSF have identified a gene that helps control a plant's tolerance to cold weather. Using this knowledge, farmers, of course, can accomplish the growing of crops in many areas that we cannot grow crops today. Since the defense against cold is similar to the defense against drought, the potential is real in helping to feed a starving world in the years ahead.

These are just a few examples of the types of projects that could be jeopardized by these cuts, so I ask the authors of this amendment to please consider other areas that they might argue that these funds are reasonable to transfer into the projects that they suggest. While I sympathize with the plight of those suffering from AIDS and admire my colleagues for their efforts to help, I believe this amendment is not the right solution. In fact, cutting funding at NSF will in the long run only hurt the very people we are trying to help.

I hope my colleagues will join me in opposing this amendment.

Ms. PELOSI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Nadler-Shays-Crowley amendment, and I commend the gentlemen for their leadership in bringing it to the floor in a strong bipartisan way. This is a very important amendment, Mr. Chairman, because what this bill does is cut by $10 million the funds available for the HOPWA program. That means that 6,500 people who now receive this funding who are housed under the HOPWA program will be put out on the street. This is a cut. It is not additional money that we would like to see in the bill. That does not seem to have a market with the Republican leadership but merely attempts to maintain the funding from last year.

I rise in support of this amendment and commend the makers of it with some pride of authorship of the underlying authorization bill, the HOPWA

bill that was passed in the Congress years ago. The cosponsors were the gentleman from Washington (Mr. MCDERMOTT) and Congressman SCHUMER of New York as well as the gentlewoman from California (Ms. PELOSI),—me—of San Francisco. All three of us saw the need in our communities for this special program. We worked with the religious community which was ministering to the needs of the poor, homeless, and especially people with AIDS and came up with this legislation, and what it does, HOPWA funds assists low-income persons living with HIV/AIDS and their families by providing rental assistance, utility payments to prevent homelessness, assistance in short-term facilities. These funds also help construct, rehabilitate, acquire, and operate housing and provide supportive services. Those supportive services are a very important part of it. Evidence shows that the capacity of HOPWA programs to deliver services is growing and should not be undermined. The housing provided by HOPWA dollars provides the quality of lives, improves the quality of lives and the access to life-extending care.

What is important to note about the HOPWA funds, Mr. Chairman, is that they are a good investment. Because of the HOPWA program, we save $47,000 per year in reducing unnecessary hospitalization and use of emergency health care per person, $47,000 per person per year. So in cutting this funding we are increasing the cost to the taxpayer.

Now we all care about, and as an appropriator myself, I know we are all responsible for our own bills, but we also have a responsibility to the taxpayer in general and in cutting in our own bill it is foolish to think that there is any saving to the taxpayer when this would increase, per person, $47,000 per year times 6,500 people who would be literally put out on the street, and this all takes place within the context of a bill, a VA–HUD bill, with despite the excellent efforts of the distinguished chairman from New York whom we all respect and the distinguished ranking member whom we hold in high esteem, despite their best efforts this bill has problems, and they translate into putting people on the street.

I said before that our budget should be a statement of our national values. I ask my colleagues is it a statement of their national values to give a tax break to the wealthiest Americans while putting those most vulnerable people with AIDS and HIV out on the street where stress contributes to their condition instead of saving money by reducing dependency on emergency rooms and hospital care and keeping people at home, also including families of people with HIV/AIDS.

So again I commend the makers of the amendment, the gentleman from New York (Mr. NADLER), the gentleman from Connecticut (Mr. SHAYS), and the gentleman from New York (Mr. CROWLEY) for their leadership and urge our colleagues to support this important amendment, and I hope that the distinguished leadership of the subcommittee will find a way to have this money, at least this $10 million, at the end of the appropriations day for us.

Mr. SHAYS. Mr. Chairman I move to strike the requisite number of words.

Mr. Chairman, I did not want to use the yielded time to compliment my colleague from New York since it was a bit shorter, but I sincerely have tremendous respect for what he is trying to do, and I know that he has respect for what we are trying to do. This is a modest amendment. We are talking about $10 million. We are not talking about $100 million, we are not talking about a billion.

HOPWA is housing opportunities for persons with AIDS, and when we provide that opportunity, we are spending $40 to $100 a day. But let us take the high end. It's not usually up to $100 a day; it's less than that. But if people living with HIV/AIDS are not in the kind of housing environment provided by HOPWA, they are receiving acute care at over $1,000 a day. So even taking the high end of the HOPWA cost—at $100 a day—we are talking of spending a total of $36,000 per year as opposed to $365,000 per year in acute care facilities. We really believe this is an amendment that has tremendous benefit because it will save a great deal of money as well as provide the kind of compassion that all of us want to provide.

I have particular interest in standing up because my predecessor Stewart McKinney died of AIDS, and his wife, Lucie McKinney, did not walk away. She decided she would devote the rest of her life to helping people living with HIV/AIDS have housing opportunities, and she has given me endless opportunity to see this challenge through her eyes. When her husband died, she went around the country to see how people with HIV/AIDS were living, and it was not a pretty sight, and it continues to not be a pretty sight. So Lucie McKinney, a real hero of mine, who was not a public person has become a public person, and she has made a tremendous difference in the lives of so many.

So I think when we stand up in support of HOPWA, we are standing up with the sense that at the least, at the least we should not go back from where we were in funding levels. In this budget year, Mr. Chairman, we are spending $225 million, and this budget will be $215 million, so we are asking that this Chamber restore this crucial $10 million.

Mr. Chairman, with that I yield the balance of my time to the gentleman from New York (Mr. NADLER).

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

Mr. Chairman, I want to make two brief points.

One, we are not talking about level funding. It may be level with the House vote last year, but the omnibus bill this House voted for and the President signed provided $10 million more than this bill would do this year. So we are being asked to decrease funding by $10 million from the current level. Cities and States will get less than last year, and that makes no provision for the increasing, not level, number of people with AIDS who need this help and for the additional communities supplying to the program every year.

The second point is, of course, we must continue our Antarctic research, but this bill does not reduce this program. The bill increases this program for Antarctic research by $1 million. The amendment would reduce the recommended appropriation by $10 million or $9 million less than last year, a reduction from last year of 3.6 percent, and do not forget there are 12 other Federal pots of money for antarctic research.

The choice before the House therefore is this. Should we reduce the funding for housing for people with AIDS by $10 million from last year, or should we reduce by $9 million from last year, 3.6 percent, one of the 13 Federal Antarctic research programs? That is the choice. I hope the choice is obvious.

Mr. Chairman, I have an amendment at the desk.

Before I begin, I would like to thank my colleague from Connecticut, Mr. SHAYS, and my colleague from New York, Mr. CROWLEY, for joining me in offering this amendment.

Mr. Chairman, this amendment restores $10 million to the Housing Opportunities for Persons With AIDS, or HOPWA, program. This does not represent new funding, but seeks merely to maintain the FY 99 funding level.

The HOPWA program, which enjoys wide bipartisan support, is the only federal housing program that provides cities and states with the resources to address specifically the housing crisis facing people living with AIDS. Among the services that HOPWA delivers are rental assistance, mortgage assistance, help with utility payments, information on low-income housing opportunities, as well as technical support and assistance in acquiring, constructing, rehabilitating, and operating community residences.

It is a locally controlled program that provides maximum flexibility to states and communities to design and implement the strategies that best respond to local housing needs. Its administrative costs are capped by law to ensure that the maximum amount of funding goes directly to the people who need it. Currently, HOPWA is helping nearly 75,000 people in over 41,000 housing units. These people live in over 100 communities across 37 states, plus the District of Columbia and Puerto Rico. This is a well-run, far-reaching, and successful program.

Mr. Chairman, individuals with AIDS are living longer and more productive lives. According to a new report, AIDS deaths have fallen dramatically in recent years, from roughly 50,000 in 1995 to 17,000 in 1998. We owe these encouraging statistics to new and effective drug therapies. We have made great strides in the treatment of HIV/AIDS, but most of these therapies require a stable living environment. They usually involve a strict regimen built around regular meals and a regular schedule. Often, medication must be refrigerated and taken on a rigid time schedule. HOPWA provides a stable housing situation in which individuals can get the treatment they need. To deny this to people living with AIDS, would be an unacceptable cruelty.

Inadequate housing is not only a barrier to treatment, it puts people with HIV/AIDS at risk of premature death from exposure to other diseases, poor nutrition, and stress. The majority of AIDS patients are at or below 20 percent of the median income and at any given time, one-third to one-half of all Americans with AIDS are either homeless or in imminent danger of losing their housing. HOPWA answers this need, successfully providing suitable, reasonably priced housing for thousands of Americans fighting AIDS.

As the success of HOPWA grows, so too does the need for funding. Nine new communities joined HOPWA in 1999 and at least five more are expected to join in the year 2000. Add to these figures the 40,000 new AIDS cases report each year and available funding will be spread even thinner. As I said, funding for this program ought to be increased, but at the very least, it should not be cut below existing levels.

As for the offset, this amendment would cut $10 million from the $246 million appropriation for the National Science Foundation's Polar and Antarctic Research Fund—a small reduction. I should note that there are 12 other agencies that support Antarctic research, so we would not be greatly hindering this research. I am a great supporter of scientific research, and it is not easy for me to suggest scaling back any work in this area. However, under our budget rules, there must be an offset, and it comes down to a matter of priorities. With this amendment, we would do minimal damage to long-term research goals, while significantly improving the lives of individuals who need our help now. I urge the adoption of this amendment.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Staff tells me that it comes out of the NSF research that has already been cut $25 million. It does not come out of the Antarctic money.

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

Mr. SHAYS. I yield to the gentleman from New York.

Mr. NADLER. Yes, but the NSF research at $246 million allocated for this, earmarked for this program, so it comes from this earmark and from nowhere else, and therefore the figures that I just gave, which is that this earmark out of that total appropriation is an earmark of $1 million greater than last year; what we are proposing here is to reduce that by $10 million, a reduction of $9 million from last year, 3.6 percent of one of the 13 Federal Antarctic programs in order to provide level funding from last year for people, for housing for people with AIDS so we do not throw people out on the street, and I think the choice should be clear, and I thank the gentleman again for yielding.

Ms. VELÁZQUEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Nadler-Shays-Crowley amendment, but I am going to direct my comments on the housing provisions of this bill that I strongly propose. Let me be clear about what is at stake and what message is being sent to this Nation's working poor.

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What is at stake is dignity and fairness to this Nation's millions of Americans who live in public housing. It is outrageous that at a time when this economy is posing record gains, we are now experiencing the greatest income disparity between the wealthiest Americans and the poorest Americans.

By cutting half a billion dollars in public housing capital that should go to repairing our Nation's crumbling public housing stock, the Republican majority is telling this Nation's poor that everyone but them should benefit from the current economic boon.

Is it too much to ask that we give our sick and poor a little compassion? I guess that the ''compassionate conservatism'' that so many Republican presidential candidates talk about has not made it to this body, because there is no compassion in forcing 600,000 Americans to go without a bed. In New York State alone, that is almost 8,000 families with children who must sleep in the streets, and then you try to lecture us on family values?

Worst of all, HUD recently reported that there are 5.3 million households who are in need of affordable housing. Despite this alarming information, this bill fails to fund any Section 8 vouchers for families in need.

I urge all my colleagues to support the Nadler amendment, but even if we adopt the Nadler amendment, it is still not enough to fix this flawed legislation, and I suggest we go back to the drawing board and bring forward a proposal that ensures that all Americans benefit from this Nation's prosperity.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Nadler-Crowley-Shays amendment.

Mr. Chairman, I guess this could be called many things, Sophie's Choice, a rock and a hard place, and many others.

First of all, I certainly want to acknowledge the hard work, as I have indicated before, of the ranking member and chairman of this subcommittee. These are always difficult choices. I stand here in a difficult position, some would say. I am a member of the Committee on Science and have always supported the National Science Foundation on the good work they do. But that is why I come to support this particular amendment, because I am making a choice, and I think this bill in its response to housing for Americans has made some bad choices. One of them has to do with the great need that we have for HOPWA funding.

In particular, I think it is important to note we have made some enormous scientific advances as it relates to the treatment of HIV-AIDS. I am gratified for those constituents that I represent, that they now have a better chance of living. As they have a better chance of living, Mr. Chairman, difficulties arise. Where do they live? What kind of support systems do they have? Can they live a normal life and have a place to live and a job and still have the kind of medical care they need?

In most instances, without HOPWA dollars, homes for people living with AIDS, that is not the case. First of all, even in spite of ourselves, today people living with AIDS and their families are discriminated against. People find out that they are living there or that there is housing coming in their area or that they might be living next door to someone with HIV-AIDS, and, tragically enough, there is a rejection syndrome.

So the HOPWA funds provide in many instances not only rental assistance and mortgage assistance, help with utility payments, information on low income housing opportunities, but provides technical support and assistance in designing, acquiring, constructing, rehabilitating, and operating community residences. I know of some in my community, and they give a certain peace of mind to those suffering from AIDS. HOPWA benefits some 75,000 people in 41,000 housing units in 100 communities, and this $10 million is a mere figure that would add to the peace and comfort of those individuals that are suffering from a deadly disease.

Frankly, I think we have made some bad choices on housing with respect to this appropriations bill, because the $1.6 billion in cuts we are talking about in housing takes $220 million from the community development block grant monies. Those are monies that my City of Houston and the other cities have used effectively and efficiently and used promisingly. They are flexible dollars. They give cities, mayors and county commissioners and others, the independence to do what is right for their community.

In addition, we are cutting $20 million from the home program, affordable

housing. It was noted a couple of months ago that the City of Houston has one of the fewest numbers of units of affordable housing. I am delighted that Mayor Lee P. Brown is committed to cutting down the numbers of those waiting for affordable housing and increasing the percentage of affordable housing in the City of Houston in the 21st Century to 50,000 units.

Mr. Chairman, we cannot do it with these kinds of cuts. Right now in my own district I have 21,000 people waiting for public housing and 8,000 people waiting for Section 8 certificates. Now we are looking at a housing bill that cuts all of that. What do we say to these hard working people who simply want to go to work every day? They pay their taxes, and yet we cannot provide them with a decent place to live?

I think the Nadler-Crowley-Shays amendment adds to the other concern we would have, and those are those individuals most often discriminated against who live with AIDS. I think it is time for us to make the right Sophie's Choice, if you will, and make some of the sacrifices that all of us are asked to do; and although we support different projects and have different commitments, like I do as a member of the Committee on Science, we have to make the hard choices, and I am going to err on the side, positively, I know, on those living with AIDS and on those needing affordable housing. Let us do something to fix the $1.6 billion cut for HUD, but as well I would like to support this amendment and provide additional resources for people living with and struggling to survive with HIV-AIDS.

Mrs. NAPOLITANO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I certainly want to thank my colleagues from New York and Connecticut for proposing this amendment to restore the funding for this very important program, the housing opportunities for people with AIDS, to its 1999 level of $225 million. I hope that all my colleagues will help and support this Nadler-Crowley-Shays amendment, which will shift $10 million from the National Science Foundation's $3.7 billion to HOPWA, where it is so sorely needed.

To me it is a matter of people versus science. I do not like it, but it is my only choice. HOPWA is a program where every single dollar counts. 75,000 people across the Nation currently depend on HOPWA for their housing. This program provides essential assistance with rental and mortgage payments, utility bills, obtaining information about affordable housing opportunities, and also provides technical support for the community residences for people with AIDS.

Any cut in HOPWA funding will kick, literally kick sick people onto our streets. We have enough of those people already in our streets. We do not need additional ill people.

Survival with AIDS requires taking expensive medication and following a very special diet. When someone is already faced with a daunting challenge of coping with AIDS, the last thing they need is to worry about their housing. That is one of the stresses they face, and that is one of the things we can help with. If we cannot provide people with AIDS with stable housing, many of them will surely die prematurely, because it is almost impossible to provide AIDS patients with the health services they require if they lack a stable place to live.

Let us not turn our backs on our fellow Americans who are afflicted with AIDS. Let us not throw them out on the streets like used rugs. We must vote ''yes'' on the Nadler-Crowley-Shays amendment.

I ask my colleagues, please, please, support this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentlemen from New York, Mr. NADLER, and Mr. CROWLEY. This amendment would cut $10 million dollars from the National Science Foundation's (NSF) polar research and Antarctic logistics programs, which are part of the Research and Related Activities account. The Science Committee and this House have affirmed the importance of an active U.S. presence in Antarctica. Stable funding for these programs is necessary because of the long lead time required for polar operations. If this amendment passes, funding will have to be shifted from other NSF basic research programs to support polar operations already in the pipeline.

Mr. Chairman, we can all sympathize with the plight for those who have contracted AIDS, but I do not think that it is in the best interests of AIDS patients to cut funding for basic science programs that may one day provide a cure for this and other debilitating diseases. The types of basic research NSF funds in the biological and other sciences is a vitally important part of a balanced federal research portfolio.

The basic research being conducted through NSF adds to our store of knowledge in valuable, and often unpredictable, ways. We cannot foresee where the next AIDS breakthrough will come, but I think it is safe to say that basic research funded by NSF will be shown to have contributed greatly in the effort.

I do not believe it is their intention, but the amendment offered by the gentlemen from New York potentially could prolong the time needed to develop an effective treatment for this insidious disease, harming the people it is intended to help. NSF-funded research is an important weapon in the battle against AIDS and other serious diseases. If this House really wants to help AIDS patients, it will vote a resounding "no" on this amendment.

Ms. WOOLSEY. Mr. Chairman, I strongly support the Nadler-Crowley amendment and oppose any measure that would reduce HOPWA funding from last years level. When is this Congress going to come to its senses and start thinking about individuals and families living with AIDS?

Today, due to the success of effective drugs, the number of people and families living with AIDS has tremendously increased—so too have their needs.

The good news is that new medications are proving effective to combat this deadly virus. On the other hand, the bad news is that people living with AIDS are homeless and moving from shelter to shelter.

To conquer the most tragic epidemic of our generation, we must provide the 240,000 people infected by AIDS in our communities with the basic necessities, particularly shelter. The reality is, as this epidemic grows, so does the need for housing.

If we neglect the housing needs of those living with AIDS, our children and grandchildren will bear the brunt of our folly.

Mr. Chairman, I urge my colleagues to support the Nadler-Crowley amendment and restore necessary funding to HOPWA. We all know someone suffering from this dreadful disease. We must demonstrate basic human compassion and provide them with a decent place to live.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

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

Mr. SMITH of Michigan. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 275, further proceedings on the amendment offered by the gentleman from New York (Mr. NADLER) will be postponed.

The Clerk will read.

The Clerk read as follows:

COMMUNITY DEVELOPMENT BLOCK GRANTS

(INCLUDING TRANSFERS OF FUNDS)

For grants to States and units of general local government and for related expenses, not otherwise provided for, to carry out a community development grants program as authorized by title I of the Housing and Community Development Act of 1974, as amended (the ''Act'' herein) (42 U.S.C. 5301), $4,500,200,000, to remain available until September 30, 2002: *Provided*, That $67,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, $3,000,000 shall be available as a grant to the Housing Assistance Council, $3,000,000 shall be available as a grant to the National American Indian Housing Council, and $30,000,000 shall be for grants pursuant to section 107 of the Act: *Provided further*, That $15,000,000 shall be for grants pursuant to the Self Help Housing Opportunity program: *Provided further*, That not to exceed 20 percent of any grant made with funds appropriated herein (other than a grant made available in this paragraph to the Housing Assistance Council or the National American Indian Housing Council, or a grant using funds under section 107(b)(3) of the Housing and Community Development Act of 1974, as amended) shall be expended for ''Planning and Management Development'' and ''Administration'' as defined in regulations promulgated by the Department. *Provided further*, That all balances for the Economic Development Initiative grants program, the John Heinz Neighborhood Development program, grants to Self Help Housing Opportunity program, and the Moving to Work

Demonstration program previously funded within the ''Annual contributions for assisted housing'' account shall be transferred to this account, to be available for the purposes for which they were originally appropriated.

Of the amount made available under this heading, $15,000,000 shall be made available for ''Capacity Building for Community Development and Affordable Housing,'' for LISC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (Public Law 103–120), as in effect immediately before June 12, 1997, with not less than $3,000,000 of the funding to be used in rural areas, including tribal areas, and $3,750,000 for Habitat for Humanity International.

Of the amount provided under this heading, the Secretary of Housing and Urban Development may use up to $45,000,000 for supportive services for public housing residents, as authorized by section 34 of the United States Housing Act of 1937, and not less than $10,000,000 for grants for service coordinators and congregate services for the elderly and disabled residents of public and assisted housing.

Of the amount made available under this heading, notwithstanding any other provision of law, $42,500,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading. Of the amount provided under this paragraph, not less than $2,500,000 shall be set aside and made available for a grant to Youthbuild USA for capacity building for community development and affordable housing activities as specified in section 4 of the HUD Demonstration Act of 1993, as amended.

Of the amount made available under this heading, $20,000,000 shall be available for the Economic Development Initiative (EDI) to finance a variety of efforts.

Of the amount made available under this heading, $20,000,000 shall be available for neighborhood initiatives.

For the cost of guaranteed loans, $25,000,000, as authorized by section 108 of the Housing and Community Development Act of 1974: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $1,087,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974: *Provided further*, That in addition, for administrative expenses to carry out the guaranteed loan program, $1,000,000, which shall be transferred to and merged with the appropriation for ''Salaries and expenses''.

BROWNFIELDS REDEVELOPMENT

For Economic Development Grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, $20,000,000, to remain available until expended: *Provided*, That the Secretary of Housing and Urban Development shall make these grants available on a competitive basis as specified in section 102 of the Department of Housing and Urban Development Reform Act of 1989.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101–625), as amended, $1,580,000,000, to remain available until expended: *Provided*, That up to $5,000,000 of these funds shall be available for the development and operation of integrated community development management information systems: *Provided further*, That up to $7,500,000 of these funds shall be available for Housing Counseling under section 106 of the Housing and Urban Development Act of 1968: *Provided further*, That all Housing Counseling program balances previously appropriated in the ''Housing counseling assistance'' account shall be transferred to this account, to be available for the purposes for which they were originally appropriated.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program (as authorized under subtitle B of title IV of the Stewart B. McKinney Homeless Assistance Act, as amended); the supportive housing program (as authorized under subtitle C of title IV of such Act); the section 8 moderate rehabilitation single room occupancy program (as authorized under the United States Housing Act of 1937, as amended) to assist homeless individuals pursuant to section 441 of the Stewart B. McKinney Homeless Assistance Act; and the shelter plus care program (as authorized under subtitle F of title IV of such Act), $970,000,000, to remain available until expended: *Provided*, That up to 1 percent of the funds appropriated under this heading may be used for technical assistance and systems support: *Provided further*, That all balances previously appropriated in the ''Emergency Shelter Grants,'' ''Supportive Housing,'' ''Supplemental Assistance for Facilities to Assist the Homeless,'' ''Shelter Plus Care,'' ''Section 8 Moderate Rehabilitation Single Room Occupancy,'' and ''Innovative Homeless Initiatives Demonstration'' accounts shall be transferred to and merged with this account, to be available for any authorized purpose under this heading.

HOUSING PROGRAMS

HOUSING FOR SPECIAL POPULATIONS

For assistance for the purchase, construction, acquisition, or development of additional public and subsidized housing units for low income families not otherwise provided for, $854,000,000, to remain available until expended; of which $660,000,000 shall be for capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance, and amendments to contracts for project rental assistance, for the elderly under such section 202(c)(2), of the Housing Act of 1959, and for supportive services associated with the housing; and of which $194,000,000 shall be for capital advances, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance, for amendments to contracts for project rental assistance, and supportive services associated with the housing for persons with disabilities as authorized by section 811 of such Act: *Provided further*, That the Secretary may designate up to 25 percent of the amounts earmarked under this paragraph for section 811 of such Act for tenant-based assistance, as authorized under that section, including such authority as may be waived under the next proviso, which assistance is five years in duration: *Provided further*, That the Secretary may waive any provision of section 202 of the Housing Act of 1959 and section 811 of the Cranston-Gonzalez National Affordable Housing Act (including the provisions governing the terms and conditions of project rental assistance and tenant-based assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate.

FLEXIBLE SUBSIDY FUND

(TRANSFER OF FUNDS)

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 1999, and any collections made during fiscal year 2000, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

FEDERAL HOUSING ADMINISTRATION

FHA—MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2000, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $140,000,000,000.

During fiscal year 2000, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $50,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $328,888,000, of which not to exceed $324,866,000 shall be transferred to the appropriation for ''Salaries and expenses''; and of which not to exceed $4,022,000 shall be transferred to the appropriation for the ''Office of Inspector General''.

FHA—GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications (as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended) $153,000,000, including not to exceed $153,000,000 from unobligated balances previously appropriated under this heading, to remain available until expended: *Provided*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, of up to $18,100,000,000.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000; of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale

of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $211,455,000 (including not to exceed $147,000,000 from unobligated balances previously appropriated under this heading), of which $193,134,000, shall be transferred to the appropriation for ''Salaries and expenses'' and of which $18,321,000 shall be transferred to the appropriation for the ''Office of Inspector General''.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

During fiscal year 2000, new commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $200,000,000,000.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $9,383,000, to be derived from the GNMA-guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $9,383,000 shall be transferred to the appropriation for departmental ''Salaries and expenses''.

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $42,500,000, to remain available until September 30, 2001.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $37,500,000, to remain available until September 30, 2001, of which $18,750,000 shall be to carry out activities pursuant to such section 561: *Provided*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

(INCLUDING TRANSFER OF FUNDS)

For the Lead Hazard Reduction Program, as authorized by sections 1011 and 1053 of the Residential Lead-Based Hazard Reduction Act of 1992, $70,000,000 to remain available until expended, of which $1,000,000 shall be for CLEARCorps and $7,500,000 shall be for a Healthy Homes Initiative, which shall be a program pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related environmental diseases and hazards: *Provided*, That all balances for the Lead Hazard Reduction Programs previously funded in the ''Annual contributions for assisted housing'' and ''Community development block grants'' accounts shall be transferred to this account, to be available for the purposes for which they were originally appropriated.

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including not to exceed $7,000 for official reception and representation expenses, $985,576,000, of which $518,000,000 shall be provided from the various funds of the Federal Housing Administration, $9,383,000 shall be provided from funds of the Government National Mortgage Association, $1,000,000 shall be provided from the appropriation for ''Community development block grants'' $150,000 shall be provided by transfer from the ''Title VI Indian Federal Guarantees Program'' account, and $200,000 shall be provided by transfer from the appropriation for ''Indian housing loan guarantee fund program account''. Of the amount provided in this paragraph, $2,000,000 shall be for a Millenial Housing Commission.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $72,343,000, of which $22,343,000 shall be provided from the various funds of the Federal Housing Administration and $10,000,000 shall be provided from the amount earmarked for Operation Safe Home in the appropriation for ''Drug elimination grants for low-income housing'': *Provided*, That the Inspector General shall have independent authority over all personnel issues within the Office of Inspector General.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprise Financial Safety and Soundness Act of 1992, including not to exceed $1,000 for official reception and representation expenses, $19,493,000, to remain available until expended, to be derived from the Federal Housing Enterprise Oversight Fund: *Provided*, That not to exceed such amount shall be available from the General Fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the General Fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the General Fund estimated at not more than $0.

ADMINISTRATIVE PROVISIONS

FINANCING ADJUSTMENT FACTORS

SEC. 201. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (Public Law 100–628, 102 Stat. 3224, 3268) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

FAIR HOUSING AND FREE SPEECH

SEC. 202. None of the amounts made available under this Act may be used during fiscal year 2000 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a government official or entity, or a court of competent jurisdiction.

ENHANCED DISPOSITION AUTHORITY

SEC. 203. Section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997, is amended by striking ''fiscal years 1997, 1998, and 1999'' and inserting ''fiscal years 1997, 1998, 1999, and 2000''.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS GRANTS

SEC. 204. Section 207 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, is amended by striking wherever it occurs ''fiscal year 1999'' and inserting in lieu thereof ''fiscal years 1999 and 2000''.

FHA MULTIFAMILY MORTGAGE CREDIT DEMONSTRATIONS

SEC. 205. Section 542 of the Housing and Community Development Act of 1992 is amended—

(1) in subsection (b)(5) by striking ''during fiscal year 1999'', and inserting ''in each of fiscal years 1999 and 2000'', and

(2) in the first sentence of subsection (c)(4) by striking ''during fiscal year 1999'' and inserting ''in each of fiscal years 1999 and 2000''.

REPROGRAMMING

SEC. 206. Of the amounts made available under the 6th undesignated paragraph under the heading ''COMMUNITY PLANNING AND DEVELOPMENT—COMMUNITY DEVELOPMENT BLOCK GRANTS'' in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (Public Law 105–276; 112 Stat. 2477) for the Economic Development Initiative (EDI) for grants for targeted economic investments, the $1,000,000 to be made available (pursuant to the related provisions of the joint explanatory statement in the conference report to accompany such Act (Report 105–769, 105th Congress, 2d Session)) to the City of Redlands, California, for the redevelopment initiatives near the historic Fox Theater shall, notwithstanding such provisions, be made available to such City for the following purposes:

(1) $700,000 shall be for renovation of the City of Redlands Fire Station No. 1;

(2) $200,000 shall be for renovation of the Mission Gables House at the Redlands Bowl historic outdoor amphitheater; and

(3) $100,000 shall be for the preservation of historic Hillside Cemetery.

INCOME ELIGIBILITY ADJUSTMENTS FOR UNUSUALLY HIGH OR LOW FAMILY INCOMES

SEC. 207. Section 16 of the United States Housing Act of 1937 is amended—

(1) in subsection (a)(2)(A), by inserting before the period the following:

''; except that the Secretary may establish income ceilings higher or lower than 30 percent of the area median income on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes''; and

(2) in subsection (c)(3), by inserting before the period the following:

''; except that the Secretary may establish income ceilings higher or lower than 30 percent of the area median income on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes''.

MILLENIAL HOUSING COMMISSION

SEC. 208. (a) ESTABLISHMENT.—There is hereby established a commission to be known as the Millenial Housing Commission (in this section referred to as the ''Commission''.

(b) STUDY.—The duty of the Commission shall be to conduct a study that examines, analyzes, and explores—

(1) the importance of housing, particularly affordable housing which includes housing for the elderly, to the infrastructure of the United States;

(2) the various possible methods for increasing the role of the private sector in providing affordable housing in the United States, including the effectiveness and efficiency of such methods; and

(3) whether the existing programs of the Department of Housing and Urban Development work in conjunction with one another to provide better housing opportunities for families, neighborhoods, and communities, and how such programs can be improved with respect to such purpose.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 22 members, appointed not later than January 1, 2000, as follows:

(A) 2 co-chairpersons appointed by—

(i) 1 co-chairperson appointed by a committee consisting of the chairmen of the Subcommittees on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies of the Committees on Appropriations of the House of Representatives and the Senate, and the chairman of the Subcommittee on Housing and Community Opportunities of the House of Representatives and the chairman of the Subcommittee on Housing and Transportation of the Senate; and

(ii) 1 co-chairperson appointed by a committee consisting of the ranking minority members of the Subcommittees on the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies of the Committees on Appropriations of the House of Representatives and the Senate, and the ranking minority member of the Subcommittee on Housing and Community Opportunities of the House of Representatives and the ranking minority member of the Subcommittee on Housing and Transportation of the Senate.

(B) 10 members appointed by the Chairman and Ranking Minority Member of the Committee on Appropriations of the House of Representatives and the Chairman and Ranking Minority Member of the Committee on Banking and Financial Services of the House of Representatives.

(C) 10 members appointed by the Chairman and Ranking Minority Member of the Committee on Appropriations of the Senate and the Chairman and Ranking Minority Member of the Committee on Banking, Housing, and Urban Affairs of the Senate.

(2) QUALIFICATIONS.—Appointees should have proven expertise in directing, assemblying, or applying capital resources from a variety of sources to the successful development of affordable housing or the revitalization of communities, including economic and job development.

(3) VACANCIES.—Any vacancy on the Commission shall not affect its powers and shall be filled in the manner in which the original appointment was made.

(4) CHAIRPERSONS.—The members appointed pursuant to paragraph (1)(A) shall serve as co-chairpersons of the Commission.

(5) PROHIBITION OF PAY.—Members of the Commission shall serve without pay.

(6) TRAVEL EXPENSES.—Each member of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

(7) QUORUM.—A majority of the members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(8) MEETINGS.—The Commission shall meet at the call of the Chairpersons.

(d) DIRECTOR AND STAFF.—

(1) DIRECTOR.—The Commission shall have a Director who shall be appointed by the Chairperson. The Director shall be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

(2) STAFF.—The Commission may appoint personnel as appropriate. The staff of the Commission shall be appointed subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(3) EXPERTS AND CONSULTANTS.—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay payable for the General Schedule.

(4) STAFF OF FEDERAL AGENCIES.—Upon request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Commission to assist it in carrying out its duties under this Act.

(e) POWERS.—

(1) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this section, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate.

(2) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(3) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairpersons of the Commission, the head of that department or agency shall furnish that information to the Commission.

(4) GIFTS, BEQUESTS, AND DEVISES.—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Commission. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in the Treasury and shall be available for disbursement upon order of the Commission.

(5) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(6) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this section.

(7) CONTRACT AUTHORITY.—The Commission may contract with and compensate government and private agencies or persons for services, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(f) REPORT.—The Commission shall submit to the Committees on Appropriations and Banking and Financial Services of the House of Representatives and the Committees on Appropriations and Banking, Housing, and Urban Affairs of the Senate a final report not later than March 1, 2002. The report shall contain a detailed statement of the findings and conclusions of the Commission with respect to the study conducted under subsection (b), together with its recommendations for legislation, administrative actions, and any other actions the Commission considers appropriate.

(g) TERMINATION.—The Commission shall terminate on June 30, 2002. Section 14(a)(2)(B) of the Federal Advisory Committee Act (5 U.S.C. App.; relating to the termination of advisory committees) shall not apply to the Commission.

FHA TECHNICAL CORRECTION

SEC. 209. Section 203(b)(2)(A)(ii) of the National Housing Act (12 U.S.C. 1709(b)(2)(A)(ii)) is amended by adding before ''48 percent'' the following: ''the greater of the dollar amount limitation in effect under this section for the area on the date of enactment of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act for Fiscal Year 1999 or''.

REUSE OF CERTAIN BUDGET AUTHORITY

SEC. 210. Section 8(z) of the United States Housing Act of 1937 is amended—

(1) in paragraph (1)—

(A) by inserting after ''on account of'' the following: ''expiration or''; and

(B) by striking the parenthetical phrase; and

(2) by striking paragraph (3).

ENHANCED VOUCHERS

SEC. 211. (a) ENHANCED VOUCHERS UPON CONTRACT EXPIRATION.—In the case of contracts for project-based assistance under section 8 that are not renewed, the following provisions shall apply:

(1) IN GENERAL.—To the extent that amounts for assistance under this section are provided in advance in appropriations Acts, after the date of the expiration or termination of the contract for project-based assistance for a covered project, the Secretary shall make enhanced voucher assistance under this section available on behalf of each family in an assisted dwelling unit whose rent, as a result of a rent increase occurring after the date of such expiration or termination, exceeds 30 percent of adjusted income.

(2) ENHANCED ASSISTANCE.—Enhanced voucher assistance under this section shall be voucher assistance under section 8(o) of the United States Housing Act of 1937, except that under such enhanced voucher assistance—

(A) if the assisted family elects to remain in the covered project in which the family was residing on the date of the expiration of such contract and the rent for any year for such unit exceeds the normally applicable payment standard established by the public housing agency pursuant to section 8(o), the amount of rental assistance provided on behalf of the family shall be determined using a payment standard that is equal to the rent for the dwelling unit: *Provided,* That the rent is reasonable in comparison to the rent charged for comparable dwelling units in the private, unassisted local market; and

(B) if the assisted family elects to move from such covered project, subparagraph (A) shall not apply and the payment standard for the dwelling unit occupied by the family shall be determined in accordance with section 8(o).

(3) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(A) ASSISTED DWELLING UNIT.—The term ''assisted dwelling unit'' means a dwelling unit that—

(i) is in a covered project; and

(ii) is covered by rental assistance provided under the contract for project-based assistance for the covered project.

(B) COVERED PROJECT.—The term ''covered project'' means any housing that—

(i) consists of more than 4 dwelling units;

(ii) is covered in whole or in part by a contract for project-based assistance under—

(I) the new construction or substantial rehabilitation program under section 8(b)(2) of the United States Housing Act of 1937 (as in effect before October 1, 1983);

(II) the property disposition program under section 8(b) of the United States Housing Act of 1937;

(III) the moderate rehabilitation program under section 8(e)(2) of the United States Housing Act of 1937 (as in effect before October 1, 1991);

(IV) the loan management assistance program under section 8 of the United States Housing Act of 1937;

(V) section 23 of the United States Housing Act of 1937 (as in effect before January 1, 1975);

(VI) the rent supplement program under section 101 of the Housing and Urban Development Act of 1965; or

(VII) section 8 of the United States Housing Act of 1937, following conversion from assistance under section 101 of the Housing and Urban Development Act of 1965;

(iii) is covered by a contract which under its own terms expires on or after October 1, 2000, but before October 1, 2004;

(iv) is not housing for which residents are eligible for enhanced voucher assistance as provided under the heading ''Preserving Existing Housing Investment'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Public Law 104–204; 110 Stat. 2884), pursuant to such provision or any other subsequently enacted provision of law; and

(v) is not housing for which residents are eligible for enhanced voucher assistance as provided in paragraphs (3) and (4) of section 515(c) of the Multifamily Assisted Housing Reform and Affordability Act of 1997.

(b) EFFECT OF RENTAL INCREASES ON OTHER ENHANCED VOUCHERS.—To the extent that amounts are provided in advance in appropriations Acts for enhanced vouchers (including amendments and renewals) pursuant to the authority under the heading ''Preserving existing housing investment'' in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (Public Law 104–204; 110 Stat. 2884), each family receiving such enhanced voucher assistance after the date of prepayment or voluntary termination which continues to reside in the housing occupied on the date of prepayment or voluntary termination and the rent of which, absent enhanced voucher assistance, would exceed the greater of 30 percent of adjusted income or the rent paid by the family on such date, may continue to receive such enhanced voucher assistance indefinitely, subject to other requirements of that authority, as amended: *Provided,* That rent resulting from rent increases occurring later than one year after the date of prepayment or voluntary termination may be used to increase the applicable payment standard: *Provided further,* That the rent for the dwelling unit is reasonable in comparison to the rent charged for comparable dwelling units in the private, unassisted local market.

RESCISSIONS

SEC. 212. Of the balances remaining from funds appropriated to the Department of Housing and Urban Development in Public Law 105–65 and prior appropriations Acts, $74,400,000 is rescinded: *Provided,* That the amount rescinded shall be comprised of—

(1) $30,552,000 of the amounts that were appropriated for the modernization of public housing unit; under the heading ''Annual contributions for assisted housing'', including an amount equal to the amount transferred from such account to, and merged with amounts under the heading ''Public housing capital fund'';

(2) $3,048,000 of the amounts from which no disbursements have been made within five successive fiscal years beginning after September 30, 1993, that were appropriated under the heading ''Annual contributions for assisted housing'', including an amount equal to the amount transferred from such account to the account under the heading ''Housing certificate fund'';

(3) $22,975,000 of amounts appropriated for homeownership assistance under section 235(r) of the National Housing Act, including $6,875,000 appropriated in Public Law 103–327 (approved September 28, 1994, 104 Stat. 2305) for such purposes;

(4) $11,400,000 of the amounts appropriated for the Homeownership and Opportunity for People Everywhere programs (HOPE programs), as authorized by the Cranston-Gonzalez National Affordable Housing Act; and

(5) $6,400,000 of the balances remaining in the account under the heading ''Nonprofit Sponsor Assistance Account''.

GRANT FOR NATIONAL CITIES IN SCHOOLS

SEC. 213. For a grant to the National Cities in Schools Community Development program under section 930 of the Housing and Community Development Act of 1992, $5,000,000.

MOVING TO WORK DEMONSTRATION

SEC. 214. For the Moving to Work Demonstration program as set forth in Public Law 104–204 (110 Stat. 2888), $5,000,000.

REPEALER

SEC. 215. Section 218 of Public Law 104–204 is repealed.

□ 1745

Mr. WALSH (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN pro tempore. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE III—INDEPENDENT AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one for replacement only) and hire of passenger motor vehicles; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $28,467,000, to remain available until expended.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, and for services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $9,000,000: *Provided,* That the Chemical Safety and Hazard Investigation Board shall have not more than three career Senior Executive Service positions.

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994 and to establish and carry out a micro-enterprise technical assistance and capacity building grant program, including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $70,000,000, to remain available until September 30, 2001, of which up to $7,860,000 may be used for administrative expenses, up to $16,500,000 may be used for the cost of direct loans, and up to $1,000,000 may be used for administrative expenses to carry out the direct loan program: *Provided,* That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $53,140,000: *Provided further,* That not more than $30,000,000 of the funds made available under this heading may be used to carry out section 114 of the Community Development Banking and Financial Institutions Act of 1994: *Provided further,* That costs associated with the training program under section 109 and the technical assistance program under section 108 shall not be considered to be administrative expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire

of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $47,000,000.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS

OPERATING EXPENSES

Of the funds appropriated under this heading in Public Law 105–276, the Corporation for National and Community Service shall use such amounts of such funds as may be necessary to carry out the orderly termination of the programs, activities, and initiatives under the National Community Service Act of 1990 (Public Law 103–82) and the Corporation: *Provided*, That such sums shall be utilized to resolve all responsibilities and obligations in connection with said Corporation.

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

Mr. Chairman, I do not intend to offer an amendment and will not take the whole 5 minutes, but I just want to express a tremendous reservation I have about the lack of funding for the Corporation for National and Community Service and particularly the AmeriCorps program.

The bottom line is this program has done extraordinary things to help our country in so many different community services. It provides a stipend to countless numbers of young people and older people who choose to serve our country in a program which allows the States to design two-thirds of the programs; in fact, even more than that. Approximately one-third is a nationally-funded program, and two-thirds are State-designed.

Young people and older people provide services in health care, in housing, in education, in public safety. They receive a basic minimum wage, plus an education stipend of $4,750 for each year served.

Mr. Chairman, this is a program that Republicans should love and not try to eliminate, because it simply encourages people to serve in our communities and receive an educational grant for some of that service. Mr. Chairman, in many cases it is helping those individuals that have the greatest need for this type of financial support.

I weep mentally that my party has not recognized the value of a program of national service in our country. It was something we used to advocate before there was a President Clinton and before it became his program. It was a program we used to think made sense because it was not a hand-out. Young people worked for a minimum wage. They provided service to so many different individuals and organizations and then receive a stipend to educate themselves and improve their lives.

Mr. Chairman, I hope and pray if this bill ultimately gets my support before it is then sent to the Senate that in conference the funding for the Corporation for National Service will be restored. I am certain I will vote against any legislation in final passage that does not provide for this very sensible program.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman from Connecticut for yielding to me.

Apparently the fact that the gentleman is from Connecticut, I am from Texas, States that are very far apart, each can stand up and acknowledge the good work we have seen from those young people in AmeriCorps.

The pleasure of being home is hearing from our constituents and hearing about all the exciting things that are happening. In the course of being home in Houston I was able to see some of the kinds of projects AmeriCorps is involved in and some of the appreciation and compliments coming from our school district, saying, we did not have a preschool teacher or aide, but we have one now because the AmeriCorps young person is involved.

With all the shortages in the teaching profession, shortages of teachers, AmeriCorps is most helpful in our educational system. Those young people are close to our children's age. They are understanding. They are committed to their own education. They are good role models.

So I would hope, too, that whatever happens on this bill, that we see the value of AmeriCorps, and we be able to support an increase of funding of that particular part of this legislation.

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

Mr. SHAYS. I yield to the gentleman from New York.

Mr. WALSH. Mr. Chairman, I thank the gentleman from Connecticut, my good friend, for yielding to me.

I will be very brief. No one is more aware of the fact that in order for this bill to gain the President's signature, the President's favorite program within this bill will have to be funded at some level. I would be happy to communicate with the gentleman from Connecticut as we go down the road on this program that we both see some value to.

Mr. SHAYS. I thank the gentleman.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $3,000,000.

COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by 38 U.S.C. 7251–7298, $11,450,000, of which $910,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $12,473,000, to remain available until expended.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING TRANSFER OF FUNDS)

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $645,000,000, which shall remain available until September 30, 2001: *Provided*, That the obligated balance of sums available in this account shall remain available through September 30, 2008 for liquidating obligations made in fiscal years 2000 and 2001: *Provided further*, That the obligated balance of funds transferred to this account in Public Law 105–276 shall remain available through September 30, 2007 for liquidating obligations made in fiscal years 1999 and 2000.

AMENDMENT OFFERED BY MR. ROGAN

Mr. ROGAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGAN:

Page 63, line 5, insert ''(reduced by $7,000,000)'' after the dollar amount.

Page 64, line 4, insert ''(reduced by $58,000,000)'' after the dollar amount.

Page 66, line 11, insert ''(reduced by $1,000,000)'' after the dollar amount.

Page 66, line 20, insert ''(reduced by $15,000,000)'' after the dollar amount.

Page 66, line 24, insert ''(reduced by $15,000,000)'' after the dollar amount.

Page 68, line 3, insert ''(reduced by $1,000,000)'' after the dollar amount.

Page 68, line 16, insert ''(reduced by $31,000,000)'' after the dollar amount.

Page 79, line 19, insert ''(increased by $105,000,000)'' after the dollar amount.

Mr. ROGAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROGAN. Mr. Chairman, today the House is poised to cut more than $1 billion from NASA's space science budget. Sixty percent of these funds go directly to NASA's Jet Propulsion Laboratory. This cut is a step backward for our Nation, which to date has led the world in pioneering the exploration of space.

This is wrong and I urge my colleagues to join my friend, the gentleman from Virginia, and me to reverse this trend by voting for the Rogan-Bateman amendment. The Rogan-Bateman amendment will restore $105 million to NASA's aeronautics, science and technology programs. These funds will go for investments that are science fact and not science fiction.

These programs are not only important to local economies around the country, they are the root of a new economy for our Nation where high-tech programs from years past become the commercial products of today.

In just the last decade, technologies developed by NASA, JPL, and their affiliated programs have yielded products and services that have dramatically changed our way of life. For instance, it was these scientific experts that produced laser technology that now gives surgeons the ability to perform less invasive laser angioplasty surgery, which is helping thousands of Americans conquer heart disease.

Also, NASA-JPL technology has provided engineers with powerful telecommunications components, making it easier for us to complete wireless telephone calls. In addition, JPL experts produced the infrared technology that led to the development of the inner ear thermometers we now use on a daily basis for our children.

These are just a few examples, and they are just the tip of the iceberg. Our investment in NASA and JPL high-tech development has made all of this possible. The proposed cuts will deeply hurt our national scientific advantages in the future. A large portion of the proposed cuts to NASA are sent to research institutions, and these institutions, colleges large and small, provide the training ground for tomorrow's experts. Those who today wish to turn their backs on science are the heirs of those who scoffed at Columbus because they were sure that the Earth was flat.

The Congress must look to tomorrow. Supporting NASA and JPL is an investment in our children's future. I urge my colleagues to vote for the Rogan-Bateman amendment and join us in battling for full funding for JPL and other crucial NASA space science programs.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I fully understand the concerns of my colleagues from California and Virginia. We have had, as the chairman has heard himself, a number of discussions about the reduction of $1 billion in NASA funding.

This is a major reduction, there is no question about it. However, at the committee level we had a $1.4 billion reduction in NASA and were able to restore $400 million, taking it from the AmeriCorps program and putting it into NASA. Those decisions are very difficult to make.

We are being asked to make another difficult decision today, take these funds away from EPA and give them to NASA. I have stated in the discussion that as we go down the road in this process, I will work with all Members to try to find a way, including with the administration and the Senate, to try to find a way to provide those needed funds for NASA to provide the research and development and the technology products they have worked on for so many years and that have provided so many benefits to humanity.

□ 1800

However, to take these funds out of an EPA budget, especially from this area, which ultimately are categorical grants, these funds would normally go to the States for clean water projects, for sewer projects, for environmental clean up projects in all 50 States.

Now, as all colleagues know, many of our communities, our hometown communities, are under court order or under Federal mandate by EPA to clean up their water, to clean up their air, and to take care of the Superfund sites that are around the Nation. These funds would come out of that pool of available funds. I think it is a bad decision to take EPA funds, provide them to NASA when there may be some opportunity down the road to support the needs of the NASA program.

So I would strongly urge my colleagues to resist the temptation to take the money from NASA and take the money from EPA and provide it to NASA because these funds are sorely needed for our environmental projects right here on Earth.

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

Mr. Chairman, I rise in support of the Rogan-Bateman amendment because I think it is critical to the Nation's future. There is no question that we have to make difficult choices. I am in no way unsympathetic to the difficult choices the subcommittee and the full Committee on Appropriations have had to make. I think they have made choices that were not in the Nation's interest and which they would prefer not to have made. But we do have to make choices.

One choice that I find not too difficult is to take from the EPA budget 1.55 percent of what is appropriated under the bill, leaving them with 99.9 percent of the full entire Presidential request for EPA, and transfer it to the NASA science, aeronautics, and technology accounts which have been desparately hit through an era where we have moved from a NASA budget that started at the end of the Bush administration at something like $14.55 billion and which, under the committee version of the bill, will have shrunk to $12.65 billion. Much of that has been taken out of the NASA aeronautics budget which has declined by $400 million in the past 2 years.

Today we are faced with a situation where aeronautical research in the United States is being starved to death, and we cannot permit it to continue. Our military aircraft are the best of the world because of the research performed by NASA. The Air Force F–15, F–16, B–2, F–22, C–17 and C–130 J would not be as effective as they are today except for the research at NASA. The same can be said of the Navy and Marine Corps' F–14, F/A–18, the AV–8, and the EA–6B.

If the NASA budget is allowed to decline further, the Nation will lose a decisive edge in military might. It will lose its edge in commercial aviation. It will lose its edge in the export of the largest producer toward a balance of payments in our favor in the country next to, if not including, agriculture.

These are things we should not permit to happen, and the way to prevent doing it is to support the Rogan-Bateman amendment allowing EPA to get 99.9 percent of its budget request while NASA is not reduced by the 1 billion or more dollars that this would contemplate. I ask my colleagues' support for the Rogan-Bateman amendment.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the gentleman's amendment. Let me first say that I recognize the good intentions of the gentleman from Virginia (Mr. BATEMAN). I would agree with him that NASA science, aeronautics and technology account is seriously underfunded and will need a major influx of resources between now and the time it is sent to the White House.

As I have said previously, I believe we should be increasing NASA's budget, not determining where it should be cut. Nevertheless, I must oppose the gentleman's amendment for the same reasons that I am opposing most of the NASA and NSF related amendments.

First, this kind of amendment, if passed, could give the false impression that this part of the NASA budget is now fixed. Mr. Chairman, nothing could be further from the truth. The science, aeronautics, and technology allocation in this bill is $678 million below the current year appropriation. This amendment is something of a drop in the bucket.

Secondly, Mr. Chairman, I must oppose this amendment due to the nature

of the offsets which the gentleman has identified. Even without this amendment, the reductions to EPA already recommended by the Committee on Appropriations will reduce by $194 million the agency's operating programs which are the backbone of its environmental protection efforts, result in 246 fewer communities receiving grants under the Clean Air Partnership Fund to help them determine the best ways to clean their air and improve the health of their citizens, and lead to 25 fewer communities receiving funds to ensure safe and pure water.

If those cuts that are already in the bill that I just enumerated are not enough, the gentleman's amendment would require an additional $100 million reduction to EPA programs.

The proposed amendment, if adopted, would lead to further reductions in Superfund to $15 million, which would mean the completion of fewer Superfund toxic waste sites.

It would result in a further reduction to the clean water efforts, meaning that the 180 million Americans who visit the coast every year may experience more beach closures from sewage spills and pollution runoff.

Twenty-eight million Americans whose jobs are supported by coastal waters could be impacted by increased fish contamination and low dissolved oxygen levels. A further reduction to air programs, which would mean that additional tons of air toxics will adversely affect the health of our most vulnerable populations.

The gentleman's amendment would mean a further reduction to environmental enforcement meaning that fewer inspections and investigations would be conducted.

The gentleman's amendment would result in cuts in funding for the agency's 9 compliance assistance centers, jeopardizing the support that thousands of facilities now receive.

Finally, Mr. Chairman, a reduction to the agency's important work would be affected if the gentleman's amendment were adopted, important work on pesticides safety, when that would mean that the agency could not complete the work Congress instructed it to do in the recent Food Safety Act. Hundreds of pesticide tolerances would not be reassessed. Foods with unacceptable levels of pesticide would go undetected and potentially put thousands of Americans at risk for cancer and birth defects.

Mr. Chairman, for these reasons, I would oppose the gentleman's amendment and would ask that my colleagues join me in defeating it.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Virginia (Mr. BATEMAN), from the home of Thomas Jefferson and William and Mary, which he attended.

Mr. BATEMAN. Mr. Chairman, I appreciate very much the gentleman yielding to me. Thomas Jefferson did, indeed, reside in my district when he attended the college of William and Mary.

Mr. Chairman, I rise to point out that, under the terms of the Rogan-Bateman amendment, the Environmental Protection Agency accounts are not being ravaged or savaged. They are 99.9 percent of what the President requested for the Environmental Protection Agency.

It does not come from any one single EPA account. The amendment is structured to take 1.1 percent from an account, 3.1 from an account that is a $1,815,000,000 account. This is not egregious to EPA.

But believe me, to say that one of the defects of my amendment is that it is only a drop in the bucket of what NASA needs I think is turning sound argument upside down. I think it certainly behooves us to at least do that much and do it now when there is a clear way to do it, making a rational public policy choice.

I urge my colleagues to make that choice by supporting the Rogan-Bateman amendment.

Mr. CUNNINGHAM. Mr. Chairman, I yield to the gentleman from California (Mr. ROGAN) where Thomas Jefferson did not go to college.

Mr. ROGAN. Mr. Chairman, I thank the gentleman for yielding to me. I can assure him Thomas Jefferson wishes he had gone to California, particularly UC Berkeley, my alma mater.

Mr. Chairman, I just wanted to follow up on the comments from the gentleman from Virginia (Mr. BATEMAN) and respectfully respond to the gentleman from West Virginia (Mr. MOLLOHAN).

The largest cut to EPA is a 3 percent cut that the gentleman from Virginia (Mr. BATEMAN) just identified, and I want to read just briefly the type of things that we are seeking this minor reduction in: travel expenses, including uniforms or allowances thereof; hire of passenger motor vehicles; higher maintenance and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than subscribers.

Mr. Chairman, this is hardly the gloom and doom scenario that has been outlined. This is a minor cut to a less than national security related program; and in exchange, we can fund science. I think clearly that our priorities ought to be in that regard rather than to library memberships and associations for EPA bureaucrats.

Mr. CUNNINGHAM. Mr. Chairman, I yield to the gentleman from Florida (Mr. WELDON), our famous doctor.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I believe there are some powerful arguments on both sides of this issue. I recognize that the subcommittee chairman has a significant challenge. I rise in support of the amendment. This is a tough decision, I will agree to that.

EPA does a lot of important work. But I remember reading a quote from John Kennedy once where he said one of the things that amazed him about the Presidency was that the decisions that percolated up to his level were all the tough decisions.

This is a tough decision. But I think the gentleman's offsets are reasonable. I encourage all of my colleagues to vote for the amendment of the gentleman from California (Mr. ROGAN).

Mr. SCOTT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Rogan-Bateman amendment and in opposition to the severe cuts in the NASA budget. The bill before us today has a cut of $1 billion to NASA, an agency which has already seen its budget decline year after year for the past 4 years.

I am especially concerned about the impact these cuts will have on future funding of aeronautics research and development programs. This research and development is crucial to preserve our Nation's long-standing lead in the aviation market, to maintain continued advancements in aviation safety, and to continue to provide our military aircraft with technological advantages.

We already know that aeronautics R&D funding will be $150 million less in 1999 and further cuts will be made in research in the fiscal year 2000 budget if this $1 billion cut to NASA is sustained.

Previous cuts have already resulted in loss of valuable research. For example, one program has already been suspended. That successful program had already started significantly reducing noise of airplane engines. That program has been terminated before it can complete all it needed to do, and that is at a time when we are spending millions of dollars to insulate homes around Chicago's O'Hare's airport because of noise. It makes more sense to continue noise reduction research so houses around all airports could benefit.

If the budget cuts remain, other valuable research will also be in jeopardy. We know, for example, Mr. Chairman, that investments in aeronautics research pays off. The aviation industry is the number one positive contributor to the United States balance of trade, now even surpassing agriculture with a net contribution to our economy of more than $41 billion in 1998. This economic advantage is directly attributable to our past investments and research.

Every aircraft worldwide uses NASA-developed research. Principles developed from this research have contributed to overall aircraft safety and efficiency, including things like wing design, noise abatement, structural integrity, and fuel efficiency.

It is important to remember that research was conducted over 5, 10, or even 20 years before the improvements were actually put on an airplane. So we are talking about long-term, sustained basic research that is necessary.

Mr. Chairman, it is also important to note that continued and increased investments in aeronautic research are crucial for advancements in aviation safety and improvements in airport capacity.

We know that air traffic is expected to triple in the next decade. New concepts, design, and technologies have to evolve if costs are to be contained and safety and efficiency of aircraft are to be improved.

Finally, Mr. Chairman, we also know that funding for aeronautics research is important to the national defense. This research is critical to maintain our military aircraft technological advantage. So any cuts in aeronautics research will raise troubling national security issues.

□ 1815

We simply cannot afford to go down the short-sighted road of funding cuts to NASA. Our aeronautic balance of trade, our future airline safety, our military superiority all depend on investments to NASA research. For those reasons, I support this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I rise in support of the Rogan amendment to increase funding by $105 million for National Aeronautics and Space Administration's (NASA) Science, Aeronautics, and Technology account. The appropriators made a good faith effort to restore cuts to the Space Science budget during the bill's consideration by the full committee, but they did not go far enough. More needs to be done, now and in conference.

Space Science has been the bright spot in NASA's research program. The space science community recognized the coming budget crunch years ago and enthusiastically embraced the ''faster, cheaper, better'' philosophy by doing business in a new way. The scientists and engineers who lead our space exploration efforts took on new technical challenges, applied more creative management techniques, and dramatically increased their productivity. This community is squeezing increased scientific and technical productivity out of every nickel. Who can forget Mars Pathfinder, which deposited a rover on the surface of Mars for one-fifth of the cost of previous Mars missions? In just the last few years, the space science community has cut the cost of spacecraft development by over 60 percent, reduced development time by 25 percent, and increased flight rate by 300 percent.

Mr. Chairman, space science is an example of good government and good science. It's also the kind of good government that we need to encourage by showing NASA's other enterprises and the rest of the federal bureaucracy that success is rewarded, not punished. As passed by Committee, the appropriations bill sends the wrong signal and makes the wrong kinds of cuts. The amendment corrects that oversight by transferring funds from a poorly-performing agency to a well-run scientific enterprise. It's an amendment we should all embrace.

Mr. DREIER. Mr. Chairman, I rise in support of the Rogan amendment to restore funding for NASA's aeronautics, science and technology accounts. While I compliment the Members of the Appropriations Committee for their determination to make the tough choices needed to ensure that the projected budget surplus becomes reality, I believe that H.R. 2684 underfunds NASA's important work. The Rogan amendment will help ensure that NASA has the resources it needs to complete its scientifically-rewarding unmanned research on-time and under-budget.

H.R. 2684 provides for a reduction in NASA's budget of $925 million from the administration request. It is worth noting that this represents an increase of $400 million from the funding level initially approved by the VA–HUD subcommittee, and I thank Mr. WALSH and the members of the Committee for restoring these funds. Nevertheless, reducing NASA's budget by nearly $1 billion will threaten NASA's ability to move forward on a number of important projects. It would reduce the number of Space Shuttle missions that NASA can conduct in a given year, cancel comet exploration missions such as Deep Impact, and delay probes of Pluto and the Sun, as well as the international space station.

NASA's budget has been reduced in each year since 1992 and NASA has done an admirable job in showing other federal departments how to do more with less. The Jet Propulsion Laboratory, for example, completed the memorable Mars Sojourner/Pathfinder mission for less than it costs to produce some Hollywood blockbusters. However, the reduction proposed in H.R. 2684 could do real damage to NASA's long-term mission. Given our great interest in developing a better understanding of the Solar System and the universe, I believe Congress must ensure NASA an appropriate level of funding. Furthermore, besides the benefits we derive from learning more about the universe, the space program has helped to produce myriad commercial spinoffs that benefit the lives of average Americans every day—from compact computers to CD players to the global positioning system.

Mr. Chairman, while I differ with Members of the Appropriations Committee on some of their spending priorities, I want to compliment them for their commitment to spending restraint. When Congress agreed two years ago to limit future growth in federal spending, we knew that it would require fiscal discipline, but it was necessary to bring us the first balanced federal budget in a generation. Now, while Congress is making the tough choices, the President is pretending that we can increase spending on everything and still have a balanced budget. Through their willingness to support spending bills that are sometimes unpopular, Members of Congress are protecting Social Security and reducing the debt burden that we leave for the next generation.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from California (Mr. ROGAN).

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

Mr. BATEMAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 275, further proceedings on the amendment offered by the gentleman from California (Mr. ROGAN) will be postponed.

The Clerk will read.

The Clerk read as follows:

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; and not to exceed $6,000 for official reception and representation expenses, $1,850,000,000, which shall remain available until September 30, 2001: *Provided*, That the obligated balance of such sums shall remain available through September 30, 2008 for liquidating obligations made in fiscal years 2000 and 2001: *Provided further*, That none of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol: *Provided further*, That none of the funds made available in this Act may be used to implement or administer the interim guidance issued on February 5, 1998, by the Environmental Protection Agency relating to title VI of the Civil Rights Act of 1964 and designated as the ''Interim Guidance for Investigating Title VI Administrative Complaints Challenging Permits'' with respect to complaints filed under such title after October 21, 1998, and until guidance is finalized. Nothing in this proviso may be construed to restrict the Environmental Protection Agency from developing or issuing final guidance relating to title VI of the Civil Rights Act of 1964: *Provided further*, That of the funds provided in this appropriation, $6,000,000 shall be made available to the states under the section 103 grants program for developing regional haze programs under title I, part C of the Clean Air Act, as amended: *Provided further*, That notwithstanding 7 U.S.C. 136r and 15 U.S.C. 2609, beginning in fiscal year 2000

and thereafter, grants awarded under section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, and section 10 of the Toxic Substances Control Act, as amended, shall be available for research, development, monitoring, public education, training, demonstrations, and studies.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $30,000,000, to remain available until September 30, 2001: *Provided*, That the sums available in this account shall remain available through September 30, 2008 for liquidating obligations made in fiscal years 2000 and 2001: *Provided further*, That the obligated balance of funds transferred to this account in Public Law 105–276 shall remain available through September 30, 2007 for liquidating obligations made in fiscal years 1999 and 2000.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $62,600,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project; not to exceed $1,450,000,000, to remain available until expended, consisting of $725,000,000, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended by Public Law 101–508, and $725,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended by Public Law 101–508: *Provided*, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: *Provided further*, That $11,000,000 of the funds appropriated under this heading shall be transferred to the ''Office of inspector general'' appropriation to remain available until September 30, 2001: *Provided further*, That notwithstanding section 111(m) of CERCLA or any other provision of law, $70,000,000 of the funds appropriated under this heading shall be available to the Agency for Toxic Substances and Disease Registry to carry out activities described in sections 104(i), 111(c)(4), and 111(c)(14) of CERCLA and section 118(f) of SARA: *Provided further*, That $35,000,000 of the funds appropriated under this heading shall be transferred to the ''Science and technology'' appropriation to remain available until September 30, 2001: *Provided further*, That none of the funds appropriated under this heading shall be available for the Agency for Toxic Substances and Disease Registry to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2000.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $75,000 per project, $60,000,000, to remain available until expended.

OIL SPILL RESPONSE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $15,000,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,199,957,000, to remain available until expended, of which $1,175,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended, and $775,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, none of the funds made available under this heading in this Act, or in previous appropriations acts, shall be reserved by the Administrator for health effects studies on drinking water contaminants; $36,500,000 for a clean air partnership fund demonstration program under section 103 of the Clean Air Act to support programs to achieve early, integrated reductions in emissions of air pollutants, including local revolving funds and other mechanisms for leveraging non-Federal resources; $50,000,000 for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $15,000,000 for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages; $263,500,000 for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in accordance with the terms and conditions specified for such grants in the report accompanying this Act (H.R. 2684); and $884,957,000 for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities: *Provided*, That, notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, as amended, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2000 and prior years where such amounts represent costs of administering or capitalizing the fund, to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration or for capitalization of the fund: *Provided further*, That beginning in fiscal year 2000 and thereafter, notwithstanding section 518(f) of the Federal Water Pollution Control Act, as amended, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian Tribes pursuant to section 319(h) and 518(e) of that Act: *Provided further*, That notwithstanding any other provision of law, all claims for principal and interest registered through grant dispute AA–91–A34 or any other such dispute hereafter filed by the Environmental Protection Agency relative to water pollution control center and sewer system improvement grants numbers C–390996–01, C–390996–2, and C–390996–3 made in 1976 and 1977 are hereby resolved in favor of the grantee.

The Environmental Protection Agency and the New York State Department of Environmental Conservation are authorized to award, from construction grant reallotments to the State of New York of previously appropriated funds, supplemental grant assistance to Nassau County, New York, for additional odor control at the Bay Park and Cedar Creek wastewater treatment plants, notwithstanding initiation of construction or prior State Revolving Fund funding. Nassau County may elect to accept a combined lump-sum of $15,000,000, paid in advance of construction, in lieu of a 75 percent entitlement, to minimize grant and project administration.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,108,000.

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, $2,827,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

Mr. BATEMAN. Parliamentary inquiry, Mr. Chairman. Have we reached page 70?

The CHAIRMAN pro tempore. We have passed page 70 in the reading, and the Clerk currently has read through page 72, line 16.

Mr. BATEMAN. Mr. Chairman, I ask unanimous consent to raise a point of order against a provision on page 70, line 15 through page 70, line 22?

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. WALSH. Reserving the right to object, Mr. Chairman.

POINT OF ORDER

Mr. BATEMAN. Mr. Chairman, on behalf of the chairman of the Subcommittee on Water Resources and Environment of the Committee on Transportation and Infrastructure, I raise an objection that the provision that I referred to, regarding nonpoint source grant funding for Indian tribes, is legislation on an appropriations bill in violation of clause 2 of rule XXI of the rules of the House. I have been asked to object on behalf of the chairman of the Subcommittee on Water Resources and Environment.

The CHAIRMAN pro tempore. The gentleman from New York has reserved a right to object. Does the gentleman from New York wish to be heard?

Mr. WALSH. I do, Mr. Chairman. It is our understanding that this legislation was protected under the rule and thereby in order, and I would await the Chair's ruling.

Mr. Chairman, in further discussion with staff, it is my understanding that this is not protected under the rule.

The CHAIRMAN pro tempore. The gentleman is correct.

Mr. WALSH. Mr. Chairman, for that reason I withdraw my reservation of objection.

The CHAIRMAN pro tempore. The gentleman withdraws his reservation of objection.

Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN pro tempore. Does the gentleman from Virginia insist on his point of order?

Mr. BATEMAN. Yes, on behalf of the chairman of the Subcommittee on Water Resources and Environment, who has now appeared.

The CHAIRMAN pro tempore. The gentleman from Virginia makes a point of order against the proviso beginning on line 15, page 70 through ''Act:'' on line 22. The proviso waives the Federal Water Pollution Control Act. Waiving provisions of existing law constitutes legislation on an appropriations bill. Accordingly, the point of order is sustained and the proviso is stricken.

The Clerk will read.

The Clerk read as follows:

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $33,666,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund.

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $300,000,000, and, notwithstanding 42 U.S.C. 5203, to remain available until expended, of which not to exceed $3,000,000 may be transferred to ''Emergency management planning and assistance'' for the consolidated emergency management performance grant program.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For the cost of direct loans, $1,295,000, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $25,000,000.

In addition, for administrative expenses to carry out the direct loan program, $420,000.

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, including hire and purchase of motor vehicles as authorized by 31 U.S.C. 1343; uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency preparedness; transportation in connection with the continuity of Government programs to the same extent and in the same manner as permitted the Secretary of a Military Department under 10 U.S.C. 2632; and not to exceed $2,500 for official reception and representation expenses, $177,720,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $6,515,000.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, to carry out activities under the National Flood Insurance Act of 1968, as amended, and the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 et seq.), the Federal Fire Prevention and Control Act of 1974, as amended (15 U.S.C. 2201 et seq.), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947, as amended (50 U.S.C. 404–405), and Reorganization Plan No. 3 of 1978, $280,787,000: *Provided*, That for purposes of pre-disaster mitigation pursuant to 42 U.S.C. 5131 (b) and (c) and 42 U.S.C. 5196 (e) and (i), $25,000,000 of the funds made available under this heading shall be available until expended for project grants: *Provided further*, That beginning in fiscal year 2000 and each fiscal year thereafter, and notwithstanding any other provision of law, the Director of FEMA is authorized to provide assistance from funds appropriated under this heading, subject to terms and conditions as the Director of FEMA shall establish, to any State for multi-hazard preparedness and mitigation through consolidated emergency management performance grants.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 75, line 5, insert ''(reduced by $12,000,000)'' after the dollar amount.

Page 75, line 5, insert ''(reduced by $10,000,000)'' after the dollar amount.

Ms. JACKSON-LEE of Texas. Mr. Chairman, my colleagues have heard me acknowledge to both the ranking member and the chairman on what is becoming some very difficult decisions.

Mr. Chairman, I have lived with NASA and the commitment that NASA has given to the American people to be fiscally responsible for some 4 years now as a Member of Congress and a member of the House Committee on Science. At the beginning of my tenure in Congress, one of the things that NASA was charged with was to be efficient, effective, and to downscale some of its operations. In doing so, Dan Goldin, almost at the start of my first term, had to cut various jobs in all of the centers, whether it was in Florida, or whether it was in Alabama or the Johnson Space Center.

Particularly in the State of Texas, let me say, Mr. Chairman, that the Johnson Space Center has a special place in our heart. It was there, of course, that many of the heroes of the space movement had their launch or had the cooperation and collaboration with those at Johnson. We are well aware of the famous words, ''Houston we have a problem.'' But one thing about Houston and the Johnson Space Center, they solve the problems.

So, Mr. Chairman, I am asking my colleagues to join me in moving $10 million to the Human Space Flight program, the program that saw Commander Eileen Collins be the first woman to command one of our shuttles; the program, Mr. Chairman, that saw John Glenn test the ultimate strength of human beings and test the aging process by being the oldest person to go into space.

Mr. Chairman, this is a terrible plight that we find ourselves in, but this program, the Human Space Flight program, deals in a variety of needs that we have. What it deals with is the ability to conduct and support human space flight research and development activities, including research, development operations, services, maintenance, construction of facilities, including repair; rehabilitation, and modification of real and personal property. It has to do with spacecraft control and communication activities. These dollars wil help us stay on track with the Human Space Flight program.

On the other hand, I am not cutting the disaster aid that goes to our respective communities. I am not cutting the dollars that would help us in flood

control. I am not cutting the dollars that would help us after terrible tornadoes or hurricanes. None of that is being cut. But, Mr. Chairman, there are certain predisaster mitigation grants, which I think with the increase in the ability of local governments to focus on their own needs, this is an area where they can help us, which is helping their communities be focused on mitigating potential disasters. None of these dollars I am speaking of in any way would interfere with any of the needs our communities would have, such as the tragedy of Hurricane Dennis on the Carolinas.

So I would ask my colleagues to recognize that the Johnson Space Center in Houston covers some 15,000 people. We have a number of contract employees. Dan Goldin has downsized to the extent that he has privatized. He predicts a 3-week furlough for NASA employees with these ultimate cuts. I would say if we keep these kind of cuts, Mr. Chairman, that we will be going down a slippery path, one from which we cannot return.

Earlier today on the floor of the House I said that the cuts in NASA and the cuts in the Human Space Flight program are similar to building or rebuilding the San Francisco Bridge. Imagine midway over the waters in California we simply stopped building it. Or maybe we should say the Brooklyn Bridge. We always use the phrase ''Can I sell you the Brooklyn Bridge?'' Imagine in the middle of rebuilding it, we just immediately stopped. What would happen to America and, as well, to those communities? They would simply drop off.

Cutting the Human Space Flight program, one of the marks of space exploration, one of the responses to President Kennedy's challenges to America that we too could go into space, is a tragedy. I would hope my colleagues would join me in this very sensible and reasonable amendment that would add $10 million to the Human Space Flight program.

Mr. Chairman. I rise to offer this amendment that would add $10 million to NASA's Human Space Flight program.

This cut to the Human Space Flight program untenable. Jobs are at stake. As a Representative for the City of Houston, I cannot stand by and watch my Houstonians lose their jobs because of these cuts. the Johnson Space Center in Houston provides work for over 15,000 people. The workforce consists of approximately 3,000 NASA Federal civil service employees. In addition to these employees are over 12,000 contractor employees. These employees represent both big and small businesses, and their very livelihoods are at stake—especially those in small business.

Dan Goldin, head of NASA, has already anticipated the devastating effects of the NASA cuts. He predicts a 3 week furlough for all NASA employees. This would create program interruptions and would result in greater costs. Ladies and gentleman, we are falling, if not tumbling, down a slippery slope. This bill would reduce jobs for engineers and would increase NASA's costs, a result that will only result in more layoffs as costs exceed NASA's fiscal abilities.

By providing money for human space flight, we ensure that NASA will continue to fund its projects such as ISS and the space shuttle, and in doing so, NASA will continue to require our American workers.

We are at a dangerous crossroads. This bill gives our engineers and our science academics a vote of no confidence. It tells them that we will not reward Americans who spend their lifetimes studying and researching on behalf of space exploration. I urge my colleagues to join me in my effort to stop the bleeding.

Mr. ROHRABACHER. Mr. Chairman, I move to strike the last word, and I would like to comment on the NASA portion of this bill, and specifically about an amendment this was discussed a few minutes ago.

Let me say that I appreciate the predicament my friend, the gentleman from New York (Mr. WALSH), is in. In February, President Clinton submitted another in a string of budgets that cuts NASA. And even that small cut that we are talking about depended on billions of dollars of phony taxes and other gimmicks that the President knew would never become part of the law, thus putting the gentleman from New York (Mr. WALSH) in a very bad situation. And while they pretend to honor the spending caps from the 1997 budget agreement, the administration ends up bashing the gentleman from New York (Mr. WALSH) for cutting NASA while the administration itself is being irresponsible in the way they propose their budget.

Let us remember this. Three years ago the President submitted a NASA budget that predicted a billion dollars less for fiscal year 2000 than the amount for NASA contained in this fiscal year 2000 appropriation bill. So I do not think that President Clinton has much of a position to attack the gentleman from New York on the effort he has made in trying to make some sense out of this appropriation bill.

The total funding level for NASA in this bill should be higher. I believe it should be higher. Unfortunately, it is not. I am sure the gentleman from New York would like it to be higher if it could be. In May, the House passed a 3-year NASA authorization bill which gave NASA a slight increase for 2000. In that context, I support many of the priorities for NASA within this bill.

I note that funding for space transportation technology was actually increased, and one of the few areas in NASA to receive an increase, I might add. I am happy that the chairman was able to add back $400 million for NASA's excellent space science programs in full committee. I appreciate the plus-up for space solar power, for example, which is an important research area. And I strongly agree with the committee's report language on space station commercialization, which supports the Committee on Science's long-standing attempts to push NASA in this direction.

While I am sure the gentleman from New York and his colleagues will work hard to improve NASA's funding in conference, I will have to support the efforts of the gentleman from California (Mr. ROGAN) and the gentleman from Virginia (Mr. BATEMAN) to restore funding for research and technology as far as the space science and aeronautics part of this budget.

□ 1830

The amendment offered by the gentleman from Virginia (Mr. BATEMAN) and the gentleman from California (Mr. ROGAN) restores funding for the scientific analysis of data that we have gotten back from programs like Mars Pathfinder and Lunar Prospector. I think that is very admirable.

Where do they get this money from that they are trying to restore this? They get it from the bloated budget, what I consider to be a bloated budget, of the Environmental Protection Agency by eliminating that or by reducing it by just over 1 percent. And I think that is a very reasonable, reasonable change, and what they are trying to do for space science and aeronautics is a very positive step.

Speaking as former chairman of the authorizing subcommittee that oversees EPA, I know that under this administration EPA has become somewhat of a rogue agency. For example, EPA has published regulations based on phony science and helped negotiate the Kyoto Protocol even after the Senate unanimously advised the administration not to do so. So I would think taking one percent from the EPA and putting it into space, science, and aeronautics, as the gentleman from Virginia (Mr. BATEMAN) and the gentleman from California (Mr. ROGAN) are suggesting, is a very reasonable thing to do, and I strongly support that amendment.

While understanding that the gentleman from New York (Chairman WALSH) has to oppose this amendment in order to defend his bill, I do congratulate the chairman for the good job that he has done. I also know that we would not be in this predicament if it would not have been for the fact that the President of the United States has acted irresponsibly in developing this part of the budget.

Mr. WALSH. Mr. Chairman, I move to strike the last word and rise in opposition to the Jackson-Lee amendment.

I will be brief, Mr. Chairman. There is another dilemma presented by another amendment, and the dilemma is that what the gentlewoman from Texas has asked us to do is take funds from the Federal Emergency Management

Agency, the agency that is responsible for responding to emergencies all over the country, hurricanes, tornadoes, earthquakes, floods, droughts, and so forth, and put that money into human space flight. It is a difficult choice because we have, as has been noted, reduced NASA fairly dramatically. But I would urge my colleagues not to support the amendment.

This is the number one priority of Director Witt of the Federal Emergency Management Agency. His number one priority is to provide pre-disaster mitigation so that we can begin to reduce the cost of disasters as they occur around the country. This is money up front to try to bring down the cost of disaster relief in the long-run and it is a priority of this subcommittee also, and I would urge my colleagues to reject this amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. WALSH. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I know the chairman and I are going to continue to work on this issue and I know that the chairman has heard us, and he may hear me again, talk about the devastation of the $1 billion cut to NASA and Sophie's choices.

I would certainly like to inquire of the chair the opportunity to work together on this issue and to help resolve the point of somewhat of a crisis of dealing with the important research that NASA does and particularly space exploration and particularly the International Space Station as we move this legislation along.

Mr. WALSH. Mr. Chairman, reclaiming my time, I absolutely pledge to work with the gentlewoman. We have had this discussion a number of times with a number of Members who are deeply concerned about NASA. We know there is not enough money in there right now with NASA. We are not complete with this process.

As we go forward, my colleague, the gentleman from West Virginia (Mr. MOLLOHAN), and I have talked about this. We would like to see what we can do to resolve some of these issues, and I would be happy to work with my colleague on that.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was rejected.

Mr. WALSH. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois (Mr. GUTIERREZ) be permitted to offer an amendment which is at the desk.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OFFERED BY MR. GUTIERREZ

Mr. GUTIERREZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GUTIERREZ:

Page 29, line 26, after the first dollar amount insert the following: ''(increased by $5,000,000)''.

Page 79, line 5, after the first dollar amount insert the following: ''(reduced by $5,000,000)''.

Page 30, line 11, after the first dollar amount, insert the following: (''increased by $20,000,000)''.

Page 79, line 19, after the first dollar amount, insert the following: ''(reduced by $20,000,000)''.

Page 31, line 9, after the first dollar amount, insert the following: ''(increased by $5,000,000)''.

Page 80, line 14, after the first dollar amount, insert the following: ''(reduced by $5,000,000)''.

Mr. GUTIERREZ (during the reading). Mr. Chairman, I ask that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. GUTIERREZ. Mr. Chairman, this amendment restores Brownfields appropriations to the current $25 million level by transferring $5 million from NASA's Human Space Flight account into HUD's Brownfields Redevelopment account.

In fiscal year 2000, the very least we should do is maintain this year's spending levels for programs that generate jobs and help neighborhoods in other important ways. Instead, H.R. 2684 gouges appropriations, including over half a billion dollars for public housing funds in order to meet Congress's self-imposed budget caps and to fund an enormous tax cut.

My amendment seeks to reprioritize our budget by putting people first. In other words, we should cut the least from programs that directly help people.

This initiative is one that will deliver the kinds of jobs and development needed desperately by these distressed towns and urban neighborhoods; and it is called the Brownfields Redevelopment, a small, modest, cost-effective program that should not be made smaller.

Brownfields' goal is to return contaminated sites to productive, employment-generating uses. The program emphasizes job creation for lower income people and economically distressed neighborhoods. Nearly 450 sites across our country qualify as Brownfields sites.

In my own congressional district, a contaminated parcel that used to be the former Hammond Refrigerated Warehouse site at 4555 South Racine. When re-habbed, this currently vacant parcel will return to commercial use with a new 190,000 square foot industrial building and 200 new jobs for low- and moderate-income Chicago residents and adds handsomely to the tax base.

The amendment also restores HOME Investments Partnership funding to its fiscal year 1999 level by transferring $20 million from NASA's Science, Aeronautics, and Technology Account to HUD's HOME account. I am offering this amendment for one clear reason. There is a serious shortage of affordable housing in the United States.

Currently, rents are increasing faster than wages almost everywhere and nowhere in the country can a household with one full-time minimum wage earner afford basic housing costs.

As a result, a record 5.3 million low-income households are spending more than half their incomes on rent, leaving precious little money for food, clothing, day care, insurance, transportation, education, and all of the other costs associated with raising a family. Funds must come from some source to help cities and towns expand housing for low- and moderate-income working class families. Why? Because it is the right thing to do for our constituents who earn too little and pay too much for rent, often falling into homelessness.

The HOME Investment Partnership program is one of the few Federal initiatives for encouraging the development of affordable housing. It is a success story.

Since 1990, HOME has financed some 350,000 units of housing for low- and moderate-income families. Every American hurts when families cannot find safe, decent, warm, affordable housing in communities where they work.

Again I ask we prioritize families first.

The amendment also restores Homeless Assistance Grants to the FY 1999 level by transferring $5 million. Homeless Assistance Grants provide shelter and services to people without homes.

This $5 million amendment may seem small considering the VA–HUD appropriation bill deals with almost $90 billion dollars. And a $5 million cut to HUD's Homeless Assistance program from FY 1999 levels may seem small. After all, H.R. 2684 slashes funding to important public housing programs by more than half a billion dollars as it reduces community development block grants by 250.

However, the Homeless Assistance cuts, as well as those to Brownfields and HOME, are significant. Our priorities are wrong when we retreat from a commitment to helping the most vulnerable people in our country when there are 750 people who are homeless in America on any given night. During a year, as many as 2 million people experience homelessness for a short period of time.

If we reduce Homeless Assistance Grants, we reduce our compassion and our intelligence. When we refuse adequate Federal assistance to individuals and families on the street, we increase

the potential for emergency room visits, crime, deaths, and the stunting of homeless children's educational and emotional development.

Our Nation is richer than ever before. Shame on us if we cut assistance to people living on streets and sidewalks during a period of historic Dow Jones Industrial Average record-breaking corporate profits, an increasing tax revenue.

I ask all my colleagues to support this amendment.

Mr. WALSH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I appreciate the amendment of the gentleman and the sentiments in the amendment. These are issues that are of concern to all of us who represent urban areas, Brownfield sites, homeless grants.

What this amendment does is it restores funding to the 1999 level of funding for these programs. These are very difficult programs to reduce funding in.

What we tried to do when we made these decisions was to reduce across the board as much as we could different programs. We did not want to gut these programs because we felt they were good programs, so we made slight reductions in order to get to the budget number that we were allocated.

By taking money out of NASA and putting it into these programs, we further got an agency that has suffered huge cuts. And what that translates to is the Gutierrez amendment would restore $25, $30 million to these programs, but what he would do is take them from the three areas of NASA where they have already suffered $900 million in cuts. So, basically, it adds insult to injury to the NASA budget.

I would urge my colleagues to oppose this amendment because NASA cannot take any more reductions and these programs, while important, are funded at a much higher percentage of what they were funded compared to the NASA program. So I would urge my colleagues to oppose this amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Gutierrez amendment to increase HUD Brownfields Redevelopment activities, to increase HUD's HOME program, and to increase funding for HUD's Homeless Assistance Grants.

Many of our inner-city communities throughout the country are replete with industrial wasteland in need of reclamation and redevelopment. There is tremendous need for homeless assistance, need to increase affordable housing for low- and moderate-income families.

Each and every day, thousands of citizens throughout the country go out looking for affordable housing only to be told that there is none available.

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

Mr. DAVIS of Illinois. I yield to the gentleman from Illinois.

Mr. GUTIERREZ. Mr. Chairman, I would like to thank my colleague from Illinois, and from Chicago specifically, for yielding.

I guess I understand the arguments made by the chairman of the committee. I would just like to say that as the House considers this amendment that, as we continue space exploration, I would like to simply suggest to America tonight that we look at our own homes, we look at our own neighborhoods, we look at our own Nation, we look at our own planet Earth.

I want people to understand what Brownfields means. It means contaminated, polluted areas, over hundreds of thousands of them that have already been sighted across our Nation. It seems ironic to me that we are going to continue to spend money.

The chairman is absolutely correct when he suggests that the NASA program has been cut by $9 million but HUD has been cut by a billion dollars.

□ 1845

So in the parlance of congressional discourse, they may seem equal. So I guess then the question is, what are our priorities? Are we going to take care of our own contaminated neighborhoods and sites across our own Nation, as we venture into space, and lose our own planet Earth, which I think we quickly need to reclaim first before we ever pretend to claim outerspace.

Secondly, I would just like everybody to think for a moment. It seems interesting that I know that the astronauts as they look back on Earth, they cannot see the 750,000 people that are homeless at that given night in our country, but I assure my colleagues that it is a cold and a mean and a very desperate situation that 750,000 people and up to 2 million in any year see.

So as they look out into the stars, I wish we would give them some hope also, so as we explore space we take care of our own.

Third, let us not create homelessness by inaction of this Congress. The home program works and it forms those wonderful partnerships between the public and private sector and, as I said, created over 350,000 units of housing since 1990. It is a success story. Let us continue on those success stories.

Mr. Chairman, last, I would just like to add, let us remember that we are dealing within the confines of this budget. We really do not need to. We have hundreds of billions of dollars in our surplus. I think we can find $30 million to reduce homelessness, to clean up contaminated waste sites across our Nation and to make sure that families who are out there in the cold can come in and feel the warmth and the humanity which this Congress can give them by allowing this modest increase of $30 million.

Mr. DAVIS of Illinois. Mr. Chairman, reclaiming my time, I too agree with the chairman that space exploration is important, but so is it important that people in our communities have affordable places to live, to work, to grow and develop so that they too can help explore space.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the Gutierrez amendment. The measure will nickel and dime NASA to death.

This amendment cuts $5 million out of NASA's Human Spaceflight programs to fund the Housing and Urban Development (HUD) Brownfields Redevelopment program. In addition, Mr. GUTIERREZ cuts $20 million out of Science, Aeronautics and Technology and $5 million out of Mission Support to fund other HUD programs.

When taken together, these amendments would cut NASA's budget by $30 million. These amendments take money out of our investments in science and technology, which will benefit future generations, and put that money into current consumption. In short, the amendments are akin to eating our seed corn.

The bill already underfunds NASA. These amendments will worsen NASA's ends-means mismatch since they do not reduce any of NASA's programmatic responsibilities.

Mr. Chairman, the country's elected officials can't keep asking the space program to do more with less. That makes no sense. I urge my colleagues to oppose the Gutierrez amendments.

The CHAIRMAN pro tempore (Mr. PEASE). The question is on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ).

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

Mr. WALSH. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 275, further proceedings on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ) will be postponed.

AMENDMENT OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FILNER:

In title I, in the item relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', insert at the end the following:

In addition, for ''Medical Care'', $1,100,000,000: *Provided,* That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further,* That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

Mr. FILNER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WALSH. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

Mr. FILNER. Mr. Chairman, we have been talking all afternoon on this bill, and I think we have all agreed that veterans programs are vastly underfunded. Everybody would like to try to find a way to change that. I am offering a way to do that.

In my amendment, an additional $1.1 billion is added to veterans health care by declaring an emergency with regard to the health care of our veterans.

This figure was not arrived at arbitrarily. All of our Nation's veterans got together during this budget process and came up with a budget, a responsible budget and a professional budget, what they called an independent budget, which said what would be needed at the absolute minimum to keep our commitment to our Nation's veterans after almost 5 years of straightline budgeting, which resulted basically in a real cut in services; what would be needed to keep our commitment to our veterans.

They decided that about a $3 billion increase would be necessary, and they pointed out the programs and the areas that would be funded with that $3 billion.

The committee plussed-up that account by $1.7 billion. I would like to add the $1.1 billion that these veterans requested.

We have a true emergency here, Mr. Chairman. Keeping the promise we made to our veterans is an emergency. Providing health care is an emergency. The VA health care is drastically underfunded and in danger of collapse, and we must change that.

What are we going to get for that $1.1 billion that we do not get now? We get care for veterans who are involved in radiation risk activities and subsequently develop cancer. We get funding for new health care initiatives for veterans suffering from hepatitis C-related illnesses.

These are often fatal, Mr. Chairman. Earlier in the debate I said something to the effect that thousands of our veterans had hepatitis C. I made a mistake. The figure is closer to 2 million of our veterans, Mr. Chairman, and we have no provision for funding to help those veterans.

This billion would go to increase programs for long-term care for our aging veterans. They would restore beds in psychiatric wards and increase mental illness research education. They would allow veterans to stay in hospitals if they have Alzheimer's and would help our Persian Gulf War illness veterans who are suffering today.

Now when I offered these amendments earlier in the day, I was told by my good friend, the chairman of the committee, that well, we plussed it up from the President's request.

Yes, we will stipulate the President made an inadequate request. He underfunded by $3 billion, but this is our budget now, Mr. Chairman. Mr. Chairman, this is a congressional budget. Let us do the right thing.

When I brought this up earlier, it was said that we had the biggest increase in this bill ever for veterans health care. That may be so in the short run but that comes on top of 5 years of real cuts, real dollar cuts, and presupposes, Mr. Chairman, a $3 billion deficit over the next 10 years, which this is building on.

Finally, the chairman says, well, this is legislating in an appropriations bill.

Well, we legislate all the time in an appropriations bill. Let us legislate for our veterans. Let us put in this $1.1 billion, and I hope that my colleagues will allow us to take this emergency action today.

POINT OF ORDER

Mr. WALSH. Mr. Chairman, I insist on a point of order against the amendment, if I could explain further.

The CHAIRMAN pro tempore. The gentleman from New York (Mr. WALSH) may state his point of order.

Mr. WALSH. Mr. Chairman, we have had this debate, the gentleman from California (Mr. FILNER) and I, for the better part of the afternoon.

The issue here is the offset that he provides under the rule, and he is asking for an emergency declaration. We considered that process and ultimately rejected it.

What we did was we found real dollars within the budget to allocate for veterans health, and what we did was provide a $1.7 billion increase over the President's request.

As the gentleman has stipulated to and agreed to, and I think it is a unanimous agreement now, the President's request for veterans medical health was not only inadequate, it was embarrassing. They later came back and they suggested that, yes, they thought that the $1.7 billion level was the right level and supported it. We received a letter from the Vice President on that.

We also received letters from the American Legion and from the Veterans of Foreign Wars who agreed that $1.7 billion was the right amount to fund veterans health care.

I looked back at the budgets of the last 5 years, including this budget. We have gone from $15.7 billion in the 1996 enacted level to $19 billion this year. That is a $3.5 billion increase in funding for veterans. So we have striven mightily, in spite of the lack of support there seems to be in the executive branch for the veterans medical care budget.

The Congress, both parties, have supported plussing up this budget, and we made hard choices, as we have heard in the debate today. NASA was cut a billion dollars. There are programs in HUD operating subsidies, modernization funds in public housing where we had to go to help to fund the veterans health care. People want more money for Section 8 vouchers, but the choices were difficult.

We cannot appropriate these funds because they are not available to us, Mr. Chairman. For that reason, I would restate and insist on the point of order against the amendment because it proposes to change existing law, constitutes legislation in an appropriations bill; therefore, violates clause 2, rule XXI and because it violates section 306 of the Budget Act that deals with matters in the jurisdiction of the Committee on the Budget.

The CHAIRMAN pro tempore. Does the gentleman from California (Mr. FILNER) seek to be heard on the point of order?

Mr. FILNER. Mr. Chairman, speaking on the point of order, Mr. Chairman, I say to my friend, the gentleman from New York (Mr. WALSH), I want to legislate on this appropriations bill. We were not allowed to do any legislation in our authorizing committee. The Chair just refused to allow motions from the minority side.

The gentleman says we have real dollars for our $1.7 billion. I am asking for real dollars here. We have it in our command. It is being given to people, special interests, in the utility industry. It is being given to special interests for multinational corporations. It is being given to those who make $200,000 or more a year. Why not give a billion to the veterans who made our country as great as it is?

So we have the real dollars, Mr. Chairman, and we should legislate on this appropriations bill, and I hope the Chair would find in our favor.

The CHAIRMAN pro tempore. The Chair finds that a proposal to designate an appropriation as ''emergency spending'' within the meaning of the budget-enforcement laws is fundamentally legislative in character. It does not merely make the appropriation. Instead, it characterizes the appropriation otherwise made. The resulting emergency designation alters the application of existing law with respect to that appropriation. Thus, the proposal is one to change existing law. On these premises and based on previous rulings of the Chair earlier today, the Chair holds that the amendment offered by the gentleman from California, by including a proposal to designate an appropriation as ''emergency spending'' within the meaning of the budget-enforcement laws, constitutes legislation in violation of clause 2(b) of rule XXI 1.

The Chair also finds that a proposal to designate an appropriation as ''emergency spending'' within the meaning of the budget-enforcement laws is a matter within the jurisdiction of the Committee on the Budget under clause 1(e) of rule X.

On that premise the Chair holds that the amendment offered by the gentleman from California, because it relates to such a matter on a bill that was not referred to that committee, also violates section 306 of the Congressional Budget Act of 1974.

The point of order is sustained on each of the grounds stated. The amendment is not in order.

Mr. FILNER. Mr. Chairman, with deep personal respect, on behalf of our Nation's veterans, I appeal the ruling of the Chair.

The CHAIRMAN pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the Committee.

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

RECORDED VOTE

Mr. FILNER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 15-minute vote. Immediately following this vote, the Chair announces that proceedings will resume on the amendments postponed earlier today, and those votes will be reduced to not less than 5 minutes each.

The vote was taken by electronic device, and there were—yeas 219, nays 198, not voting 16, as follows:

[Roll No. 390]

YEAS—219

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Cubin
Cunningham
Davis (VA)
Deal
DeLay
DeMint
Diaz-Balart
Dickey
Doggett
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fletcher
Foley
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (NC)
Kasich
Kelly
King (NY)
Kingston
Knollenberg
Kolbe
Kuykendall
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McInnis
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Morella
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stump
Sweeney
Talent
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf
Young (FL)

NAYS—198

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

NOT VOTING—16

Berry
Buyer
Danner
Davis (FL)
Jefferson
Lantos
McCarthy (MO)
McHugh
McIntosh
Pryce (OH)
Rangel
Sandlin
Scarborough
Sununu
Towns
Young (AK)

□ 1911

Mr. STARK, Mr. CONDIT and Ms. McKINNEY changed their vote from ''aye'' to ''no.''

Messrs. MICA, SMITH of Texas, ARCHER, SCHAFFER, BACHUS and FOLEY and Mrs. CHENOWETH changed their vote from ''nay'' to ''yea.''

So the decision of the Chair stands as the judgment of the Committee.

The result of the vote was announced as above recorded.

Stated against:

Ms. McCARTHY of Missouri. Mr. Chairman, during rollcall vote No. 390, sustaining the Chair's point of order of Filner Amendment, I was unavoidably detained due to mechanical delays with U.S. Air flight No. 348. Had I been present, I would have voted "no."

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore (Mr. PEASE). Pursuant to House Resolution 275, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

The amendment printed in the Committee on Rules report offered by the gentleman from California (Mr. CUNNINGHAM); the amendment offered by the gentleman from Indiana (Mr. ROEMER); the amendment offered by the gentleman from New York (Mr. NADLER); the amendment offered by the gentleman from California (Mr. ROGAN); and the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ).

The Chair will reduce to 5 minutes the time for each electronic vote in this series.

AMENDMENT OFFERED BY MR. CUNNINGHAM

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CUNNINGHAM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 232, not voting 14, as follows:

[Roll No. 391]

AYES—187

Abercrombie
Aderholt
Andrews
Archer
Armey
Bachus
Baldacci
Ballenger
Barr
Bartlett
Bass
Bateman
Becerra
Berkley
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Bonilla
Bono
Boswell
Boyd
Bryant
Burr
Burton
Callahan
Calvert
Canady
Cannon
Castle
Chambliss
Chenoweth
Clement
Coburn
Collins
Combest
Cooksey
Cramer
Cunningham
Davis (FL)
Deal
Diaz-Balart
Dickey
Doolittle
Doyle
Dreier
Edwards
Emerson
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Goode
Gordon
Goss
Graham
Granger
Green (WI)
Greenwood
Gutierrez
Hall (TX)
Hansen
Hastings (WA)
Hayes
Herger
Hilleary
Hinojosa
Holden
Hooley
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Isakson
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kanjorski
King (NY)
Kingston
Klink
Kolbe
Kuykendall
LaHood
Latham
Lazio
Lewis (KY)
Linder
Lucas (KY)
Lucas (OK)
Maloney (CT)
Mascara
McCarthy (NY)
McCollum
McInnis
McIntyre
McKeon
Meek (FL)
Mica
Miller (FL)
Miller, Gary
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Ney
Norwood
Ortiz
Oxley
Packard
Pascrell
Pastor
Pickering
Pickett
Pombo
Porter
Quinn
Radanovich
Rahall
Regula
Reyes
Riley
Rodriguez
Rogan
Rogers
Ros-Lehtinen
Rothman
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sanford
Saxton
Scarborough
Shadegg
Shaw
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Stabenow
Stearns
Stenholm
Stump
Sweeney
Talent
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Thurman
Traficant
Turner
Udall (CO)
Walden
Watkins
Weldon (PA)
Whitfield
Wicker
Wolf
Young (FL)

NOES—232

Ackerman
Allen
Baird
Baker
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Barton
Bentsen
Bereuter
Biggert
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Borski
Boucher
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Camp
Campbell
Capps
Capuano
Cardin
Carson
Chabot
Clay
Clayton
Clyburn
Coble
Condit
Conyers
Cook
Costello
Cox
Coyne
Crane
Crowley
Cubin
Cummings
Danner
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Duncan
Dunn
Ehlers
Ehrlich
Engel
English
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Franks (NJ)
Gejdenson
Gekas
Gephardt
Gilman
Gonzalez
Goodlatte
Goodling
Green (TX)
Gutknecht
Hall (OH)
Hastings (FL)
Hayworth
Hefley
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hobson
Hoeffel
Hoekstra
Holt
Horn
Hutchinson
Inslee
Jackson (IL)
Jackson-Lee (TX)
John
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Knollenberg
Kucinich
LaFalce
Lampson
Largent
Larson
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (NY)
Manzullo
Markey
Martinez
Matsui
McCarthy (MO)
McCrery
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Metcalf
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (KS)
Nadler
Napolitano
Neal
Northup
Nussle
Oberstar
Obey
Olver
Ose
Owens
Pallone
Paul
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pitts
Pomeroy
Portman
Price (NC)
Ramstad
Reynolds
Rivers
Roemer
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sawyer
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shays
Sherman
Shuster
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stark
Strickland
Stupak
Tauzin
Thomas
Thompson (CA)
Thompson (MS)
Thune
Tiahrt
Tierney
Toomey
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Vitter
Walsh
Wamp
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Wexler
Weygand
Wilson
Wise
Woolsey
Wu
Wynn

NOT VOTING—14

Berry
Buyer
Hyde
Jefferson
Lantos
McHugh
McIntosh
Pryce (OH)
Rangel
Sandlin
Sununu
Towns
Weller
Young (AK)

□ 1919

Mr. WISE changed his vote from ''aye'' to ''no.''

Mr. ARCHER changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROEMER

The CHAIRMAN pro tempore (Mr. PEASE). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. ROEMER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 121, noes 298, not voting 14, as follows:

[Roll No. 392]

AYES—121

Baldwin
Barrett (WI)
Bass
Bilbray
Bishop
Blagojevich
Blumenauer
Bonilla
Bonior
Brady (PA)
Brown (OH)
Camp
Carson
Chabot
Coble
Coburn
Costello
Coyne
Cubin
Danner
DeFazio
Delahunt
DeLauro
DeMint
Dickey
Duncan
Emerson
Evans
Fattah
Filner
Fossella
Frank (MA)
Franks (NJ)
Ganske
Gilchrest
Goode
Goodlatte
Goodling
Green (WI)
Gutierrez
Hayes
Hefley
Herger
Hilleary
Hoekstra
Holden
Holt
Kanjorski
Kaptur
Kelly
Kildee
Kind (WI)
Kingston
Klink
Kolbe
Latham
Lazio
Leach
Lee
Levin
LoBiondo
Lowey
Luther
Maloney (NY)
Manzullo
McCarthy (NY)
McInnis
Menendez
Miller (FL)
Miller, George
Minge
Mink
Moore
Moran (KS)
Myrick
Nadler
Nussle
Oberstar
Obey
Pallone
Pascrell
Paul
Payne
Pelosi
Petri
Phelps
Pomeroy
Porter
Portman
Rahall
Ramstad
Rivers
Roemer
Roukema
Rush
Ryan (WI)
Ryun (KS)
Sanders
Sanford
Schaffer
Serrano
Shays
Shuster
Smith (MI)
Stark
Strickland
Tancredo
Thune
Tiahrt
Tierney
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Wamp
Watkins
Waxman
Weller
Whitfield
Woolsey

NOES—298

Abercrombie
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Becerra
Bentsen
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Brown (FL)
Bryant
Burr
Burton
Callahan
Calvert
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Castle
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Cramer
Crane
Crowley
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Eshoo
Etheridge
Everett
Ewing
Farr
Fletcher
Foley
Forbes
Ford
Fowler
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayworth
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson

Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E.B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kasich
Kennedy
Kilpatrick
King (NY)
Kleczka
Knollenberg
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Largent
Larson
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lucas (KY)
Lucas (OK)
Maloney (CT)
Markey
Mascara
Matsui
McCarthy (MO)
McCollum
McCrery
McDermott
McGovern
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Metcalf
Mica
Millender-McDonald
Miller, Gary
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Olver
Ortiz
Ose
Owens
Oxley
Packard
Pastor
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Price (NC)
Quinn
Radanovich
Regula
Reyes
Reynolds
Riley
Rodriguez
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Sabo
Salmon
Sanchez
Sawyer
Saxton
Scarborough
Schakowsky
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shows
Simpson
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Stupak
Sweeney
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thurman
Toomey
Traficant
Turner
Udall (CO)
Vitter
Walden
Walsh
Waters
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Wicker
Wilson
Wise
Wolf
Wu
Wynn
Young (FL)

NOT VOTING—14

Ackerman
Berry
Buyer
Jefferson
Lantos
Martinez
McHugh
McIntosh
Pryce (OH)
Rangel
Sandlin
Sununu
Towns
Young (AK)

□ 1927

Mr. TIAHRT changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NADLER

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 154, noes 267, not voting 12, as follows:

[Roll No. 393]

AYES—154

Abercrombie
Ackerman
Allen
Baldacci
Baldwin
Barrett (WI)
Bass
Becerra
Berkley
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Brady (PA)
Brown (FL)
Brown (OH)
Camp
Campbell
Capps
Carson
Clayton
Conyers
Costello
Coyne
Crowley
Cubin
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart
Dingell
Dixon
Duncan
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Franks (NJ)
Ganske
Gejdenson
Gilman
Gonzalez
Gutierrez
Hall (OH)
Hilleary
Hoeffel
Holt
Hooley
Jackson (IL)
Kanjorski
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kingston
Kleczka
Klink
Kolbe
LaFalce
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
McCarthy (MO)
McCarthy (NY)
McDermott
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Myrick
Nadler
Napolitano
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Phelps
Pomeroy
Rahall
Ramstad
Rivers
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sawyer
Schakowsky
Serrano
Shays
Shows
Slaughter
Stabenow
Stark
Strickland
Stupak
Thompson (CA)
Thompson (MS)
Tierney
Traficant
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Wamp
Waters
Watt (NC)
Waxman
Weiner
Weygand
Whitfield
Wilson
Woolsey
Wu

NOES—267

Aderholt
Andrews
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bentsen
Bereuter
Berman
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady (TX)
Bryant
Burr
Burton
Callahan
Calvert
Canady
Cannon
Capuano
Cardin
Castle
Chabot
Chambliss
Chenoweth
Clay
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Dickey
Dicks
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fletcher
Foley
Forbes
Fossella
Fowler
Frelinghuysen
Frost
Gallegly
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kasich
King (NY)
Knollenberg
Kucinich
Kuykendall
LaHood
Lampson
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
Matsui
McCollum
McCrery
McGovern
McInnis
McIntyre
McKeon
Meek (FL)
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Morella
Murtha
Neal
Nethercutt
Ney
Northup
Norwood
Ortiz
Ose
Oxley
Packard
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Quinn
Radanovich
Regula
Reyes
Reynolds
Riley
Rodriguez
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Toomey
Turner
Udall (CO)
Vitter
Walden
Walsh
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—12

Berry
Buyer
Jefferson
Lantos
McHugh
McIntosh
Pryce (OH)
Rangel
Sandlin
Sununu
Towns
Young (AK)

□ 1936

Ms. WATERS changed her vote from ''no'' to ''aye.''

Mr. BEREUTER changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NADLER

The CHAIRMAN pro tempore (Mr. PEASE). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 207, not voting 14, as follows:

[Roll No. 394]

AYES—212

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baldacci
Baldwin
Barcia
Barrett (WI)
Becerra
Berkley
Berman
Bilbray
Bishop
Blagojevich
Blumenauer
Boehner
Bonior
Borski
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Camp
Campbell
Capps
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Conyers
Costello
Coyne
Crowley
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Doyle
Dunn
Edwards
Engel
English
Eshoo
Evans
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gejdenson
Gephardt
Gilman
Gonzalez
Green (TX)
Greenwood
Gutierrez
Hall (OH)
Hastings (FL)
Hinchey
Hinojosa
Hoeffel
Hooley
Horn
Hulshof
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Jones (OH)
Kaptur
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Larson
Lazio
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Myrick
Nadler
Napolitano
Neal
Nussle
Oberstar
Obey
Ortiz
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Pomeroy
Porter
Quinn
Ramstad
Reyes
Rivers
Rodriguez
Roemer
Rogan
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Sabo
Sanchez
Sanders
Sawyer
Scarborough
Schakowsky
Scott
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Stabenow
Stark
Strickland
Stupak
Sweeney
Talent
Tauscher
Thompson (CA)
Thompson (MS)
Thurman
Tiahrt
Tierney
Traficant
Turner
Udall (CO)
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wilson
Wise
Wu
Wynn

NOES—207

Aderholt
Archer
Armey
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Biggert
Bilirakis
Bliley
Blunt
Boehlert
Bonilla
Bono
Boswell
Boucher
Boyd
Bryant
Burr
Burton
Callahan
Calvert
Canady
Cannon
Chambliss
Chenoweth
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Deal
DeLay
DeMint
Dickey
Dingell
Dooley
Doolittle
Dreier
Duncan
Ehlers
Ehrlich
Emerson
Etheridge
Everett
Ewing
Fletcher
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (WI)
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill (IN)
Hill (MT)
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Holt
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Isakson
Istook
Jenkins
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kasich
Kingston
Knollenberg
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lucas (KY)
Lucas (OK)
Manzullo
Mascara
McCollum
McCrery
McInnis
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murtha
Nethercutt
Ney
Northup
Norwood
Olver
Oxley
Packard
Paul
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pickett
Pitts
Pombo
Portman
Price (NC)
Radanovich
Rahall
Regula
Reynolds
Riley
Rogers
Rohrabacher
Roukema
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Snyder
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Toomey
Udall (NM)
Upton
Vitter
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—14

Berry
Buyer
Jefferson
Lantos
McHugh
McIntosh
Pryce (OH)
Rangel
Sandlin
Serrano
Sununu
Towns
Woolsey
Young (AK)

□ 1944

Messrs. EDWARDS, HASTINGS of Florida, UDALL of Colorado, MORAN of Virginia, and DAVIS of Florida changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ROGAN

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROGAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 235, not voting 13, as follows:

[Roll No. 395]

AYES—185

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Bartlett
Barton
Bateman
Bereuter
Bishop
Bliley
Blunt
Boehner
Bonilla
Bono
Boyd
Brady (TX)
Bryant
Burton
Callahan
Calvert
Canady
Cannon
Capps
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Dixon
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Fletcher
Foley
Fowler
Gekas
Gibbons
Gilchrest
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green (TX)
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastings (WA)
Hayes
Hayworth
Herger
Hill (MT)
Hilleary
Hoekstra
Horn
Hulshof
Hunter
Hutchinson
Isakson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kingston
Kolbe
Kuykendall
LaHood
Lampson
Largent
LaTourette
Lewis (KY)
Linder
Lofgren
Lucas (KY)
Lucas (OK)
Manzullo
Martinez
McCollum
McInnis
McIntyre
McKeon
Meeks (NY)
Metcalf
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Moran (VA)
Nethercutt
Ney
Norwood
Ortiz
Oxley
Packard
Paul
Peterson (PA)
Pickering
Pickett
Pombo
Porter
Radanovich
Reyes
Riley
Rivers
Rogan
Rohrabacher
Royce
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows
Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Souder
Spence
Stabenow
Stearns
Stenholm
Stump
Sweeney
Talent
Tancredo
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thornberry
Thune
Tiahrt
Toomey
Turner
Udall (CO)
Vitter
Walden
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson
Wolf

NOES—235

Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barcia
Barrett (NE)
Barrett (WI)
Bass
Becerra
Bentsen
Berkley
Berman
Biggert
Bilbray
Bilirakis
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Brady (PA)
Brown (FL)
Brown (OH)
Burr
Camp
Campbell
Capuano
Cardin
Carson
Castle
Chabot
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah

Filner
Forbes
Ford
Fossella
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gephardt
Gillmor
Gilman
Gonzalez
Green (WI)
Gutierrez
Hall (OH)
Hastings (FL)
Hefley
Hill (IN)
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Holden
Holt
Hooley
Hostettler
Houghton
Hoyer
Hyde
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
Larson
Latham
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moakley
Mollohan
Moore
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Northup
Nussle
Oberstar
Obey
Olver
Ose
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pitts
Pomeroy
Portman
Price (NC)
Quinn
Rahall
Ramstad
Regula
Reynolds
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sawyer
Saxton
Schakowsky
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Spratt
Stark
Strickland
Stupak
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Traficant
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weiner
Wexler
Weygand
Wise
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—13

Berry
Boucher
Buyer
Jefferson
Lantos
McHugh
McIntosh
Pryce (OH)
Rangel
Sandlin
Sununu
Towns
Young (AK)

□ 1952

Mr. BERMAN and Mr. DICKS changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GUTIERREZ

The CHAIRMAN pro tempore (Mr. PEASE). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. GUTIERREZ) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 152, noes 269, not voting 12, as follows:

[Roll No. 396]

AYES—152

Ackerman
Allen
Baldacci
Baldwin
Barrett (WI)
Becerra
Bereuter
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Brady (PA)
Brown (FL)
Burr
Camp
Carson
Castle
Chabot
Clyburn
Conyers
Costello
Coyne
Crowley
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dixon
Doyle
Ehrlich
Engel
Eshoo
Evans
Fattah
Filner
Ford
Frank (MA)
Franks (NJ)
Ganske
Gejdenson
Gephardt
Gillmor
Gonzalez
Gutierrez
Hall (OH)
Hinchey
Hoeffel
Hoekstra
Holt
Hooley
Jackson (IL)
Kanjorski
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
LaFalce
LaHood
Larson
Latham
Lazio
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lucas (KY)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
McCarthy (MO)
McDermott
McKinney
McNulty
Meehan
Meeks (NY)
Menendez
Millender-McDonald
Miller, George
Minge
Mink
Moore
Moran (KS)
Morella
Myrick
Nadler
Napolitano
Nussle
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Phelps
Pomeroy
Porter
Quinn
Ramstad
Regula
Reynolds
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Schakowsky
Serrano
Shays
Shows
Smith (MI)
Smith (NJ)
Stark
Strickland
Stupak
Thompson (CA)
Thune
Tierney
Traficant
Udall (NM)
Upton
Velázquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Weller
Weygand
Wilson
Woolsey

NOES—269

Abercrombie
Aderholt
Andrews
Archer
Armey
Bachus
Baird
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady (TX)
Brown (OH)
Bryant
Burton
Callahan
Calvert
Campbell
Canady
Cannon
Capps
Capuano
Cardin
Chambliss
Chenoweth
Clay
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
DeMint
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
English
Etheridge
Everett
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Hall (TX)
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Hill (IN)
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Hoyer
Hulshof
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Hutchinson
Hyde
Inslee
Isakson
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kaptur
Kasich
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuykendall
Lampson
Largent
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lofgren
Lucas (OK)
Manzullo
Matsui
McCarthy (NY)
McCollum
McCrery
McGovern
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Meek (FL)
Metcalf
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Miller (FL)
Miller, Gary
Moakley
Mollohan
Moran (VA)
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Northup
Norwood
Ortiz
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Paul
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Pickering
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Price (NC)
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Weldon (FL)
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NOT VOTING—12

Berry
Buyer
Jefferson
Lantos
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McIntosh
Pryce (OH)
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Towns
Young (AK)

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Mr. RODRIGUEZ changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. WALSH. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. PEASE, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2684) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2000, and for other purposes, had come to no resolution thereon.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1621

Mr. TANCREDO. Mr. Speaker, I ask unanimous consent to remove my name as cosponsor from H.R. 1621.

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

There was no objection.

THE VIOLENCE IN EAST TIMOR MUST STOP NOW

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

Mr. McGOVERN. Mr. Speaker, I was in East Timor at the end of August. I met with the government and military officials, with U.N. monitors, religious and community leaders. I traveled to the countryside. When I left East Timor, I called for the immediate formation of a U.N. peacekeeping force because everyone feared violent retaliation after the vote.

Now their worst fears have been realized. I had dinner in the home of Bishop Belo. Now his home has been burned to the ground. I have talked to people in Dili and Jakarta. Their eyewitness reports make your blood run cold.

This is not anarchy. This is not civil war. This is the deliberate, planned slaughter of a people.

The United States and the international community must help restore order and security by immediately deploying an international peacekeeping force.

The United States should suspend all aid to Indonesia, including multilateral aid, until the violence is ended and the people's safety is guaranteed.

Seventy-eight percent of the people of East Timor voted for independence. Their courage and commitment to freedom should not be rewarded with death. The time to act is now.

Mr. Speaker, at this time I would enter additional material into the RECORD.

STATEMENT OF U.S. REPRESENTATIVE JIM McGOVERN ON THE CURRENT VIOLENCE IN EAST TIMOR, SEPTEMBER 7, 1999

U.S. Representative Jim McGovern (D–MA) called upon the Clinton Administration today to suspend all U.S. assistance to the Government of Indonesia until such time as the violence in East Timor has ceased and the safety and security of the East Timorese people can be guaranteed. Rep. McGovern has also pressed the White House to support the immediate deployment to East Timor of a multinational peacekeeping force to help restore law and order. The following is Rep. McGovern's statement:

''I recently traveled to East Timor as part of a congressional delegation that included Sen. Tom Harkin (D–IA) and Jack Reed (R–RI) to assess the conditions leading to the August 30 referendum. Based on our interviews with officials in East Timor and Jakarta, and what we had witnessed on the ground in East Timor, I called for a United Nations Peacekeeping force to be deployed in East Timor during this difficult transition period. Throughout East Timor the people we talked with were deeply concerned about violent retaliation following the vote. Their fears have now been confirmed in the most horrific way.

''Over the past several days, I have been in discussions with many of the people I met with in East Timor, some of whom have recently been evacuated off the island. They describe burning and looting in Dili; attacks against unarmed civilians, including women and children; attacks against U.N. workers and the International Committee of the Red Cross; the rounding up of people who have taken refuge with the Catholic Church and transporting them to unknown destinations. The fate of these people is unknown, and the worst is feared. In most instances, eyewitnesses report the collaboration or direct assistance of the Indonesian police and military in these actions.

''I urge the United States to support Australia and other nations calling for the immediate deployment of a multinational peacekeeping force to restore order to East Timor and an end to the violence. The Government of Indonesia has clearly been unable or unwilling to provide security to the East Timorese people and should agree to the immediate deployment of such an international force to assist Indonesia in meeting its responsibilities and international commitments under the May 5 Agreement it signed with the United Nations and the Government of Portugal.

''I further urge the Administration to suspend all U.S. bilateral assistance to the Government of Indonesia until such time as the United Nations certifies that order has been restored and safety to the East Timorese people guaranteed. Time and again, the Government of Indonesia has pledged to guarantee security of the East Timorese people. Time and again, the U.S. has stated that there will be severe consequences should the Indonesian Government fail to live up to its commitments. They have failed to do so. It is time for the U.S. and other countries to begin demonstrating what those consequences are: a loss of all international economic, military and development support. I ask the U.S. to take the lead in urging other nations to suspend their assistance to Jakarta and for the international financial institutions to freeze all loan disbursements on current projects in Indonesia.

''Over 78 percent of people of East Timor voted for independence. Their courage and faith in democracy and the international community should not be rewarded with death and destruction. Every hour is costing lives in East Timor. The international community and the United States must act now.

OBSERVATIONS AND RECOMMENDATIONS: AUGUST 19–24, 1999 FACT-FINDING TRIP TO EAST TIMOR, U.S. REPRESENTATIVE JAMES P. McGOVERN

Having just returned from a fact-finding mission to East Timor (August 19–24) with Senators Tom Harkin (D–IA) and Jack Reed (D–RI), I would make the following observations:

(1) The May 5th Agreement on East Timor—signed by the Governments of Indonesia and Portugal and the United Nations Secretary General—puts forth the framework for elections in East Timor that would decide whether East Timor would remain a part of Indonesia (technically the vote is on supporting or rejecting autonomy).

The United Nations Mission on East Timor (UNAMET) has been established to implement the agreement and the Indonesian Government is responsible for ensuring the ballot can take place in a peaceful and stable environment.

(2) UNAMET has done an excellent job in creating a process that will allow this plebescite to occur. Despite a smear campaign being launched against them by pro-integration forces, UNAMET has been objective and fair—and has established a process that is credible.

UNAMET has already postponed the vote twice—from August 8 to August 21 to August 30. It appears unlikely that it will be postponed again.

In the face of political intimidation and violence—mostly by pro-integration forces—UNAMET nonetheless, registered over 450,000 voters. People defied the intimidation and registered in higher than expected numbers (over 100,000 more than what the U.N. considered an ''acceptable'' level).

(3) From discussions on the ground in East Timor with a variety of parties, it seems unlikely that there will occur a truly free and fair plebiscite. However, UNAMET's efforts could very well lead to a vote that truly reflects the will of the people in East Timor.

Armed militias continue to operate with impunity. We visited the town of Maliana on Saturday—only to learn that the town is regularly swarming with armed militias. The U.N. offices were recently attacked. In fact, a rock that was hurled through a window is still lodged in a wall in one of the offices. A number of local people have been killed, some are reported missing and many are routinely threatened with death if the election should result in a pro-independence vote.

We met with the local police chief who, while assuring us he will do his best to maintain security for the vote, conceded that he could give no instances where individuals associated with militias had been arrested—despite the fact that militia activity is strictly illegal.

It is also clear that the militias are a product of the Indonesian military—and not of any community-based organization. They exist to do the army's bidding—plain and simple. If the military authorities wanted militia activity to cease, it would.

The police force, which has been technically charged with maintaining security and has been given all the appropriate support UNAMET, has been unwilling or unable to control militia violence. By all accounts, police security simply stand by and watch in the face of militia violence—and refuse to go against the military. What is particularly alarming is that this same police force is charged with maintaining security in the post-plebiscite period.

A visit by our delegation to Suai on Saturday revealed many of the same problems as in Maliana. Armed militias, political intimidation and threats of violence are all commonplace. In Suai, a potentially explosive situation has arisen where over 2000 internally displaced persons (IDP's) are seeking temporary sanctuary on the property of a local church. It is clear that most of the IDP's are pro-independence and are waiting in order to vote on August 30. Local authorities in Suai had shut off the water supply to the church and have also refused to allow food products to be brought to displaced people by the UNHCR. Our delegation appealed to local authorities to allow water and food to be brought to these people—and we were told that would happen. Water was restored, according to U.N. reports, later the next day.

(4) On Saturday, Senator Harkin and I met with Indonesian President B.J. Habibie. We

expressed our gratitude for his public statements in support of a free and fair vote in East Timor—but reported that our recent visit demonstrated to us that conditions there were still very disturbing. We urged that he take a more aggressive role in demanding Indonesian military compliance with the spirit of the May 5th agreement. We suggested a number of military officers who should be replaced based on their inappropriate behavior. He asked us to follow-up with a memo—which Senator Harkin agreed to do before leaving Jakarta.

RECOMMENDATIONS

(1) The United States and the world community should continue to strongly—and without equivocation—support UNAMET. This is especially important to do now because prointegration forces are smearing UNAMET in order to justify ignoring the voting results if the decision is pro-independence.

(2) The United States should urge the U.N. and the Indonesian government to allow a U.N. peacekeeping force into East Timor immediately. It is clear that the Indonesian police and military are not creating a secure environment, which could be particularly dangerous in the aftermath of a pro-independence vote. A number of U.N. and human rights observers continue to worry about retaliation in the aftermath of the election. Based on what I've observed, the local police will not or cannot stand up to military-backed militias.

(3) The United States and the world community must continue to make clear that Indonesia's failure to live up to the May 5th agreement and provide security to the people of East Timor before, during and especially after the vote will result in strong consequences—both economically and diplomatically. The Indonesian Government can show good faith now by disarming the militias and arresting anyone with an unauthorized weapon.

The U.S. Congressional delegation met with:

U.S. Ambassador to Indonesia J. Stapleton Roy and embassy staff.

Xanana Gusmao, opposition leader.

Major General Zacky Anwar—Indonesia Armed Forces (TNI) in East Timor.

Deputy Governor Sudharto of Dili, East Timor.

Party Leaders of the National Council of the Timorese Resistance (CNRT, the coalition of pro-independence forces).

United Nations Assistance Mission in East Timor team members (UNAMET)—including Ian Martin, Special Representative for the Secretary General for the East Timor Popular Consultation.

Roman Catholic Bishop of Dili, East Timor, Carlos Felipe Zimenes Belo.

Mateu Maiz, Mayor of Dili and spokespeople of the United Front for East Timor Autonomy (FPDK), the coalition of pro-integration forces).

Site visits to the western towns of Maliana and Suai in East Timor.

Indonesian President B.J. Habibie.

CARTER CENTER REPORT NO. 8 ON EAST TIMOR

CARTER CENTER STAFF EVACUATES EAST TIMOR; CENTER JOINS CALL FOR INTERNATIONAL INTERVENTION IF INDONESIAN GOVERNMENT FAILS TO ACT

The Carter Center has been forced by militia attacks in East Timor to evacuate its remaining three international staff members from the territory. Their reports from Jakarta of the events they witnessed just prior to leaving the East Timor capital of Dili conclusively show complicity of Indonesian forces, both police and military, with the armed gangs terrorizing and displacing the local East Timorese populace. This includes militias' efforts to drive international observers, journalists, and U.N. staff out of East Timor.

This violent situation is not chaotic, but rather appears to follow a plan, since Indonesian forces openly tolerate or even support assaults and killing of unarmed civilians by the militias. The Indonesian government has repeatedly pledged to take steps to stop the violence and has sufficient forces in East Timor to do so, but no action to stop the rampaging militias is evident in Dili or elsewhere in East Timor. At the very least, insubordination of military forces in the territory to higher command officials is occurring. Immediate changes in command and public issuance of orders to the military to use force to stop the militias are required.

If the U.N. ambassadorial delegation determines that the Indonesian government is not prepared to reverse this situation immediately, every step should be taken to get President B.J. Habibie to agree to the introduction of armed international peacekeeping forces.

Carter Center observers, now stationed in Jakarta, have confirmed the following incidents through direct observation or reliable reports from eyewitnesses in East Timor:

Since the vote results were announced on Saturday, armed pro-integration militia members have erected roadblocks throughout Dili and control the streets of the capital at all hours of the day. Militia members are: terrorizing and murdering unarmed civilians; intimidating, threatening, and attacking international personnel; burning houses; and displacing large numbers of people. Carter Center observers have on numerous occasions witnessed militia members perpetrating acts of violence in full view of heavily-armed police and military personnel who either stand by and watch or actively assist the militias.

On Monday afternoon, Sept. 6, in Dili, reports were received that thousands of internally displaced persons were being taken from their places of refuge in Dili by police and loaded on trucks headed for West Timor.

Over the weekend, militia members attacked and burned the offices of the International Committee of the Red Cross, the residence of Nobel Peace Prize laureate Bishop Carlos Belo, and other places of refuge, forcing thousands of internally displaced people sheltered in those places to flee.

Carter Center observers contacted officials at one Catholic mission in Dili that was sheltering several thousand internally displaced persons. They said armed militia had removed all young men from the compound on Monday evening. Their current whereabouts and condition is unknown.

Carter Center observers were attacked by militia at the port of Dili as they attempted to evacuate the Carter Center's local East Timorese staff on Sunday. After being pursued through the city by armed militia and by Indonesian police, the Center's international observers were evacuated to Jakarta with the help of the Australian consulate and the U.S. Embassy. Carter Center local staff are still scattered in Dili and unaccounted for.

International press and observers were forced at gunpoint by Indonesian police to evacuate their hotels and residences on Sunday and Monday and driven to the airport. A small number of international journalists refused to leave and some are now taking refuge at UNAMET headquarters.

There has been almost constant automatic weapon fire around and over UNAMET headquarters since Saturday evening. On Sunday night several thousand internally displaced persons sheltered in a school adjacent to UNAMET headquarters were forced to flee into the U.N. compound after automatic weapons with tracer bullets were fired over their heads. An estimated 2,000 people have now taken refuge in the U.N. compound.

UNAMET has been forced to evacuate all eight of their regional offices and on Monday evacuated a large number of international staff from UNAMET headquarters in Dili. U.N. vehicles carrying evacuees to the airport on Monday were fired upon.

COMMEMORATION FOR THE HOUSTON COMETS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, back to back to back. The Houston Comets are phenomenal women, and I am here this morning to congratulate them for their terrific victory against the New York Liberty. But more importantly, Mr. Speaker, I am here to congratulate outstanding sports players and women who played last Sunday at the arena in Houston before a sold-out crowd, and yes, this team has had its trials and tribulations, its ups and downs, but they took the bottom of their spirit, and they brought it to the top, and their perseverance and their strength, and they dedicated their game to Kim Perrot, the spiritual leader of their team who flew with the angels and looked down and said, ''you've got to win this for Kim.''

And so this crowd has shown us along with the Houston Comets what it means to be strong in one's soul and to win a game because they really won it and they deserve it. All the little girls of Houston and the Nation can now look up to this phenomenal team and these phenomenal women.

To Cynthia Cooper and Sheryl Swoopes, to Tammy Jackson, to Janeth Arcain, Cynthia Cooper, Sonja Henning, Tammy Jackson, Monica Lamb, Mila Nikolich, Jennifer Rizzotti, Sheryl Swoopes again, Tina Thompson again, Polina Tzekova, Amaya Valdermoro, and Kara Wolters and to the MVP and the dynamic public relations leader, Sarah Joseph, and, of course, to Van Chancellor, the coach who is the coach of the WNBA, and the owner, Les Alexander; they are a champion, they are phenomenal women, and we say to our spiritual leader who flies with the angels, Kim Perrot, ''We'll never forget you.''

Congratualtions to Houston and congratulations to the WNBA.

Back to back to back.

I am pleased to address the House to congratulate the Houston Comets on their third

Women's National Basketball Association title. On Sunday, the Comets beat the New York Liberty 59–47 in front of a sell-out crowd at the Compaq Center in Houston.

It was a great day for Houston, a great day for women's basketball and women's sports, and it was a great day for the Comets, a team that has overcome tragedy to make history.

The Houston Comets have now won three consecutive championship games. This is the second time that the team has faced the New York Liberty and won. And for the third consecutive season, Cynthia Cooper has been named the Most Valuable Player for the WNBA Finals.

Sunday was indeed a great day for Houston because it brought the city together. The game on Sunday was played before a sell-out crowd of 16,285 fans. It brought the best out in a team and a city that suffered the loss of Kim Perrot, the point guard who passed away one week before the play-offs.

Kim Perrot was crucial to the Comets in their two previous championship games. Unfortunately, she was diagnosed with lung cancer earlier this year, and passed away in mid-August.

Although she was not physically present, her spirit was indeed there as the team rallied to victory. The crowds chanted "Three for Kim, three for Kim," until the final buzzer, and several fans wore her jersey, number 10 in her memory.

The excitement over the Comets' win follows behind the triumphant win by the U.S. Women's Soccer Team earlier this summer. Both of these wins have ushered in a new era of respect for women's sports.

Women's sporting events have proven to be just as exciting as men's sports. We have seen an increase in sports participation by girls in school and we will soon see more women's sports in prime time. Young girls now have role models in athletics like Cynthia Cooper, Sheryl Swoopes and Tammy Jackson.

Just as we paid homage to Title IX earlier this year, I would like to again mention how important that legislation has been to women's professional sports today. The accomplishments of the Women's National Basketball League serve to remind us that only 27 years ago, there was no Title IX and women were still second class citizens. We have come a long way from the days when only men were expected to excel in sports.

In athletics, we will continue to see more opportunities for women in intercollegiate and professional sports. Institutions must ensure that there is adequate athletic financial assistance, accommodation of athletic interests and abilities of women, and that the opportunities and treatments afforded to sports participants must be equivalent. All of this is critical to ensure a solid future for women's professional sports.

The Houston Comets have now followed in the footsteps of some of the more prominent NBA teams in winning three titles in a row. The Comets are now a part of the pantheon that includes the former Minneapolis Lakers, the Boston Celtics, and the Chicago Bulls.

I salute the Houston Comets team—Janeth Arcain, Cynthia Cooper, Sonja Henning, Tammy Jackson, Monica Lamb, Mila Nikolich, Jennifer Rizzotti, Sheryl Swoopes, Tina Thompson, Polina Tzekova, Amaya Valdermoro, and Kara Wolters for giving our children s-heroes to look up to. I also salute their coach, Van Chancellor, their owner, Les Alexander and the people of Houston for giving us another reason to celebrate women in sports.

USTR PREPARING TO GIVE CHINA MEMBERSHIP IN WTO

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

Mr. BROWN of Ohio. Mr. Speaker, as incredible as it sounds, the bureaucrats from the United States Trade Representative's Office are once again preparing to give their comrades in the People's Republic of China membership in the World Trade Organization. We saw the same thing happen last April when the Chinese autocrat Zhu Rongji was here in Washington.

The USTR was feverishly working to further open our wallets to the world's largest nonmarket country; a nation that is ruled by corrupt tyrants with absolutely no respect for the rule of law or the basic human and political freedoms of its people; a nation that buys less of our goods than Belgium, one that steals our nuclear secrets, a country that proliferates weapons of mass destruction, and has the audacity to threaten the people of Taiwan for wanting the very same political freedom that lets us debate these issues in this chamber.

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I have said it before, and I will say it again. Wei Jingshang, a man who spent nearly decades in Chinese prisons for having the nerve to fight for democracy, told me that it is American business executives and their political connections that serve as the vanguard of the communist revolution of the Chinese in the United States.

As I speak, our Trade ambassador is being advised at the APEC summit in New Zealand by an individual who just 2 weeks ago was a lobbyist for Boeing, while his predecessor is now a lobbyist for a satellite manufacturer with extensive dealings in the People's Republic of China.

Think about that the next time you read or hear about a textile worker in Georgia or an assembly line worker in Detroit or Cleveland who loses her job to a flood of Chinese goods, products that are made by workers that can be arrested, tortured, even executed for trying to organize a trade union. Think about their lives and the lives of their families and the well-being of their communities because the USTR is not going to hire these workers, Microsoft is not going to employ them as computer engineers, Wall Street is not going to take care of these laid off workers by allowing them to share the wealth either.

And while we are left wondering how to help our workers and their families recover from the latest flood of prison labor imports or how we get the People's Liberation Army to back down from its threats against Taiwan, maybe we should take a closer look at how exactly our proposed World Trade Organization deal with China will affect American business and American workers.

Just last week, the International Trade Commission released a report detailing the benefits a China WTO deal would have on our economy, a report based on the false promises that Zhu made during his Washington visit last April. False promises because time and time again the communist Chinese Government has not lived up in China to a single pledge to open its market to foreign competition.

Every memorandum of understanding, every bilateral trade pact that our USTR, our Trade representative, has negotiated with the Chinese and touted as proof that China is changing has been completely ignored by the central planners in Beijing. Yet the American people, including those of us here in Congress, are not even allowed to read the Trade Commission report which was paid for by our tax dollars.

These are not nuclear weapons codes. These are not blueprints for a new generation of microprocessors. These are not top secret materials. This is merely a government report on how a World Trade Organization deal for China will affect the U.S. economy.

Yet the bureaucrats at USTR are deliberately withholding information from the American people and from this Congress. The only thing we have been able to read is a tiny summary that ominously warns that even under the best circumstances, meaning for the first time ever China actually lives up to its promises to reform, if in fact that would happen, even then, under the best circumstances, a WTO deal would barely increase our exports and would continue to swell the record setting trade deficits that we seem to find each month in dealing with China.

Think about that because the ugly truth in this report which we are not allowed to read because it is damaging to the agenda of the Republican leadership in Congress, to the President and the administration, and to leaders in corporate America because it is damaging to them, it is admitting that the People's Republic of China into the WTO is the ultimate remedy for our burgeoning trade deficit with the world's worst abuser of human rights.

Mr. Speaker, this is absurd. The American people should demand that the report be released and we should once and for all be allowed to finally democratize our trade policies. For too long our voters, the men and women who send us here, have been shut out of

this arena and they deserve to know exactly what our trade bureaucrats and their corporate allies have in store.

Mr. Speaker, say no to WTO accession for the communist government and the People's Republic of China.

STEENS MOUNTAIN

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

Mr. WALDEN of Oregon. Mr. Speaker, last weekend I had the great fortune of visiting with the ranchers and individual citizens who live on and around Steens Mountain in Harney County.

I traveled many miles over a majestic loop road that takes in the magnificent views of the vistas overlooking the Kiger Gorge and the Alvord Desert and the Little Blitzen Gorge. I also flew over these breathtaking areas and actually got on a horse and rode to the ridgetops of the Roaring Springs Ranch to look at the Steens Mountains.

Many individuals who live on and around the mountain accompanied me as we looked at the management and multiple uses occurring on Steens Mountain. These farmers, ranchers, guides and others are the ones whose livelihoods would be significantly affected by actions of those who are thousands of miles away, those who perhaps have never seen the Steens or set foot on its soil.

Let me tell my colleagues like Steve Hammond, who is the latest generation in his family to ranch and raise his family on the Steens or Fred Otley, who works early mornings and late nights on his family's ranch taking care of the cattle while handling the politics of the mountain, all the while seeking new and improved range management techniques or Dan Nichols, a rancher and county commissioner who is involved in the tourist industry through his family's bed and breakfast and an excellent one I must say, while still trying to manage the affairs of the county; Stacey Davies, a young ranch manager who with his wife Elaine is raising their 6 boys on one of the largest ranches in Oregon and who is incorporating some research and science and active management principles that are an important part of the ecology of the mountain; John and Cindy Witzel, a young couple who know the mountain as well as part of their packing and guiding business.

These are but a few of the many people with whom I spoke and met as I traveled around Steens Mountain this weekend. All of them know the mountain intimately, and each has a unique story to tell.

The underlying reason for my visit to the Steens is that the Secretary of the Interior threatens to unilaterally put down some designation before he leaves office if the Congress does not do so before that time.

Well, after visiting the mountain, I found myself asking from what or from whom are we trying to protect the Steens? Do we truly need a new designation? What will the effects of a designation be? Will the Steens be better off if they are declared a national monument that will thereby draw thousands if not tens of thousands of tourists to this very pristine and remote area of southeastern Oregon? How many more roads and restrooms and paving and guardrails and everything else would we need for the mountain to accommodate such an influx of tourists?

I wonder if the visitor to Yosemite National Park would find it a better experience today than it was prior to the influx of probably hundreds of thousands of tourists.

Steens Mountain is a patchwork of private and Federal lands. The management of the mountain depends on cooperative partnerships between those private landowners and the Federal land managers. The success of this partnership lies in the ability of the private landowners to work with their Federal neighbors and for their Federal neighbors to be good neighbors.

There are many excellent management techniques being practiced on the mountain today from proscribed burns to stream restoration work and monitoring. The health of the mountain is in an upward trend with private land owners playing an active and an important role in promoting sound stewardship on the mountain.

Before someone blindly places a Federal designation on the Steens Mountain for the sake of a designation, we need to carefully ask does the mountain need additional protections. From what I saw, I am not convinced it does.

However, if it is determined that greater protections are warranted, let us take the time to carefully consider the needs of both the mountain and those whose livelihoods defend on it for ranching, for recreation, and for tourism. Let us not spoil Steens Mountain.

The successful management of the Steens, with or without some form of national designation, depends upon the close cooperation of the private landowners and those in the community who live on and around the mountain. Now is not the time for the Federal Government to shove some designation down their throats.

CONGRATULATIONS TO VIRGINIA F. SAUNDERS

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

Mr. HOYER. Mr. Speaker, in the ranks of federal workers are many exceptional people. I want to draw the House's attention to the latest achievement, and lifetime of service, of one federal employee who lives in my congressional district: Ms. Virginia F. Saunders, of Beltsville, Maryland.

Ms. Saunders, a dedicated Government Printing Office employee for over fifty years, was recently presented the James Bennett Childs Award by the American Library Association's Government Documents Round Table. This prestigious honor, reserved for persons making extraordinary contributions in the field of government documents librarianship, was awarded to Ms. Saunders in June at the ALA's annual convention in New Orleans. She received the Childs Award in recognition of her work in the compilation and publication of the U.S. Congressional Serial Set, which since 1817 has collected all numbered Senate and House documents into an authoritative, permanent record of the U.S. Congress.

Ms. Saunders has served with distinction at the GPO since 1946, when Harry Truman was President. For the last 30 years, she has been the individual primarily responsible for the Serial Set, a publication of incalculable value to library collections, historians, researchers, and students everywhere.

In the words of historian Dee Brown, the U.S. Congressional Serial Set "contains almost everything about the American experience . . . our wars, our peacetime works, our explorations and inventions . . . If we lost everything in print, except our documents, we would still have a splendid record and a memory of our past experience." As the GPO's 1994 Report of the Serial Set Study Group pointed out, researchers and librarians agree that the Serial Set is "without peer in representative democracies throughout the western world as a documentary compendium."

Throughout her career, Virginia Saunders has worked tirelessly to improve the Serial Set, and has generously shared her knowledge with document librarians across the country. In 1998, she delivered an overview of the Serial Set's history at the 7th Annual Federal Depository Library Conference. In addition, she has served as a panelist at the ALA's annual conference.

This latest award is not Saunders' first recognition for her exemplary service. In 1989, her timely, common-sense suggestion that duplicative House and Senate reports stemming from the Iran-Contra investigation be assigned serial numbers as required, but not bound, saved the government more than $600,000, and earned her commendations from the Public Printer and President George Bush.

Her nomination for the Childs Award summarized her work with the Serial Set as follows: "Ms. Saunders has not only meticulously maintained a set of records of vital importance to the Nation, but has worked with information professionals and Government officials to improve it, to lower costs, and to enhance its accessibility to librarians, researchers, and the public."

Mr. Speaker, let's join in offering our heartfelt congratulations to Virginia Saunders for her latest achievement, and our sincere thanks for her lifetime of service and a job well done.

REVISIONS TO ALLOCATION FOR HOUSE COMMITTEE ON APPROPRIATIONS

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

Mr. KASICH. Mr. Speaker, pursuant to Sec. 314 of the Congressional Budget Act, I hereby submit for printing in the Congressional Record revisions to the allocation for the House Committee on Appropriations pursuant to House Report 106–245 to reflect $351,000,000 in additional new budget authority and $0 in additional outlays for international arrearages. In addition, revisions to the allocation for the House Committee on Appropriations should reflect $4,476,000,000 in additional budget authority and $4,118,000,000 in additional outlays for emergency spending. This will increase the allocation to the House Committee on Appropriations to $543,123,000,000 in budget authority and $582,465,000,000 in outlays for fiscal year 2000.

As reported by the House Committee on Appropriations, H.R. 2670, a bill making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies Appropriations Bill for fiscal year 2000, includes $351,000,000 in budget authority and $0 in outlays for international arrearages. The bill also includes $4,476,000,000 in new budget authority and $4,118,000,000 in outlays for emergency spending.

These adjustments shall apply while the legislation is under consideration and shall take effect upon final enactment of the legislation.

LIFTING OF ECONOMIC SANCTIONS AGAINST INDIA AND PAKISTAN SHOULD NOT BE VEHICLE FOR LIFTING BAN ON MILITARY TRANSFERS TO PAKISTAN

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

Mr. PALLONE. Mr. Speaker, in the next few weeks, the House-Senate conference on the fiscal year 2000 Defense Appropriations bill will address, among other issues, a provision that would suspend for 5 years certain sanctions against India and Pakistan. The sanctions were imposed pursuant to the Glenn amendment to the Arms Export Control Act more than a year ago after the two South Asian nations conducted nuclear tests.

In the other body, the Senate, the amendment to limit the sanctions offered by Senator BROWNBACK of Kansas was approved 3 months ago. The House version of the Defense Appropriations bill does not address the issue leaving this issue to be resolved in conference.

Mr. Speaker, while I generally support the provision to suspend the sanctions against the two South Asian nations, there is one other critical provision in the Senate language that would, in my opinion, be a grave mistake. The Senate bill includes language to repeal the Pressler amendment, which bans U.S. military assistance to Pakistan. I will be sending a letter to the conferees this week urging them to drop the Pressler amendment repeal and to just stick to suspending the Glenn amendment sanctions that were imposed last year, and I urge my colleagues to do the same.

I believe we must retain the Pressler amendment, which was adopted in the 1980s and was invoked by President Bush in response to Pakistan's nuclear proliferation activities. And nothing has changed to justify repeal of Pressler.

Earlier this year, we were again reminded of why the Pressler amendment should remain in effect. Pakistan provoked a serious crisis in Kashmir by supporting the incursion of militants into territory on India's side of the Line of Control in Kashmir in the spring. Given that the two countries have become nuclear powers, the conflict in Kashmir grabbed the world's attention.

Fortunately, India responded in a restrained and responsible way, using measured and appropriate force to protect its territory without precipitating a wider war. And our State Department, in its public statements, clearly recognized which of the two countries was fomenting instability, and that is Pakistan, and which was behaving responsibly, and that was India.

Besides playing a direct role in arming and training the militants, there were strong indications that the Pakistani Army regulars were actually among the infiltrators. As Pakistan-supported aggression in Kashmir backfired militarily, Pakistan tried to salvage some kind of diplomatic or political windfall out of its Kashmir debacle by trying to drag the U.S. into the role of mediator, an offer that our country has wisely refused.

Mr. Speaker, it is clear that Pakistan is the country that promoted instability in the recent conflict as they have so often done in the past. Pakistan's involvement in supporting the militants who continually infiltrate India's territory is an example of how Pakistan promotes regional instability and commits or supports aggression against its neighbors. India, on the other hand, is not involved in these kinds of hostile, destabilizing activities against its neighbors.

Pakistan, Mr. Speaker, has also been repeatedly implicated, along with China, Iran, and North Korea, in the proliferation of nuclear weapons and missile technology. India's nuclear program, on the other hand, is an indigenous program and India has not been involved with sharing this technology with unstable regimes. And I think that is an extremely important distinction.

Mr. Speaker, I just want to stress that our priorities should be to do what we can. The best way we could do that is to limit the sanctions imposed under the Glenn amendment, to restore the growing economic relationship between the United States and India. But we should lift those sanctions in the case of the Glenn amendment without the ill-advised lifting of the Pressler amendment prohibition on military transfers for Pakistan.

The historic free-market economic reforms that India initiated at the beginning of this decade have created vast opportunity for American participation in India's economic future. The sanctions under the Glenn amendment restrict our ability to participate in this emerging market. And that is why the Glenn amendment is a good thing and there is bipartisan support for lifting it for the 5 years, but it has to be done without the ill-advised lift of the Pressler amendment and the prohibition on military transfers for Pakistan that are in the Pressler amendment.

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REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF A MOTION TO SUSPEND THE RULES

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–309) on the resolution (H. Res. 281) providing for consideration of a motion to suspend the rules, which was referred to the House Calendar and ordered to be printed.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2587, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–310) on the resolution (H. Res. 282) waiving points of order against the conference report to accompany the bill (H.R. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said district for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 417, BIPARTISAN CAMPAIGN FINANCE REFORM ACT OF 1999

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106–311) on the resolution (H. Res. 283) providing for consideration of the bill (H.R. 417) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for

other purposes, which was referred to the House Calendar and ordered to be printed.

A TRIBUTE TO AMORY UNDERHILL

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

Mr. SHAW. Mr. Speaker, today I rise to pay tribute to my dear friend Amory Underhill who passed away last night at the age of 89 in DeLand, Florida. Amory was highly respected and honored for his lifetime accomplishments and service.

Amory served as lieutenant commander in the United States Navy. After his military service, Amory came to Washington, D.C. where he became special attorney at the United States Department of Justice. Amory also served as first assistant in the antitrust division and Deputy Attorney General's office and was appointed as assistant Attorney General by President Truman.

Amory was proud to have attended every presidential inaugural from President Roosevelt through President Clinton and privileged to have a personal relationship with each one of these presidents.

Throughout all of Amory's achievements, he remained a dedicated Floridian through his service and generosity to his native State. Amory served as trustee emeritus of my alma mater, Stetson University in DeLand, Florida, and Saint Leo College in Saint Leo, Florida. He served as chairman emeritus of the Board of Overseers of Stetson University College of Law in St. Petersburg, Florida, and as chairman and president of the Bert Fish Foundation in DeLand, Florida.

Amory was actively involved in the Florida House here in Washington, D.C., serving as treasurer and as a member of the founding board with the late Governor Lawton Chiles and his wife, Rhea. From the time he first came to Washington, through the rest of his life, he was a fixture at every Florida State society function, acting as friend and mentor to generations of Floridians in Washington, including the Florida Congressional Delegation.

Mr. Speaker, I am honored and grateful to have had the opportunity to have known Amory Underhill. Amory was a highly respected man in Florida. While I am saddened by his passage, his extensive contributions to Florida, this Nation, and the fond memories that I have will live on forever.

THE WACO TRAGEDY, WILL THE TRUTH EVER BE KNOWN?

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

Mr. DUNCAN. Mr. Speaker, I rise tonight to briefly discuss the Waco tragedy that has been so much in the news over the past few days.

Before coming to Congress, I spent 7½ years as a criminal court judge trying felony criminal cases. I tried the attempted murder of James Earl Ray, several death penalties cases, and many high profile cases of all types. I believe in the death penalty as it is now used, meaning on our most horrible cases, and I believe in very long sentences for violent, hardened criminals. I am very strongly anticrime; but I must say tonight that I think this Waco tragedy was one of the most tragic episodes in our Nation's history and one of the most despicable things the Federal Government has ever done.

Eighty-six people, including 24 children, were put to death simply for attempting to be left alone, so they could practice what I and most other people felt were kooky religious beliefs. But in a free country, people are supposed to have the right to have kooky, weird or unusual beliefs as long as they are not hurting anyone else.

The Waco victims were killed apparently because federal law enforcement officials were bound and determined to conduct a raid that would make the national news. This was not about law enforcement; this was about publicity.

Now, after 6 years, we discover, as many people suspected all along, that the FBI has been lying about this sordid affair. We heard a few days ago that contrary to previous Justice Department statements, incendiary devices were placed by the Government into the Branch Davidians' home.

Today, we are told even more incendiary devices were put in there, something called military star flares, highly flammable. The federal law enforcement people bombarded this home for many weeks, hour after hour, minute after minute, with extremely loud noises, extremely bright lights throughout the night. Then they moved in the tanks.

Hundreds of officers, thousands and thousands of highly paid man-hours, hundred of millions of taxpayer dollars wasted in a massive overkill of people who were of no threat to anyone.

Then the Government attempted to do a false public relations campaign about child abuse, of which there was no proof, and illegal weapons, also not proved.

What makes all of this even worse is that the kooky leader, David Koresh, was frequently out of the Davidians' home alone and could have easily been arrested on many occasions if the ATF and others were not primarily interested in publicity in the first place.

Eighty-six people killed, 24 children dead, in what many people now say was a raid done in an attempt to justify increased appropriations.

Five or 6 years ago, Forbes Magazine had a lengthy cover story about the Justice Department. The story said that we had quadrupled the Justice Department funding since 1980 and that prosecutors and federal law enforcement people were falling all over themselves trying to find cases to prosecute.

The article said they were resorting to going after honest business people who had unintentionally violated laws they did not even know were in existence, shades of the IRS.

Several months ago, Newsweek Magazine had a cover story which said on its cover, ''The IRS, Lawless, Abusive, Out of Control.''

Well, the same thing could be said today of the Justice Department under Attorney General Reno and our federal law enforcement agencies. Today, our law enforcement dollar is out of whack. The highest paid law enforcement people are federal bureaucrats who sit here in Washington and never see a real criminal unless they are mugged on the way to their cars after work.

The lowest paid law officers are the local police and sheriffs deputies, the people who are fighting the real crime, the street crime, the violent crime that people want fought.

The tragedy at Waco, the deaths of the children, the lies about it since it happened, are all the outgrowth of a Federal Government that has grown too big for its own good, and certainly too powerful and too arrogant for the good of the people for whom these Government officials are supposed to be working.

While I am discussing this, I should also mention the cold-blooded killing by the FBI of 13-year-old Sammy Weaver and his mother at Ruby Ridge, Idaho.

This small boy was cowardly shot in the back and his mother was shot as she held her small baby in the doorway of her house.

And no one is ever held accountable for all of these deaths and all of these lies, because today we do not have a Government of, by and for the people but instead have one that is of, by and for the bureaucrats, the unelected elite of this Nation.

The only thing these people really care about is their money. What we should do, but will not, is to drastically cut the money for these agencies and give it instead to local law enforcement agencies or back to the hard-working citizens we took it from in the first place.

It certainly, Mr. Speaker, will not satisfy anyone to have a whitewash investigation by establishment types handpicked by the Justice Department and approved by our very biased national media.

VA-HUD INDEPENDENT AGENCIES APPROPRIATIONS FOR FY 2000

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

Mr. RUSH. Mr. Speaker, the VA-HUD bill that we are considering today is unacceptable. At a time of unprecedented economic prosperity, the question is: Why is it that we are cutting the supply of affordable housing instead of increasing the supply of affordable housing?

The cuts proposed by the Republicans will be devastating to our Nation's most vulnerable citizens. The majority proposes to cut $1.6 billion below last year's levels. The VA-HUD bill does not include any of President Clinton's requests for new housing and economic development assistance, such as 100,000 new Section 8 vouchers, APIC, which is America's Private Investment Companies, and other initiatives.

In the City of Chicago, these cuts would deprive 2,530 people of jobs; 1,915 people of affordable housing; and deny assistance to 397 homeless families and persons with AIDS. It is estimated that the City of Chicago will lose $33,975,000 as a result of the VA-HUD cuts.

My constituents are asking, what is going on here in Washington? Well, I will tell what is going on here.

The proponents of this huge tax cut are looking for ways to pay for their plan for their wealthiest supporters. Unfortunately, they chose to do this on the backs of the poor, our most vulnerable citizens. I urge my Republican colleagues to fully fund VA-HUD. We must expand, not cut, the programs that meet vital housing and economic development needs of our most vulnerable citizens.

TAX RELIEF, IT IS GOOD FOR THE AMERICAN PEOPLE

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

Mr. KINGSTON. Mr. Speaker, I wanted to address tonight the Republican budget and the tax relief package which Americans certainly deserve and is long overdue to them and particularly in respect to the rhetorical terrorism that we seem to hear from the White House.

I guess it is the fall. Everybody is back on the football field. The kids are back in school and the White House hot air machine is in full force spreading the lies which they seem to be so good about. Now here we have a budget which is a three-point budget, Mr. Speaker; and basically what it does, as a triangle, the apex of the triangle does one thing, protects Social Security and Medicare, setting aside $1.9 trillion for Social Security and Medicare protection. Unlike the President's proposal that he made in January of this year, standing right in front of where the Speaker is, saying let us put aside 62 percent of the Social Security surplus, the Republican plan puts aside 100 percent.

Now, even if someone is a liberal over at the White House, they know that 100 percent is more than 62 percent, and this is good for your grandmother and my grandmother.

So we have the first point, Social Security and Medicare is protected, $1.9 trillion under the Republican plan.

The second corner of the triangle is to pay down the debt, $2.2 trillion to pay down the debt. This budget allows us to look one's grandmother in the eye and say we are taking care of them and also look our children in the eye and say we are taking care of their future.

Now we had a $5 trillion debt. I would love to see us pay all of that off but, Mr. Speaker, unfortunately the votes are not there. The political will is not there. I would love to see the money go to debt reduction, but the math in terms of getting 200 votes in the House, 51 in the Senate and the signature of the White House is just not there. So we do have some debt reduction.

Now, after we have paid that portion of the debt down in installments, it triggers tax relief, not only afterwards. So we have the $2.2 trillion in debt relief. Then we get $792 billion in tax relief. The way I look at that, Mr. Speaker, if someone goes to Wal-Mart and they buy a $7 hammer, and they give the cashier $10 they expect their change. They do not expect the cashier to load their cart up with more goods and services.

Yet that is what the liberals over at the White House want to do. They say the American people do not deserve their change back for their hard-earned pay, and I think that they do.

This change, this tax relief, is in the form of capital gains tax relief, 20 to 18 percent; if someone is in the lower income bracket, 10 to 7 percent. Income tax relief across the board, 2.9 percent for upper income, 7 percent for lower income. Death tax relief so that if a person dies they can pass their small business or family farm on to their children so that they too can carry on the family enterprise; and then marriage tax relief.

It is ridiculous, Mr. Speaker, that we live in a society that says, if people get married they are going to pay more in taxes than if they are just living together, and yet we out of the other side of our mouth are talking about what a great institution marriage is. These are common sense, across-the-board, middle-class tax reductions, one thing the Democrats have trouble understanding.

They say, yes, but the rich are going to get money out of the tax relief.

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Well, as my colleagues know. Hello? Who pays taxes? If you pay taxes, you are going to get tax relief; I am sorry, there is no way around it. But that seems to be the concept wasted over there at the White House.

So, Mr. Speaker, this is a budget that takes care of Social Security and Medicare first, debt relief second, and after that and only after that, tax relief for the hard-working middle-class Americans. It is a good budget.

The President says he wants a budget that takes care of Social Security, Medicare, and debt relief. This is the budget for him to sign. I wish that he would sign it because do my colleagues know what, Mr. Speaker? We do not really have to be here. If the President would go ahead and say: You know what, this is a common sense budget; and I agree with my Democrat comrade and friend, Senator Bob KERREY, the liberal senator who said this is reasonable, and I am going to support it. And if he could, we would go home, and we would not be passing a whole bunch of other new laws and regulations that are crippling American industry, American education, and school systems and hurting middle-class Americans.

And that would be the greatest part. We could all go home, and I do not think there is anybody outside of Washington, D.C., who would regret Congress adjourning early.

So, Mr. Speaker, with that let me just say I urge the President to get off the rhetoric, I urge the President to get into reality, and I urge him to sign this bill. But if he does not, at least sit down in good faith, and let us try to work out something because the American taxpayers deserve it.

CHUMP CHANGE

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

Mr. DEFAZIO. Mr. Speaker, the gentleman who preceded me in the well said it very well. He said he talked about American people getting change back, and that, in fact, is what the Republican tax bill would provide for the vast majority of Americans. He then went on to say:

Hello? Should not the wealthy people get back more? They pay more.

But guess what? They have already gotten their tax cuts.

A study that was just published yesterday and is coming to the attention of the Congress and the American people shows that because of the tax cuts back in the 1970s and the 1980s the wealthiest 1 percent of the American people have already realized an average tax cut of $40,000 a year from their 1977 tax rate, $40,000 a year. That is more than two-thirds of the American people earn for an entire year let alone pay in taxes, and he is saying: Of course those people should get more tax relief.

Why should they get more tax relief? Their average tax bill is already greatly reduced from the tax bill that was assessed against those same incomes in this country 20 years ago.

But in order to provide that tax relief, guess what? Programs that most American families value whether it is the Veterans Administration which we are debating today on the floor of the House, today and again tomorrow, which, yes, they have made it whole in terms of last year's budget, but guess what? There is not enough money there to cover the aging World War II vets and the care they need and my generation, the Vietnam vets. There is not enough money in that budget. But that money will not be appropriated.

They are actually cutting housing. Is America well housed? Does the average young family who wants to have an opportunity to get into what is record-priced housing in the western United States, in my district and elsewhere? Are they getting a little bit of help from the government that they could use to get into that first house? Are other families over housed or well housed in the middle third or so of the incomes in this country? Those programs are being cut.

Medicare is being cut. The home health program is a disgrace; the cuts that were put into place 2 years ago, which I voted against, but a majority here and, sadly, a large number of Democrats voted for and the President signed is still going to be dramatically underfunded, and home health care benefits will not be extended to millions of seniors who need them in order to give a tax cut to the wealthiest 1 percent of the American people who have already gotten a very generous tax cut over the last 20 years.

Mr. Speaker, the result of all this is that we are seeing an unprecedented concentration of wealth in that 1 percent. More than 40 percent of the wealth in this country, levels not seen since the great depression are owned by 1 percent of the people, and the response of the gentleman from Georgia is: Hello? They should get their taxes cut more so they can accumulate an even bigger portion of the pie while middle-income families have both parents working and still cannot afford to send their kids to college without the kid incurring a huge mountain of debt, while seniors are not able to pay for their prescription drugs and cannot get the home health care they need, while our veterans go unserved. All those things will be reduced so that those people, hello, that top 1 percent who are suffering horribly, and, you know, they are paying only 20 percent less taxes than they paid 20 years ago in this country who are accumulating unprecedented amounts of wealth so they can see yet another tax cut.

This is change, chump change for average American workers. For the vast majority of people in this country the Republican tax bill delivers, as the gentleman said, change, chump change, 116 bucks a year for two-thirds of the American workers on average, many of them getting nothing, but $116 on average per year for people earning less than $34,000 a year. But yet, if you earn over $350,000 a year, you will get a $31,800 tax cut, more than most of those other families earn altogether.

Do those people, are they suffering? Are they struggling to make ends meet on $350,000 a year? Do they really need that tax cut? Do we have to reduce those programs in order to deliver that tax cut? Do we need such an unfair tax cut? If you want to have a tax cut that is fair, let us reduce the burden of the FICA tax, the Social Security tax. You could do that. You could actually do that and still safeguard Social Security. That would provide tax relief to 96 percent of wage-earning Americans in a bill I have proposed.

But guess what? It does not help out those people in the top 1 percent, those earning over $350,000 a year who are paying almost 80 percent of the level of taxes that they paid 20 years ago. They need more tax relief. That is the bottom line in the Republican bill. It is delivering to the people who fund their campaigns, it is delivering to the people who run the corporations that fund their campaigns, and it is delivering, as the gentleman said, chump change to average Americans.

Mr. Speaker, we need to reject the Republican tax bill, I am certain the President will veto it, and let us get back to reality here in Washington, get back to our work, fund the veterans programs, fund the housing programs, set up fair priorities and give tax relief to average families who could use a tax break because they are not even keeping up with inflation.

CURIOUS, COARSE, CALLOUS POLITICAL CALCULATIONS AT THE OTHER END OF PENNSYLVANIA AVENUE

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

Mr. HAYWORTH. Mr. Speaker, I think the preceding two speeches offer a classic contrast where we come as a free people to debate ideas because my friend from Oregon who precedes me is caught up in the politics of envy. Mr. Speaker, I would suggest that as Americans, Republicans and Democrats, liberals and conservatives, we would do well to set aside the politics of envy and embrace the policies of opportunity.

Mr. Speaker, as all of my colleagues had the opportunity on recess to spend time with their families, I also spent a good bit of time with my constituents in the Sixth Congressional District of Arizona, a district in square mileage almost the size of the Commonwealth of Pennsylvania, and in 13 town halls held across the width and breadth of the Sixth District I found that constituents were consistently rejecting the politics of envy for the policies of opportunity as enunciated by our common-sense majority in the Congress as we pledged during this 106th Congress, number one, to save and secure Social Security and Medicare not only for today's seniors, but for tomorrow's, as we also move to save and strengthen and rebuild our national defenses and our national security, as we work to improve education by empowering leaders at the local level, locally elected school boards; but, more importantly, teachers in the classroom and parents in the home because we know that teachers in the classroom and parents at home can deal far better with the educational challenges of their youngsters than any Washington, D.C. bureaucrats.

And finally what my good friend from Georgia mentioned, tax relief and tax fairness for all Americans. My friend from Oregon had one glaring omission in his diatribe against letting the American people hold onto more of their hard-earned money. He failed to cite the fact that the top 5 percent income earners in this country pay well over 60 percent of the taxes taken in by the Federal Government.

But be that as it may, tax relief for everyone is encapsulated and included in death penalty relief, easing the penalty of the death tax on the American people, reducing the marriage tax penalty, reducing capital gains taxes so that you are not punished for succeeding or investing wisely and offering to small business 100 percent deductibility for health care insurance instantly if the President will sign the bill even as we lock away over $2 trillion to save Social Security and Medicare and pay down the national debt.

These are the opportunities that confront us, and, Mr. Speaker, I would be remiss if I did not mention one other topic that has come to the fore in town hall meetings and has been part of our electronic town hall in talk radio and in discussions on television, and that is the unbelievable actions of our Chief Executive to grant clemency to Puerto Rican terrorists. I am sure, Mr. Speaker, that Osama Bin Ladin and others who embrace terrorism are watching with great interest.

The power to pardon, to grant clemency is given to our Chief Executive by the Constitution. How curious that our President, having issued clemency only three times, would grant it in blanket fashion to over a dozen Puerto Rican terrorists who waged a campaign of terror for well over a decade if they would only promise to renounce violence.

Mr. Speaker, when will it end; the pilfering of 900 FBI files of political opponents, the curious and tragic actions at Waco, putting the Lincoln bedroom up for sale to the highest bidder in terms of political donations, and, Mr.

Speaker, on the subject of campaign financing, donations from front companies for Communist China?

Mr. Speaker, it is shocking, and as the people of the Sixth District of Arizona told me last week, Alice may have said curiouser and curiouser when she stepped through the looking glass, but, Mr. Speaker, as we look to the other end of Pennsylvania Avenue for curious, coarse, callous political calculation and decisions that actually are not in the best interests of the American people and their children, all we can say, Mr. Speaker, is: Shame. If only those who bear the responsibility were capable of feeling the shame they ought at this hour in this moment.

PATIENT PROTECTION LEGISLATION

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

Mr. GANSKE. Mr. Speaker, I welcome back all my colleagues from across the country, both sides of the aisle.

Congress has a lot of work to do in the last couple months of this year. Part of that work that many of us would like to see completed, at least in the House, and get to conference would be to pass a bill here in the House on patient protection legislation.

Now it is now September, Mr. Speaker, and the Speaker of the House, the gentleman from Illinois (Mr. HASTERT) had told us that in June that we would see a patient protection bill on the floor before the August recess. In fact, he personally told me that it is his, quote, intent to have managed care reform legislation on the floor in July before our August recess.

Unfortunately, Mr. Speaker, it did not happen, so we went off to our August recesses, talked to our constituents, and the managed care industry continued their $100 million advertising campaign against this legislation.

Now there are only 435 Members of this House, Mr. Speaker. If you divide that into a hundred million, that is an awful lot of money that a special interest group is using to try to defeat a common-sense piece of legislation. But the August recess gave them their chance to go on TV, go on the radio, initiate phone calls into offices, and do my colleagues know what? I welcome that.

□ 2100

Because it identified a number of people in my office, for instance, who are interested in healthcare, and when we had a chance to explain to them the bill, the bipartisan bill, H.R. 2723, the Bipartisan Consensus Patient Protection Bill of 1999, overwhelmingly the people who were stimulated to phone in to my office by the opponents to this legislation said, You know what? That does not sound like it is such a bad piece of legislation. In fact, we have a neighbor or a family member who has had problems with their HMO, and we think you ought to do something about it.

Well, as I said, the managed care industry initiated this big advertising blitz over the August recess. What did they accomplish? I think the polling will show that two-thirds of the American people continue to want to see managed care patient protection legislation passed. Overwhelmingly, people think doctors ought to be able to tell their patients all of their treatment options.

Overwhelmingly, the American public think that they ought to be able to go to an emergency room if they are truly having an emergency. If they are, for instance, having crushing chest pain and they have seen that the American Heart Association says that could be a heart attack, you better get right to that emergency room, they think we ought to pass legislation that would say if you have that common layperson's definition of an emergency, your HMO should have to pay the bill, even if afterwards it turns out you did not have something quite as serious as a heart attack, because if you delay getting to the emergency room, you may end up dead before you get to the emergency room.

Well, over the last month, since the gentleman from Georgia (Mr. NORWOOD), the gentleman from Michigan (Mr. DINGELL), myself and others introduced the bipartisan Consensus Patient Protection Act of 1999, we have had a number of organizations from across the country sign on endorsements for this piece of legislation. In fact, Mr. Speaker, I would like to introduce a list of 156 endorsing organizations for H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999.

Let me just read through some of these letters of endorsement. I think they make good points. Now, I am not reading these in any particular order. I am not going to have time in this 1-hour special order to read every letter of endorsement, but I think that many of them deserve being shared with my colleagues.

The first one I have is the American Nursing Association endorses the bipartisan managed care bill. The American Nursing Association represents 2.6 million registered nurses throughout its 53 constituent organizations. This is what it had to say about the bipartisan managed care reform bill:

''The American Nurses Association is pleased to endorse this bill and encouraged by the cooperation and compromises made to achieve real reform, real progress on managed care reform,'' said ANA President Beverly Malone.

''It is heartening to see Congress working together to solve problems. This is how Congress should be working. Given the nursing profession's preeminent role in patient advocacy, the American Nursing Association is particularly heartened by the steps proposed to protect registered nurses and other healthcare professionals from retaliation from HMOs when they, the nurses, advocate for their patients' health and safety. As the Nation's foremost patient advocates, nurses need to be able to speak up about inappropriate or inadequate care that would harm their patients. Nurses at the bedside know exactly what happens when care is denied, comes too late or is so inadequate that it leads to inexcusable suffering, which is why we need to maintain strong whistleblower protection language in this bill. Nurses want to see strong comprehensive patient protection legislation enacted this year.''

Mr. Speaker, shortly before the August recess this House overwhelmingly voted to protect federal employees who blow the whistle on contractors or others who are breaking the law. There is a well-known case that has been reported in the press about a Department of Defense employee who blew the whistle and was punished by her superiors for it, and this House, Republicans and Democrats, overwhelmingly voted to support the whistleblower protections that my own Senator from Iowa, Senator GRASSLEY, has been a strong proponent of.

I would ask my colleagues, look, if we think a strong whistleblower protection is good enough for federal employees, do we not also think it is important that nurses who are on the front lines, who see the effects of HMOs decisions, that they are able to speak their minds freely without fear that they could lose their jobs? Well, that is the American Nursing Association endorsement.

Here I have the endorsement by the American Medical Association: ''The 300,000 physician student members of the American Medical Association strongly urge the House of Representatives to pass meaningful patient protection legislation.'' The AMA endorses H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999, introduced by the gentleman from Georgia (Mr. NORWOOD) and the gentleman from Michigan (Mr. DINGELL).

Then the AMA goes through why they think this is a good bill. It has a strong external appeal section. All patients should be guaranteed access to an external appeals process whenever a denial of benefits involves medical judgment or concerns medical necessity. But we have a situation, Mr. Speaker, where, because of past federal law, people who receive their insurance through their employers do not have

that protection. If you purchase your insurance as an individual, you are under State insurance commissioner protection. But if you receive your insurance through your employer, Congress 25 years ago passed a bill that basically say said that health plan can give a definition of whatever they want to medical necessity.

Now, let me explain what that means. Before coming to Congress I was a reconstructive surgeon. I took care of children with cleft lips and palates, a hole in the lip and a hole in the roof of the mouth. The prevailing standard of care for treatment of that is surgical correction so that the child can learn to speak, so that food does not come out of his nose.

There are health plans, HMOs, that define medical necessity as the cheapest, least expensive care, quote-unquote. So what would that mean to a child with a cleft palate? It would mean that that health plan could say, Hey, we are not going to give you surgery to fix that defect that you are born with; we are just going to give you a piece of plastic to shove up into that hole. Will that little boy or girl be able to speak correctly? No. But it does not matter, because under federal law the health plan can determine medical necessity.

We need to change that. That change is in the bill that the AMA is endorsing.

The AMA talks about accountability of health plans. If they are making medical decisions, they ought to be responsible for those: point of service, emergency services, prohibiting gag clauses that will keep physicians from being able to tell a patient all of their treatment options.

Let us say that I have just examined a patient, a woman, with a lump in her breast, and she belongs to an HMO, and that HMO has a gag clause that says before you tell a patient her treatment options, you have to first get an okay from us.

So I listen to this patient's story, I examine her, and then I have to say, Excuse me, go out to the phone, get an HMO on the line and say, This patient has three treatment options, one of which may be more expensive than the other. Is it all right to tell her about them? That is absurd. It is ridiculous. But do you know what? Those types of practices have happened. Those types of contracts exist, or at least have existed until we started to shine the light of the disaffected upon those practices. We need to make sure that I can tell that patient her treatment options, whether her plan covers it or not. She deserves to know all of her treatment options.

Those are important reasons why, for instance, the American Medical Association has given its endorsement to the bipartisan Consensus Managed Care Improvement Act.

How about the American Osteopathic Association? The American Osteopathic Association represents the Nation's 43,000 osteopathic physicians. Eugene Oliveri, Dr. Oliveri says, ''As president, I am pleased to let you know that the AOA endorses the Bipartisan Consensus Managed Care Improvement Act of 1999. Why? Because physicians are allowed to determine medical necessity. Health plans are accountable for their actions, a fair and independent appeals process is available and the protections apply to all Americans. Employers and patients,'' this letter says, ''are tired of not receiving the care they are promised, they pay for and they deserve, and H.R. 2723 will help bring quality back into health care.''

Here I have another letter of endorsement. This is from the American Dental Association:

''On behalf of the 144,000 members of the American Dental Association, we wish to endorse H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999. This is the first truly bipartisan comprehensive patient protection bill in the 106th Congress.'' This was a letter to Congressman NORWOOD.

''By joining forces with Representative Dingell, you have breathed new life into the movement to establish a few basic rules to protect all privately insured Americans from unfair and unreasonable delays and denials of care.''

The letter goes on: ''We recognize that powerful groups that oppose managed care reform will continue spending millions of dollars in their relentless efforts to scare the public and badger lawmakers who attempt to improve the health care system. However, we will do all we can to make sure that our members know of your courageous efforts on behalf of them and our patients. Patient protection is a genuine grassroots issue that cuts across geographic, economic and political boundaries, and we believe that only bipartisan action will achieve the goal that you want.''

Here I have a news release from the American Academy of Family Physicians: ''Today the 88,000 member American Academy of Family Physicians announces its support for H.R. 2723.''

I have here a letter of endorsement from the American College of Physicians, the American Society of Internal Medicine: ''The American College of Physicians, ASIM, is the largest medical specialty society in the country, representing 115,000 physicians who specialize in internal medicine and medical students. The American College of Physicians believes that any effective patient protection legislation must apply to all Americans, not just those in employer plans, require that physicians rather than health plans make determinations regarding medical necessity, provide enrollees with a timely access to a review process that is independent, offer all enrollees in managed care plans a point of service that enables them to obtain care from physicians outside the network and hold all health plans accountable.''

Mr. Speaker, I have a letter of endorsement from the American Academy of Pediatrics: ''On behalf of the 55,000 general pediatrician-pediatric medical specialists and pediatric surgical specialists, I am writing to express our strong support of H.R. 2723. We are especially pleased that your legislation recognizes the unique needs of children and addresses them appropriately. Children are not little adults. Their care should be provided by physicians who are appropriately educated in unique physical and developmental issues surrounding the care of infants. You clearly recognize this, and have included access to appropriate pediatric specialists, and we are endorsing your bill.''

□ 2115

I have here an endorsement from the American College of Surgeons: ''We are pleased to note that H.R. 2723 requires health plans to allow patients to have timely access to specialty care and to go outside the network for specialty care at no additional costs if an appropriate specialist is not available in the plan.''

This is important. A lot of health plans have incomplete physician panels. If the patient ends up with a complicated procedure, they need assurances their plan will cover them.

This letter of endorsement from the American College of Surgeons goes on: ''If health plans continue to make medical determinations, then they should be held liable to at least the same degree as the treating physician. We are pleased to note that H.R. 2723 would allow patients to hold health plans liable when the plans' decisions cause personal injury or death. Additionally, the College agrees that it is reasonable to prohibit enrollees from suing their health plan for punitive damages if the health plan abides by the decision of the independent external review entity.''

Let me expand on this, Mr. Speaker. What we are saying in this bill is that if there is a dispute on an item of coverage, let us say a patient's physician recommends a type of treatment, the HMO says no, then the patient would be able to appeal that decision in his plan. If the plan still says no, then the patient could take that appeal to an external independent peer panel of physicians and say, I really think that common standards of practice show that I should get this treatment.

Under our bill, that independent panel could make that determination. If they say, yes, we agree with you, and the health plan follows that recommendation, then the health plan is

free of any punitive damages liability. That is a fair, commonsense compromise on this issue.

Furthermore, in our bill we have a provision that says, you know, if an employer simply contracts with an HMO, the HMO makes the decision, the employer has had nothing to do with the decision, then the employer cannot be held liable, either. The responsibility lies with the entity that makes a decision that could result in a negligent harm to a patient.

What kind of problems are we talking about? Let me give one example. A few years ago a young mother was taking care of her infant son, 6-month-old infant son, in the middle of the night. The family lived south of Atlanta, Georgia.

Little Jimmy Adams had a temperature of 105 degrees. Mom looked at this baby and knew that baby Jimmy was pretty sick, so she gets on the phone. She does what she is supposed to. She is in an HMO. She phones a 1–800 number. She gets some voice from thousands of miles away and explains the situation.

The reviewer, the HMO bureaucrat, says, all right, I will let you take Jim. I will authorize an emergency room visit for little Jimmy, but only at this hospital. If you go to any other hospitals, then you are going to pay the bill.

It so happens that the hospital that was authorized was 70-some miles away. It is 3:30 in the morning. Mom and dad wrap up little Jimmy. They get into the car. They start to drive this long distance to the emergency room, even though Jimmy is looking really sick. But his mom and dad are not health professionals. On their way to Hospital X they pass three other hospital emergency rooms, but they are not authorized to stop there. They know that they would get stuck with the bill.

They do not know exactly how sick Jimmy is, so they drive on. Before they get to the designated hospital, little Jimmy has a cardiac arrest and stops breathing. Imagine, dad driving frantically, mom trying to keep baby Jimmy alive. They swing finally into the emergency room. Mom jumps out with baby in her arms, saying, help me, help me. A nurse comes out and starts mouth-to-mouth resuscitation. They put in the IVs. They give the medicines. Somehow or other they get little Jimmy back and he lives. But because of the medical decision that that HMO made, saying no, you cannot go to the nearest emergency room, Jimmy is really sick, you have to go 70 miles away, and he has this arrest because of that decision, well, little Jimmy is alive, but because of that arrest he ends up with gangrene in both hands and both feet, and both hands and both feet have to be implemented.

So I phoned Jimmy's mother recently to find out how he is doing. He is learning how to put on his leg prostheses. He has to have a lot of help to get on his bilateral hooks. He will never play basketball. I would tell the Speaker of the House that he will never wrestle. When he grows up and gets married, he will never be able to caress the cheek of the woman that he loves with his hand.

Do Members know what that HMO is liable for under Federal law? Nothing, nothing, other than the cost of the amputations. Is that fair? Is that justice? I will tell the Members what, these victims of managed care, that the managed care companies just call anecdotes, if you prick their finger, if they have a finger, they bleed. They are our neighbors, or they may be our own families. I could tell hundreds of stories like this.

That is why these organizations say a primary part of this legislation should involve responsibility for an HMO that makes medical decisions.

Here I have a letter of endorsement from the American College of Obstetricians and Gynecologists: ''The American College of Obstetricians and Gynecologists is pleased to offer its support for the bipartisan consensus Managed Care Reform Act of 1999. This legislation would guarantee direct access to OB-GYN care for women enrolled under managed care,'' pretty important.

Here is a letter of endorsement from the American Psychological Association. ''The American Psychological Association expresses our strong support for H.R. 27. Broad bipartisan support for this legislation represents a major breakthrough on behalf of patients' rights. An analysis of the bill shows that the insurance and managed care industry could generate income of $280 million for every 1 percent of claims that are delayed over 1 year.''

That is the provision that is in the other body. Our provision in this bill makes for timely appeals. We appreciate the endorsement of the American Psychological Association.

The American Occupational Therapy Association endorses this bill. ''Over the August recess we have notified our members, asking them to talk to their legislators. Please let us know if we can assist you in your efforts to have comprehensive managed care legislation addressed on the House floor.''

The American Public Health Association, which represents more than 50,000 public health professionals, endorses the bipartisan bill because the bill would ''improve access to emergency services, allow more people to enter clinical trials,'' something the HMO industry has run away from, ''provide patients with a fair appeals process for denied claims, lift barriers to specialists, and hold plans responsible.''

''We understand,'' this letter says, ''that some within the managed care industry oppose any government regulation. But this issue is a very important one for consumers, health care providers, and the public health community. H.R. 2723 is a significant and welcome step towards achieving new patient protections for managed care patients.''

Here I have an endorsement by the American Association for Marriage and Family Therapy: ''On behalf of the 46,000 marriage and family therapists throughout the United States, we want to applaud Congressman Norwood and Representative Dingell for their effort to provide Americans with comprehensive patient protections. Provisions of significance to our organization include an independent review process for determination of medical necessity, the ability of people with special health care needs and chronic conditions to continue to access their doctors, such as a person who had a rheumatoid arthritis being able to continue to see their rheumatoid arthritis doctor.''

We have an endorsement from the American Counseling Association: ''H.R. 2723 provides a wide array of consumer protections, including key components for mental health providers and their clients.''

I have an endorsement from the American Academy of Ophthalmology. I am so proud of the provider groups who have given endorsements for this bill, because this bill is a patient protection bill. It is not a provider bill. There are issues that separate some of these groups. Not all of these groups see eye to eye on health care policy.

Here is an example. We have an endorsement by the American Academy of Ophthalmology and an endorsement by the Opticians Association. Sometimes these groups have policy disagreements, but on this issue they are in 100 percent agreement that patients need protection, basic protection, commonsense protection, from HMO abuses.

The opticians say, ''This bill gives basic, commonsense protections to millions of Americans, and it is certainly refreshing to see the bipartisan way it was approached.''

I have a letter of endorsement from the American Podiatric Medical Association, foot doctors, foot specialists. I have the same endorsement from the orthopedic surgeons.

I have an endorsement here from the Association for Oral and Maxillofacial Surgeons. We have an endorsement from the National Organization of Doctors Who Care. They say, ''We strongly support H.R. 2723 because it ensures fairness and accountability in our health care delivery system lacking in the bill that passed the Senate,'' and other legislation that has gone before, and they are referring to a bill that passed this House of Representatives in the last Congress.

They go on and say in their letter, and I think this is important, ''We are

not against managed care. It does have a place. However, we are strongly against managed care plans not towing the line; i.e., not wanting to be held accountable for their medical decisions which adversely affect patient care.''

I have here an endorsement from Physicians for Reproduced Choice in Health Care. This organization is especially pleased that H.R. 2723 would ensure that medical judgments are based solely by health care providers. This is particularly important in that women should have direct access to women specialists.''

We have the National Patient Advocate Foundation endorsing this bill. They go on and say in this endorsement, ''Please note our strong endorsement of the bipartisan consensus Managed Care Improvement Act of 1997, our endorsement for each of the cosponsors of this legislation, and for each member of our United States House of Representatives who has contributed to this debate and to this resulting legislation in the last 3 years.''

They say, ''As one whose companion organization, the Patient Advocate Foundation, served over 6,000 patients last year who confronted insurance denials, of which more than 50 percent involved employer plans, our cases reflect an urgent need for a timely resolution and remedy for ERISA enrollees.''

Then we have an endorsement from the Patient Access Coalition. This includes a lot of groups. I cannot name all 128 of the groups under this umbrella organization, but I want to just go through some of them, because this organization encompasses a lot of patient advocacy groups, groups that work for patients, for instance, that have multiple sclerosis or arthritis.

Some of these organizations are the Digestive Disease National Coalition, the Epilepsy Foundation. Remember, these organizations which I am reading are endorsing organizations for H.R. 2723.

There is the Guillain-Barre Foundation, the Huntington's Disease Society of America, the Infectious Disease Society of America, the Lupus Foundation, the National Committee to Preserve Social Security and Medicare, the National Hemophilia Foundation, the National Multiple Sclerosis Society, the National Psoriasis Foundation, the Paget Foundation for Paget's Disease, the Pain Care Coalition, the Patient Advocates for Skin Disease Research, Scoliosis Research Society, the Society for Excellence in Eye Care, United Ostomy Association. The American Heart Association is an endorsing organization. The American Liver Association is, the American Lung Association. These are all organizations that have endorsed the bipartisan Managed Care Reform Act.

Continuing, there is the Amputee Coalition of America, the Arthritis Foundation, the Asthma and Allergy Foundation, the Cooley's Anemia Foundation, the Crohn's and Colitis Foundation, the American Diabetes Association.

□ 2130

These are just a few of the 128 organizations in this one umbrella organization that has endorsed the Bipartisan Consensus Managed Care Reform Bill.

Why are these patient advocacy groups endorsing this bill? One of the main things that they are interested in, the American Cancer Society, the American Heart Association, the American Lung Association, the American Liver Association is because there is a provision in this bill that says, if a patient is getting standard treatment, and it is not working, the patient is out of luck, that that patient should be able to qualify for an experimental study; that the HMO would not incur the cost of the special treatment in that study, but that the HMO should be liable for standard care.

I am going to give my colleagues a personal example. Over the August recess, my father was in the hospital for 3 weeks with congestive heart failure. He had to receive intravenous medication in order to keep his heart pumping strong enough so that his kidneys would work. He could not get out of the hospital. Well, an HMO could have said, ''Well, his time is up. We are not going to authorize any payments for any treatment related to a clinical trial.''

Fortunately, my dad is not in an HMO like most Americans are, so he was able to qualify for an experimental study in which a special type of cardiac pace maker was inserted into both sides of his heart which, when it was turned on, gave his heart enough boost so that, within about 24 hours, he made a remarkable recovery; and he is now out of the hospital, and he is walking in the malls.

A lot of HMOs would say, ''Well, that is experimental treatment. We are not going to even cover the cost of the hospital room.'' But our bill says that, if a patient has no other options, then the HMO has to pick up routine costs, not the costs of the device or the medicine, but the ancillary things like the cost of the hospitalization or the cost of the blood work. That is fair and reasonable. But HMOs, they look at the bottom line.

I had a pediatrician once who worked just outside of Washington come into my office. She is now working in the National Institutes of Health. She had managed a pediatric intensive care unit.

I said, ''Why did you decide to go back into academic medicine?'' She said, ''I just could not put up with the HMO bureaucracies anymore. Let me give you an example. A few years ago, we had a little boy come into our intensive care unit. He had drowned. He was still alive, but he was a victim of drowning. We had him on the ventilator. We had the IVs running. We were giving him special medication. And the doctors and the parents and the family were standing around the bed praying for signs of life. He had only been in the hospital like 4 hours, and the phone rings in the ICU, and it is some bureaucrat in an HMO saying, 'Well, how is this little boy doing?' 'Well, he is on the ventilator. Chances, you know, are he is not going to do too good.' Well, the answer came over the telephone, 'If he is on the ventilator and his prognosis is poor, why do you not just send him home on a ventilator?' ''

Now think about that for a minute. One is a mom and dad, and one's little boy is drowned. He is now in the hospital. He has been there a few hours. People are fighting to save his life, and an HMO bureaucrat is saying, well, his prognosis is not good just send him home. Our bill would prevent that type of abuse.

Here we have another letter of endorsement from the Paralysis Society of America. They represent 20,000 people with spinal cord injury and disease. This letter says, ''Particular attention is given to those portions of the legislation covering freedom of choice, specialists, and clinical trials.'' Very important issue for them.

Here I have a letter of endorsement from the American Cancer Society, and it is a good letter. I would like to read all of it for my colleagues, but I do not have the time. ''On behalf of the American Cancer Society and its 2 million volunteers, 2 million volunteers, I commend you for sponsoring H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999. More than 140 million insured Americans are in some kind of managed care. This includes many of the approximately 1.23 million people diagnosed with cancer each year. In addition, the National Cancer Institute estimates that 8 million Americans today have a history of cancer. Your legislation adequately addresses our concerns in a way that will help individuals affected or potentially affected by cancer be assured access to the care that they need.'' That is their endorsement.

Here I have an endorsement from the National Association of Mental Illness. ''On behalf of the 208,000 members and 1,200 affiliates for the National Alliance of the Mentally Ill, I am writing to express our support for your legislation, the Bipartisan Consensus Managed Care Improvement Act.'' ''This protection,'' this letter says, ''is critically important for people with serious brain disorders such as schizophrenia and manic-depressive illness who depend on newer medications as their best hope for recovery.''

Here I have a letter of endorsement from the American Federation of

Teachers. This is from Charlotte Fraas, Director of Federal Legislation. ''I am writing on behalf of over 1 million members of the American Federation of Teachers to urge you to support H.R. 2723, the Bipartisan Consensus Managed Care Empowerment Act of 1999. The AFT is proud to represent over 53,000 health care professionals who know such protections for patient advocacy are essential for quality health care.''

I have a letter of endorsement from the Service Employees International Union. ''On behalf of the 1.3 million members of Service Employees International Union, I am writing in support of the Bipartisan Consensus Managed Care Improvement Act of 1999, H.R. 2723.

''As a union representing over 600,000 frontline health care workers, we know how important it is to protect health care workers who speak out against patient care deficiencies. Employers should be prohibited from firing or retaliating against such workers if we are going to encourage health professionals to report patient care problems.''

I mean, do my colleagues want their nurse or their health care professional gagged? This bill will help prevent that.

Here I have a letter of endorsement from the American Federation of State, County and Municipal Employees, AFSCME. ''On behalf of the 1.3 million members'' we thank you for your leadership on the Bipartisan Consensus Managed Care Improvement Act. They are endorsing this bill.

I have a letter here of endorsement from the Center from Patient Advocacy. ''Since our founding in 1995, the Center for Patient Advocacy has been a leading supporter of strong enforceable managed care reform legislation. Every day we work with patients across the country who have experienced problems with managed care. We know firsthand the barriers to care that patients face, including limits on access to and coverage for specialty care, emergency room care, arbitrary medical decisions based on cost rather than a patient's specific medical need and the lack of a timely independent and fair appeals process. Most alarming, however, is that managed care plans, not patients and their doctors, continue to make medical decisions without being held accountable for their decisions that harm patients.''

I have here a letter of endorsement from the Friends Committee on National Legislation. This is a Quaker lobby in the public interest. This letter from Florence Kimball says, ''I am writing on behalf of the Friends Committee on National Legislation to express our strong support for the Bipartisan Consensus Managed Care Improvement Act of 1999.

''The Friends Committee on National Legislation supports a health care system whose primary goal is improving health in the population. In recent years, managed care has taken over as a dominant health care delivery system. Managed care organizations are under strong pressure to keep costs down. They operate on a for-profit basis. We are sensitive to the economic issues in health care, but we believe that reform and regulation are necessary in order to ensure that managed care organizations hold the interests of patients as their prime focus.'' I would add to that not, necessarily the bottom line.

I have here a letter of endorsement from the United Church of Christ. This is a letter to the gentleman from Georgia (Mr. NORWOOD). ''I am writing to thank you for your leadership in sponsoring the Bipartisan Consensus Managed Care Improvement Act of 1999.

''The United Church of Christ, Office for Church in Society, endorses the bill as written.'' This is important, and I appreciate Dr. Pat Conover's letter here from the United Church of Christ. He says that, ''In the event that the bill is weakened, or if 'poison pill' amendments are added, such as Medical Savings Accounts, it is likely that we would then oppose the bill.''

This speaks to the fact that we need to pass a clean patient protection bill, not something that has untried ideas such as Healthmarts or association health plan extensions of Federal law that would enable more people to escape quality oversight by their State insurance commissioners.

I think that we could add, for instance, a provision to this bill that would improve the tax status for purchasing one's insurance. I think we could get bipartisan support for that. But if we start adding a lot of extraneous items, then I think we weaken the bill.

I have here a letter of endorsement from Network. This is a National Catholic Social Justice lobby. It is a letter to the gentleman from Georgia (Mr. NORWOOD). ''A National Catholic Social Justice Lobby supports the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723). Having participated in the lobbying for patient protections over the past 2 years, Network applauds your efforts and those of Representative Dingell'' and myself ''and the cadre of Republican physicians in facing down the serious opposition from the House GOP leadership. You have stood firm against this and other daunting forces mobilized against you. We commend you for your efforts.''

Network affirms the Catholic social teaching and the UN Declaration of Human Rights that health care is a basic right. We support H.R. 2723, and we wish you luck.

I have here a letter of endorsement from the National Partnership for Women and Families. This is from the letter: ''For women and families, few issues resonate as profoundly and pervasively as the need for quality health care. Survey after survey shows Americans' growing dissatisfaction with the current health care system. Many feel the system is in crisis. We need common-sense patient protections to restore consumer confidence and tip the balance back in favor of patients and the health care providers they rely on.''

That is an endorsement by the National Partnership, and I want to build on that statement. None of us who are sponsoring this organization want to see the demise of HMOs. Some HMOs are providing good care for their families. I think people ought to have a choice. It may be that an HMO is a good choice for that family. But because of this past Federal law that was past 25 years ago, really for pensions but then expanded into health plans, we have a situation where the regulatory oversight was taken away from the States, and nothing was put in its place at the Federal level. This has enabled a few bad actors to do some truly horrible things to their patients like the decision that cost little Jimmy Adams his hands and his feet, for instance.

So I think that, actually, contrary to what the HMO lobby says about this legislation, I see this legislation as improving patients' choices. People will feel more comfortable with a managed care company knowing that there are some guidelines that apply to it and that that managed care company cannot just arbitrarily deny them the kind of care that they deserve.

I have here a letter of endorsement from the National Association of School Psychologists. ''The National Association of School Psychologists is an organization that represents 21,500 psychologists. If H.R. 2327 is passed, this provision will have an important positive impact on health care provided to adults with severe mental health illness, children with serious emotional disturbances, and other people with significant mental disorders who are increasingly being served in managed care settings.''

Here is a letter of endorsement from the organization Alliance for Children and Families. The Alliance and International Nonprofit Association representing child and family serving organizations supports this important legislation. Alliance members serve more than 5 million individual each year in more than 2,000 communities. We support your bill because it includes needed patient protections, strong reforms in managed care, and due process protections.

□ 2145

I have here a letter of endorsement from an organization called Patients Who Care. This letter says: ''We support the Bipartisan Consensus Managed

Care Improvement Act of 1999. We strongly feel it ensures fairness and accountability. These qualities have been lacking in what the House and Senate have passed in previous legislation.''

I have here a letter of endorsement from Families USA, the Voice for Health Care Consumers: ''Dear Congressman Norwood: Congratulations on the introduction of the Bipartisan Consensus Managed Care Improvement Act. We are well aware of the efforts you and others have made to make this bill a reality. As you know, the American public is losing faith in our health care delivery system. Managed care companies that began with a promise of providing high quality care at an affordable price are not always delivering on that promise. Unfortunately, this has resulted in consumers being worried that they will not get the care they need even though they are covered with health insurance.''

And I would add to this letter that everyone here, either through deductions in their salary or just out-of-pocket, is paying a lot of money to those HMOs. Now, that is fine as long as we and our family members stay healthy. But what happens if we become sick? We may have an experience like Helen Hunt did in the movie ''As Good As It Gets'', where she describes to a physician the abysmal care an HMO has given to her son with asthma. I cannot repeat on the floor the words she used, but those who have seen the movie can remember that line very well because it got a standing ovation from most of the audience.

I have here a letter from the National Black Women's Health Project: ''We are strong supporters of your legislation. It offers significant protections for all Americans. Of great import is the improvement of patient access to medical treatment and therapies, including clinical trials, and this is highly significant for women of color.''

I have here an endorsement of our bill from the American Association of University Women. They say in this letter: ''H.R. 2723 is particularly important to women because it ensures that women have direct access to OB–GYN services. It ensures that pregnant women can continue to see the same health care provider throughout their pregnancy if their provider leaves the plan. It ensures access to specialists when appropriate, specialists outside a network's plan. It ensures access to clinical trials for new treatment options that may save women's lives.''

I have here a letter of endorsement from the National Breast Cancer Coalition: ''On behalf of the National Breast Cancer Coalition and the 2.6 million women living with breast cancer, I am writing to thank you for your leadership in offering H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999.'' This was sent to the gentleman from Georgia (Mr. NORWOOD) and the gentleman from Michigan (Mr. DINGELL). ''The National Breast Cancer Coalition is a grass roots advocacy organization made up of more than 500 member organizations and 60,000 individual members dedicated to the eradication of breast cancer through advocacy and action. One of our top concerns has been access to clinical trials, and your bill has that in it.''

I have here a letter of endorsement from the American Lung Association: ''Health consumers deserve quality health insurance. Far too often we hear of cases where health insurers have obstructed or denied insured patients the care they need. Your legislation will help end many of the abuses.''

Well, Mr. Speaker, I have gone through just some of the letters of endorsement that I have received and others have received in endorsing H.R. 2723, the bipartisan patient protection legislation. But the hour is getting late. We have another speaker who has come to do a special order, so I will just close with this comment to my colleagues on both sides of the aisle.

It is now September. The Speaker of the House, the gentleman from Illinois (Mr. HASTERT), indicated back in July that we would see a full and fair debate on this floor in July. It did not happen. We have had our August recess. The Speaker has said now that he expects we will see a full managed care debate on this floor in September. Those are the words of the Speaker of the House. I think we should hold the Speaker to his promise.

This is an important issue. There are lots of patients out there at this very moment that may not be getting the type of treatment that they need to save their lives because we have not passed this legislation. Mr. Speaker, I call on my colleagues on both sides of the aisle to support a bipartisan bill that can be signed into law; that can go a long ways towards correcting the abuses we hear about from our constituents.

Mr. Speaker, I include for the RECORD the letters and other documents I referred to earlier.

GROUPS ENDORSING H.R. 2723, THE BIPARTISAN CONSENSUS MANAGED CARE IMPROVEMENT ACT OF 1999

1. Alexandria Graham Bell Association for The Deaf, Inc.
2. Allergy and Asthma Network-Mothers of Asthmatics, Inc.
3. Alliance for Children & Families
4. American Academy of Allergy and Immunology
5. American Academy of Child & Adolescent Psychiatry
6. American Academy of Facial Plastic and Reconstructive Surgery
7. American Academy of Family Physicians
8. American Academy of Neurology
9. American Academy of Ophthalmology
10. American Academy of Otolaryngology-Head and Neck Surgery
11. American Academy of Pain Medicine
12. American Academy of Pediatrics
13. American Academy of Physical Medicine & Rehabilitation
14. American Association for Hand Surgery
15. American Association for Holistic Health
16. American Association for Marriage and Family Therapy
17. American Association for the Study of Headache
18. American Association of Clinical Endocrinologists
19. American Association of Clinical Urologists
20. American Association of Hip and Knee Surgeons
21. American Association of Neurological Surgeons
22. American Association of Oral and Maxillofacial Surgeons
23. American Association of Orthopaedic Foot and Ankle Surgeons
24. American Association of Orthopaedic Surgeons
25. American Association of Private Practice Psychiatrists
26. American Association of University Women
27. American Cancer Society
28. American College of Allergy and Immunology
29. American College of Cardiology
30. American College of Foot and Ankle Surgeons
31. American College of Gastroenterology
32. American College of Nuclear Physicians
33. American College of Obstetricians and Gynecologists
34. American College of Osteopathic Surgeons
35. American College of Physicians-American Society of Internal Medicine
36. American College of Radiation Oncology
37. American College of Radiology
38. American College of Rheumatology
39. American College of Surgeons
40. American Counseling Association
41. American Dental Association
42. American Diabetes Association
43. American EEG Society
44. American Federation of Teachers
45. American Federation State, County, and Municipal Employees
46. American Gastroentrological Association
47. American Heart Association
48. American Liver Foundation
49. American Lung Association
50. American Medical Association
51. American Medical Rehabilitation Providers Association
52. American Nurses Association
53. American Occupational Therapy Association
54. American Orthopaedic Society for Sports Medicine
55. American Osteopathic Academy of Orthopedics
56. American Osteopathic Association
57. American Osteopathic Surgeons
58. American Pain Society
59. American Physical Therapy Association
60. American Podiatric Medical Association
61. American Psychiatric Association
62. American Psychological Association
63. American Public Health Association
64. American Society for Dermatologic Surgery
65. American Society for Gastrointestinal Endoscopy
66. American Society for Surgery of the Hand

67. American Society for Therapeutic Radiology and Oncology
68. American Society of Anesthesiology
69. American Society of Cataract and Refractive Surgery
70. American Society of Dermatology
71. American Society of Dermatophathology
72. American Society of Echocardiography
73. American Society of Foot and Ankle Surgery
74. American Society of General Surgeons
75. American Society of Hand Therapists
76. American Society of Hemotology
77. American Society of Nephrology
78. American Society of Nuclear Cardiology
79. American Society of Pediatric Nephrology
80. American Society of Plastic and Reconstructive Surgeons, Inc.
81. American Society of Transplant Surgeons
82. American Society of Transplantation
83. American Thoracic Society
84. American Urological Association
85. Amputee Coalition of America
86. Arthritis Foundation
87. Arthroscopy Association of North America
88. Association of American Cancer Institutes
89. Association of Freestanding Radiation Oncology Centers
90. Association of Subspecialty Professors
91. Asthma & Allergy Foundation of America
92. California Access to Specialty Care Coalition
93. California Congress of Dermatological Societies
94. Center for Patient Advocacy
95. Congress of Neurological Surgeons
96. Cooley's Anemia Foundation
97. Crohn's and Colitis Foundation of America
98. Diagenetics
99. Digestive Disease National Coalition
100. Endocrine Society
101. Epilepsy Foundation of America
102. Eye Bank Association of America
103. Families USA
104. Federated Ambulatory Surgery Association
105. Friends Committee on National Legislation
106. Gullain-Barre Syndrome Foundation
107. Huntington's Disease Society of America
108. Infectious Disease Society of America
109. Lupus Foundation of America, Inc.
110. National Alliance for the Mentally Ill
111. National Association for the Advancement of Orthotics and Prosthetics
112. National Association of Medical Directors of Respiratory Care
113. National Association of School Psychologists
114. National Black Women's Health Project
115. National Breast Cancer Coalition
116. National Catholic Social Justice Lobby
117. National Committee to Preserve Social Security and Medicare
118. National Foundation for Ectodermal Dysplasias
119. National Hemophilia Foundation
120. National Multiple Sclerosis Society
121. National Organization of Physicians Who Care
122. National Partnership for Women & Families
123. National Patient Advocate Foundation
124. National Psoriasis Foundation
125. National Rehabilitation Hospital
126. North American Society of Pacing and Electrophysiology
127. Opticians Association of America
128. Oregon Dermatology Society
129. Orthopaedic Trauma Association
130. Outpatient Ophthalmic Surgery Society
131. Paget Foundation for Paget's Disease of Bone and Related Disorders
132. Pain Care Coalition
133. Paralysis Society of America
134. Patient Access Coalition (represents 129 of the groups on this list)
135. Patient Advocates for Skin Disease Research
136. Patients Who Care
137. Pediatric Orthopaedic Society of North America
138. Pediatrix Medical Group: Neonatology and Pediatric Intensive Care Specialist
139. Physicians for Reproductive Choice and Health
140. Physicians Who Care
141. Pituitary Tumor Network
142. Renal Physicians Association
143. Scoliosis Research Society
144. Service Employees International Union
145. Sjogren's Syndrome Foundation Inc.
146. Society for Cardiac Angiography and Interventions
147. Society for Excellence in Eyecare
148. Society for Vascular Surgery
149. Society of Cardiovascular & Interventional Radiology
150. Society of Critical Care Medicine
151. Society of Gynecologic Oncologists
152. Society of Nuclear Medicine
153. Society of Thoracic Surgeons
154. TMJ Associations, Ltd.
155. United Church of Christ
156. United Ostomy Association

MEMBERSHIP LIST OF THE PATIENT ACCESS COALITION

Allergy and Asthma Network—Mothers of Asthmatics, Inc.
The Alexandria Graham Bell Association for the Deaf, Inc.
American Academy of Allergy and Immunology
American Academy of Child & Adolescent Psychiatry
American Academy of Dermatology
American Academy of Facial Plastic and Reconstructive Surgery
American Academy of Neurology
American Academy of Ophthalmology
American Academy of Orthopaedic Surgeons
American Academy of Otolaryngology—Head and Neck Surgery
American Academy of Pain Medicine
American Academy of Physical Medicine & Rehabilitation
American Association for Hand Surgery
American Association for Holistic Health
American Association for the Study of Headache
American Association of Clinical Endocrinologists
American Association of Clinical Urologists
American Association of Hip and Knee Surgeons
American Association of Neurological Surgeons
American Association of Oral and Maxilofacial Surgeons
American Association of Orthopaedic Foot and Ankle Surgeons
American Association of Private Practice Psychiatrists
American College of Allergy and Immunology
American College of Cardiology
American College of Foot and Ankle Surgeons
American College of Gastroenterology
American College of Nuclear Physicians
American College of Osteopathic Surgeons
American College of Radiation Oncology
American College of Radiology
American College of Rheumatology
American Dental Association
American Diabetes Association
American EEG Society
American Gastroentrological Association
American Heart Association
American Liver Foundation
American Lung Association
American Medical Rehabilitation Providers Association
American Orthopaedic Society for Sports Medicine
American Osteopathic Academy of Orthopedics
American Osteopathic Surgeons
American Pain Society
American Physical Therapy Association
American Podiatric Medical Association
American Psychiatric Association
American Psychological Association
American Sleep Disorders Association
American Society for Dermatologic Surgery
The American Society of Dermatophathology
American Society for Gastrointestinal Endoscopy
American Society for Surgery of the Hand
American Society for Therapeutic Radiology and Oncology
American Society of Anesthesiology
American Society of Cataract and Refractive Surgery
American Society of Clinical Pathologists
American Society of Colon Rectal Surgery
American Society of Dermatology
American Society of Echocardiography
American Society of Foot and Ankle Surgery
American Society of General Surgeons
American Society of Hand Therapists
American Society of Hemotology
American Society of Nephrology
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American Thoracic Society
American Urological Association
Amputee Coalition of America
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Association of American Cancer Institutes
Association of Freestanding Radiation Oncology Centers
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California Access to Specialty Care Coalition
California Congress of Dermatological Societies
College of American Pathologists
Congress of Neurological Surgeons
Cooley's Anemia Foundation
Crohn's and Colitis Foundation of America
Cystic Fibrosis Foundation
Diagenetics
Digestive Disease National Coalition
The Endocrine Society
Epilepsy Foundation of America
Eye Bank Association of America
Federated Ambulatory Surgery Association

Gullain-Barre Syndrome Foundation
Huntington's Disease Society of America
Infectious Disease Society of America
Joint Council of Allergy, Asthma and Immunology
Lupus Foundation of America, Inc.
National Association for the Advancement of Orthotics and Prosthetics
National Association of Epilepsy Centers
National Association of Medical Directors of Respiratory Care
National Committee to Preserve Social Security and Medicare
National Foundation for Ectodermal Dysplasias
National Hemophilia Foundation
National Multiple Sclerosis Society
National Organization of Physicians Who Care
National Osteoporosis Foundation
National Psoriasis Foundation
National Rehabilitation Hospital
National Right to Life Committee
North American Society of Pacing and Electrophysiology
Oregon Dermatology Society
Orthopaedic Trauma Association
Outpatient Ophthalmic Surgery Society
The Paget Foundation for Paget's Disease of Bone and Related Disorders
Pain Care Coalition
Patient Advocates for Skin Disease Research
Pediatric Orthopaedic Society of North America
Pediatrix Medical Group: Neonatology and Pediatric Intensive Care Specialist
Pituitary Tumor Network
Renal Physicians Association
Scoliosis Research Society
Sjogren's Syndrome Foundation Inc.
The Society for Cardiac Angiography and Interventions
Society for Excellence in Eyecare
Society for Vascular Surgery
Society of Cardiovascular & Interventional Radiology
Society of Critical Care Medicine
Society of Gynecologic Oncologists
Society of Nuclear Medicine
Society of Surgical Oncology
Society of Thoracic Surgeons
The TMJ Associations, Ltd.
United Ostomy Association

ANA ENDORSES BIPARTISAN MANAGED CARE BILL

ANA ENCOURAGES CONGRESS TO CONTINUE WORKING TOGETHER & PASS BIPARTISAN BILL

WASHINGTON, DC.—The American Nurses Association (ANA) today applauded the introduction of a bipartisan consensus bill that would reform managed care. The bill, H.R. 2723, ''The Bipartisan Consensus Patient Protection Bill of 1999,'' was introduced on August 8, 1999, by Rep. Charlie Norwood (R–GA). Rep. John Dingell (D–MI) is the lead co-sponsor.

''The American Nurses Association is pleased to endorse this bill and encouraged by the cooperation and compromises made to achieve real progress on managed care reform,'' said ANA President Beverly L. Malone, PhD, RN, FAAN. ''It is heartening to see Congress working together to solve problems—this is how Congress should be working.''

ANA has been a strong supporter of managed care reform legislation and believes every individual should have access to health care services along the full continuum of care and be an empowered partner in making health care decisions. Given the nursing profession's preeminent role in patient advocacy, ANA is particularly heartened by the steps proposed to protect registered nurses (RNs) and other health care professionals from retaliation when they advocate for their patients' health and safety.

''As the nation's foremost patient advocates, RNs need to be able to speak up about inappropriate or inadequate care that would harm their patients,'' said Malone. ''Nurses at the bedside know exactly what happens when care is denied, comes too late or is so inadequate that it leads to inexcusable suffering, which is why we need to maintain strong whistleblower protection language in this bill. Nurses want to see strong, comprehensive patient protection legislation enacted this year.''

AMERICAN MEDICAL ASSOCIATION,
Chicago, IL, August 30, 1999.

Hon. CHARLIE NORWOOD,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN NORWOOD: The 300,000 physician and student members of the American Medical Association (AMA) strongly urge the House of Representatives to begin debate on and pass meaningful patient protection legislation.

The AMA has endorsed H.R. 2723, the ''Bipartisan Consensus Managed Care Improvement Act of 1999,'' introduced by Representatives Charles Norwood and John Dingell, which would guarantee meaningful protections to all patients and enjoys broad bipartisan support. The AMA also continues to work with Representatives Tom Coburn and John Shadegg, who are in the process of drafting patient protection legislation. Whichever bill becomes the vehicle for reform, it must include the following key provisions, embodied in H.R. 2723, that ensure genuine patient protections.

External Appeals

All patients must be guaranteed access to an external appeals process whenever a denial of benefits involves medical judgment or concerns medical necessity. All patients deserve access to an independent external review entity if they have been improperly denied a covered medical benefit. External reviewers must also be independent from the health plan or issuer. For the external appeals system to work in a fair and unbiased manner, external reviewers must not have a conflict of interest with the plan or issuer. In addition, treatment decisions or recommendations made by physicians must be reviewed only by actively practicing physicians (MDs/DOs) of the same or similar specialty. External reviewers must be properly qualified to ensure a meaningful external review process.

External reviews must be conducted on a timely basis, not to exceed specified time periods, with shorter periods applicable under exigent circumstances. Plans and issuers cannot be permitted to intentionally delay an appeals process—or ''slow-walk'' enrollees who are seeking benefits to which they are entitled. The external reviewers' decisions must also be binding on the plans and issuers. Unless external review entities' decisions are binding, any right to an external review would be worthless for the patient.

Medical Necessity

Truly independent external reviewers must decide ''medical necessity'' according to generally accepted standards of medical practice. External appeal entities, when making ''medical necessity'' determinations, should not be bound by arbitrary health plan definitions. In addition, ''medical necessity'' determinations and other decisions involving medical judgment must be made by physicians (MDs/DOs) who are independent from the plans and issuers.

Accountability

All patients, even those covered by ERISA plans, should have the right to seek legal recourse against managed care plans when the plan's negligent medical decisions result in death or injury. Health plans must be held accountable for their decisions. Employers who do not make medical treatment decisions should not be held liable.

Point Of Service

All patients must have the opportunity to choose, at their own expense, an option that allows them to seek care from outside the network of health care professionals chosen by their employers. If an employer selects a small, closed-panel HMO for its employees, the employees should be able to obtain medical treatment from a physician outside the panel and bear any additional costs.

Emergency Services

A ''prudent layperson standard'' must be the basis for determining when emergency medical services are appropriate and require coverage by a plan. Establishing this as a standard is not only fair, but essential for protecting patients. For instance, a patient who is suffering severe chest pain and honestly believes he or she is having a heart attack should be able to go to the nearest emergency room and be covered for treatment received.

Prohibition On Gag Clauses

Health plans and insurance issuers must be prohibited from including gag clauses within their contracts with physicians. Gag clauses seek to prevent physicians from discussing with their patients plan or treatment options or disclosing financial incentives that may affect the patient's treatment. These clauses strike at the heart of the patient-physician relationship and can create real conflicts between patients and their physicians.

Information Disclosure

Group health plans and health insurance issuers must be required to provide enrollees with important and basic information about their medical coverage. Plans and issuers should identify the benefits offered—including covered benefits, benefit limits, coverage exclusions, prior authorization rules, appeals procedures, and other basic information. Patients deserve to know exactly what they are paying for.

In conclusion, the AMA appreciates the bipartisan efforts by House members to introduce legislation that would promote fairness in managed care. We urge you to support legislation containing these essential protections for all patients and to request prompt floor action on managed care reform legislation in September.

Respectfully,
E. RATCLIFFE ANDERSON, Jr., MD.

AMERICAN ACADEMY OF FAMILY PHYSICIANS,
Kansas City, MO, Sept. 7, 1999.

HEALTH CARE STEPS TAKEN

PATIENT CARE REMAINS PRIORITY

WASHINGTON, D.C.—The 88,000-member American Academy of Family Physicians (AAFP) today announced its support for two major managed care reform bills that are likely to be considered by the U.S. House of Representatives this fall: H.R. 2723, The Bipartisan Consensus Managed Care Improvement Act of 1999, introduced by Representatives Charles Norwood (R–GA) and John D.

Dingell (D–MI); and for Health Care Quality and Choice Act of 1999, to be introduced by Representatives Tom Coburn (R–OK) and John Shadegg (R–AZ) when Congress reconvenes in September.

''Both bills go a long way to address the patient protections that are needed in today's health care system,'' said Lanny R. Copeland, M.D., president of the AAFP. ''We are very appreciative of the work of the authors of these two bills and of their willingness to listen to our concerns.''

Both bills contain provisions that will allow patients to get the best healthcare and physicians to provide it:

All plans: Patient protections apply to all health plans, not just ERISA plans.

Gag clauses: Both bills would prohibit contract provisions between physicians and health plans that restrict or prevent medical communication between physicians and their patients.

Patient advocacy: Both bills contain some protections for physicians who advocate on behalf of a patient within a health plan or before an external review panel.

External review: Both bills would establish external review mechanisms independent of health plans.

Medical necessity: Such external review processes would not be bound by the health plans' definition of medical necessity.

Liability: Both bills permit patients to sue in state court.

Women's health care: The Coburn/Shadegg legislation would include family physicians among those designated as qualified women's health providers. H.R. 2723 would not preclude patients from going to family physicians for their women's health needs.

Children's health care: The Coburn/Shadegg legislation includes family physicians among those designated as qualified primary care physicians for children H.R. 2723 would not preclude patients from going to family physicians for their children's health needs.

''These legislators are being responsive to patients and to the public good,'' said Copeland. ''We urge the House of Representatives to expeditiously pass legislation reflecting these principles.''

PATIENT ACCESS COALITION,
Bethesda, MD, August 16, 1999.

Hon. GREG GANSKE,
U.S. House of Representatives, Washington, DC.

DEAR REP. GANSKE: On behalf of the 130 patient advocacy and provider organizations that comprise the Patient Access Coalition, we deeply appreciate and acknowledge your demonstrated commitment to moving strong and meaningful patient protection legislation to the House floor for consideration this year. Your support of this issue has unquestionably sparked a new level of dedication and enthusiasm amongst your colleagues for making patient protections a top legislative priority when the House reconvenes in September.

Because the health of millions of Americans is dependent upon the care provided by managed care plans, the issue of patient protections is one of national importance and urgency. It is clear that the only way to achieve passage of strong patient protection legislation this year is with the bipartisan support of Congress, and we are pleased that you are working toward that end.

The Patient Access Coalition has been working tirelessly for the past six years, in a bipartisan manner, to guarantee basic federal protections for all patients who are enrolled in managed health care plans. We believe there is now a very strong consensus in the country and in Congress to do so, and our commitment to reach that goal remains stronger than ever.

We look forward to working with you and other members of Congress to ensure that meaningful patient protection legislation is enacted into law this year.

Sincerely,

NANCEY MCCANN,
Co-Chair.
CAMILLE S. SOROSIAK,
Co-Chair.

NETWORK, A NATIONAL CATHOLIC SOCIAL JUSTICE LOBBY,
Washington, DC.

Hon. CHARLES NORWOOD,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE NORWOOD: NETWORK, A National Catholic Social Justice Lobby supports the Bipartisan Consensus Managed Care Improvement Act of 1999 (HR 2723). Having participated in the lobbying for patient protections over the past two years, NETWORK applauds your efforts and those of Reps. Dingell (D–MI), Ganske (R–IA), and the cadre of Republican physicians in facing down the serious opposition from the House GOP Leadership. You have stood firm against this and the other daunting forces mobilized against you. We also commend those who bolstered your efforts.

NETWORK will lobby in support of HR 2723, hoping that the bill will be strengthened in the process. Our membership nationally has already been alerted. But we wish to stress, Representative Norwood, that NETWORK believes that the long journey toward HR 2723, and hopefully its passge, further underscores the need for a national dialogue on health care.

The prolonged debate which began with the President's Commission on Patients' Protections, the subsequent introduction of patients' protection legislation and the militancy and funding of those who championed opposition to strong protections are proof positive of the dangers we face as a nation in the commercialization of health care.

When HMO's/insurance companies and pharmaceuticals begin to shift priorities from the rights of the patient to the success of the stockholder, we have entered a dangerous zone in human rights. The situation calls for a national ethical moral debate on what constitutes an authentic health care system.

NETWORK affirms the tenet of Catholic social teaching and the U.N. Declaration of Human Rights that health care is a basic human right and that the government has an obligation to protect that right out of responsibility for the common good. Consequently, we have supported past initiatives to protect that right through legislation which would provide for all citizens access to affordable quality health care.

That those initiatives have failed is a travesty of justice, leaving us the only industrialized nation in the world without a guarantee of health care for all its citizens.

Sadly, at this point, the nation's non-system is hopelessly fragmented while the number of uninsured grows daily. As the need for patients' protections indicates, even those privately insured under a variety and complexity of health care plans—the details of which often elude them—are not guaranteed necessary, timely and quality health care.

Therefore, as we support HR 2723, we urge you to use the lessons of these two years as a launching pad toward universal access to quality, affordable health care. Universal access to affordable quality health care will be for NETWORK and many of our allies a critical election issue.

Sincerely,

KATHY THORTON, RSM,
National Coordinator.
CATHERINE PINKERTON, CSJ,
NETWORK Lobbyist.

NATIONAL PATIENT ADVOCATE FOUNDATION,
Newport News, VA, August 19, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of our patient and health care constituents, I write to commend your leadership in bringing a Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723) to the United States House of Representatives. Many members of the House of Representatives have sought to support reform that would improve patient access to care and patient autonomy in decision making with their physicians during their medical experience while assuring patients access to independent, external review and offering plan accountability for decisions made. Each member who has contributed to this debate has achieved success in the form of the Bipartisan Consensus Managed Care Improvement Act of 1999.

The Bipartisan Consensus Managed Care Improvement Act of 1999 reflects an understanding that insurance should not dictate or control health care of Americans rather it should facilitate and finance health care for Americans. Our organization strongly endorses H.R. 2723 citing specifically the following advantages:

The Bill is one of bipartisan consensus and it does reflect the health care matters that have long been debated on both sides of the aisle with resulting legislation that serves patients and medical providers fairly and equitably while supporting our managed care industry through the development of a clearly defined set of critiera that health plans must meet to conform to the federal law as defined in H.R. 2723.

The Bill affords protections to all people with employment-based insurance (including state and local government workers) and people who buy their insurance on their own which we feel affords an equitable opportunity for regulation and enforcement of industry standards for the majority of insured Americans.

The Bill establishes a uniform standard of accountability for health plans who make coverage decisions which is consistent with the level of accountability that exists for every business and industry that provides service to Americans and that becomes legally accountable for poor business practices or judgements that cause harm to our citizens. With 79 percent of our citizens in an ERISA plan that currently offers few venues of remedy for those citizens whose benefits are denied, the Bipartisan Consensus Managed Care Improvement Act of 1999 does offer improved remedy and uniform regulations. As one whose companion organization, the Patient Advocate Foundation served over 6,000 patients last year who confronted insurance denials of which more than 50 percent involved ERISA plans, our cases reflect an urgent need for timely resolution and remedy for ERISA enrollees. This Bill improves the system of clarifying responsibilities, systems of appeal and opportunity for timely remedy. Patients confronting life threatening conditions must have timely, external, independent review and closure to their cases.

The Bill assures that medical judgements are being made by medical experts and their patients.

It is our position that the provisions of this legisation that assure patient access to Clinical Trials, access to prescription drug not on the HMO's predetermined formulary when the treating physican deems the medication as needed for optimum benefit of patient care and the provision that doctors and nurses will not confront retaliation when they report quality problems all combine to assure higher standards of quality care for patients that will enhance disease survival and extend life.

Please note our strong endorsement of the Bipartisan Consensus Managed Care Improvement Act of 1999, our endorsement for each of the co-sponsors of this legislation and for each member of our United States House of Representatives who has contributed to this debate and to this resulting legislaiton over the course of the last three years. It was our recent pleasure to honor both you and Congressman Dingell with our National Health Care Humanitarian Award July 22, 1999 in Washington. Certainly the leadership that you both exhibit in the development, sponsorship and negotiation of this bill as you seek to position it on the floor of the House for debate is consistent with our evalution of each of you as recipients of our award. Thank you for your noble leadership in addressing the matters embodied in this Managed Care Improvement Act. We encourage House Speaker Dennis Hastert to place this Bill on the floor of the House for debate and to allow your peers in the House of Representatives to vote their conscience in support of H.R. 273.

Respectfully submitted:

NANEY DAVENPORT-ENNIS,
Founding Executive Director.

AMERICAN COLLEGE OF SURGEONS,
Washington, DC, August 31, 1999.

Hon. CHARLIE NORWOOD,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of the 62,000 Fellows of the American College of Surgeons, I am pleased to offer the College's endorsement of Bipartisan Consensus Managed Care Improvement Act of 1999, H.R. 2723. This legislation encompasses all of the provisions that the College believes are critical to ensuring that all privately insured patients have access to the most appropriate medical care. This legislation stands in stark contrast to the inadequate managed care reform legislation that the Senate passed in July.

The College believes that all patients should have timely access to appropriate specialty care. Patients should not be forced by their health plan to endure unnecessary delays in accessing specialty care nor should they be forced to receive care from a specialist who does not have the appropriate training and experience to treat their condition. We are pleased to note that H.R. 2723 requires health plans to allow patients to have timely access to specialty care and to go out-of-network for specialty care at no additional cost if an appropriate specialist is not available within the plan.

Once a patient is able to see an appropriate specialist, health plans are frequently restricting the patient's care by unilaterally determining the most appropriate medical treatment. This determination often is contrary to the advice of the patient's treating physician. It is also often formulated on the basis of cost rather than the patient's best interest. H.R. 2723 would protect patients by requiring health plans to offer their enrollees an opportunity for independent external review of their case. The external reviewer would then produce a binding determination. The College further commends you for including a requirement that the independent external entity determine the appropriate treatment by considering the recommendations of the treating physician along with other reasonable evidence and to do so without being bound to the health plan's definition of medical necessity.

Another issue of deep concern to our Fellows is that surgeons and other physicians being forced to bear all of the liability involved in providing health care services when health plans are often restricting the services they can provide and the setting in which the care can be provided. If health plans continue to make medical determinations, then they should be held liable to at least the same degree as the treating physician. We are pleased to note that H.R. 2723 would allow patients to hold health plans liable when the plan's decisions cause personal injury or death. Additionally, the College agrees that it is reasonable to prohibit enrollees from suing their health plan for punitive damages if the health plan abides by the decision of the independent external review entity.

All of these provisions, along with the numerous other provisions included in H.R. 2723, address critical patient needs in our nation's changing health care system. Once again, the College is pleased to offer its support for the Bipartisan Managed Care Improvement Act of 1999 and we look forward to working with you, the Republican and Democratic leadership, and, in fact, all the Members of the House of Representatives to ensure that comprehensive managed care reform legislation is enacted this year.

Sincerely,

GEORGE F. SHELDON, MD, FACS,
President.

OFFICE FOR CHURCH IN SOCIETY
UNITED CHURCH OF CHRIST,
WASHINGTON, DC, AUGUST 10, 1999.

Hon. CHARLIE NORWOOD,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE NORWOOD: I am writing to thank you for your leadership in sponsoring the Bipartisan Consensus Managed Care Improvement Act of 1999.

The United Church of Christ, Office for Church in Society, endorses the bill as written.

In the event that the bill is weakened, or if ''poison pill'' amendments are added, such as Medical Savings Accounts it is likely that we would then oppose the bill.

Thanks again for your effort to help protect patients from inappropriate denial of care and to make sure that the services promised in managed care contracts will be fully available from competent health professionals.

Sincerely,

REV. DR. PAT CONOVER,
Policy Advocate.

AMERICAN COLLEGE OF PHYSICIANS,
AMERICAN SOCIETY OF INTERNAL MEDICINE,
Washington, DC, August 12, 1999.

Hon. CHARLES NORWOOD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: The American College of Physicians-American Society of Internal Medicine (ACP–ASIM) is the largest medical specialty society in the country, representing 115,000 physicians who specialize in internal medicine and medical students. ACP–ASIM is in a unique position to evaluate patient protection legislation as our members represent the full range of internal medicine practitioners. We believe that any patient protection legislation must be comprehensive and provide patients with the necessary basic rights and protections they need.

ACP–ASIM believes that any effective patient protection legislation must:

Apply to all insured Americans, not just those in ERISA plans.

Require that physicians, rather than health plans, make determinations regarding the medical necessity and appropriateness of treatments. ACP–ASIM supports language that defines medical necessity in terms of generally accepted principles of professional medical practice, as supported by evidence on the effectiveness of different treatments when available.

Provide enrollees with timely access to a review process with an opportunity for independent review by an independent physician when a service is denied.

Offer all enrollees in managed care plans a point-of-service option that will enable them to obtain care from physicians outside the health plan's network of participating health professionals, and

Hold all health plans, including those exempt from state regulation under ERISA, accountable in a court of law for medical decisions that result in death or injury to a patient.

In addition to these protections, we also believe that it is important to address the need to ensure access to affordable health insurance coverage for all Americans. Patient protections are meaningless if patients lack health insurance coverage. ACP–ASIM calls on the Congress to guarantee the most basic right of all Americans—the right to insurance coverage—by crafting legislative solutions that will reduce, with a goal of eventually eliminating, the growing numbers of uninsured citizens.

As the U.S. House of Representatives considers this legislation, ACP–ASIM encourages the continuation of a bipartisan approach. We thank you for sponsoring the Bipartisan Consensus Managed Care Improvement Act, H.R. 2723, containing the key elements needed for effective patient protection and demonstrating the bipartisan support for such legislation in the House. ACP–ASIM looks forward to the consideration of a comprehensive bill on the floor of the House in September that will be fully capable of providing Americans in managed care and other health plans with needed protections. We stand ready to assist in this effort.

Sincerely,

ALAN R. NELSON, MD, FACP,
Associate Executive Vice President.

AMERICAN ACADEMY OF PEDIATRICS,
Washington, DC, August 9, 1999.

Hon. CHARLIE NORWOOD,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN NORWOOD: On behalf of the 55,000 general pediatrician, pediatric medical subspecialist, and pediatric surgical specialist members of the American Academy of Pediatrics, I am writing to express our strong support of your recently introduced legislation, the Bipartisan Consensus Managed Care Improvement Act of 1999 (HR 2723). We look forward to working with you and other members of Congress to ensure that strong patient protection legislation becomes law this year.

We are especially pleased that your legislation recognizes the unique need of children and addresses them appropriately. Children are not little adults. Their care should be provided by physicians who are appropriately educated in the unique physical and developmental issues surrounding the care of infants, children, adolescents and young adults. You clearly recognize this and have included access to appropriate pediatric specialists, as well as other important protections for children, as key provisions of your legislation.

Thank you for your efforts and we look forward to working with you to enact strong patient protection legislation. Please do not hesitate to contact me or Graham Henson of our Washington office if we can be of assistance.

Sincerely,

JOEL J. ALPERT, MD, FAAP,
President.

AMERICAN PSYCHOLOGICAL ASSOCIATION,
Washington, DC, August 10, 1999.

Hon. CHARLIE NORWOOD,
House of Representatives,
Washington, DC.

DEAR DR. NORWOOD: On behalf of the 159,000 members and affiliates of the American Psychological Association (APA), I am writing to express our strong support for the bipartisan Consensus Managed Care Improvement Act (H.R. 2723), which you have introduced with Representative John D. Dingell.

Broad bipartisan support for this new legislation represents a major breakthrough on behalf of patients' rights. You bill covers all persons with private insurance and includes much needed patient protections, strong reforms of the managed care industry and due process protections for providers. APA is especially grateful that you have continued to champion our top legislative priority, removing the ERISA shield from health plan legal accountability. As in your previous bills that APA has endorsed since 1996, H.R. 2723 permits persons who have been injured by decisions of health plans that delay or deny care to hold them legally accountable. We believe that removal of this special exemption will be a strong incentive for health plans to deliver clinically necessary care, obviating the need for lawsuits.

Improvements to an appeals process without legal accountability clearly would not be sufficient. A new analysis of the Senate-passed bill, S. 1344, shows that the insurance and managed care industry could generate interest income of $280 million for every one percent of claims that are delayed for the full 377 days permitted. This PricewatershouseCoopers analysis helps refocus the debate on the need for incentives to ensure that correct decisions are made by health plans to begin with and that health plans do not abuse an appeals process.

H.R. 2723 also includes the requirements that those in closed panel health plans be offered a point of service plan at the time of enrollment, enabling care outside of a network. The bill reflects a procompetitive provision banning health plans from excluding a class of providers based solely on licensure. Medical necessity decisions would be made by clinical peers in a fair and independent appeals process, moving the system away from some of its worst abuses.

APA appreciates your continued leadership on these vital issues and will continue to work with you to win enactment of comprehensive managed care quality legislation.

Sincerely,

RUSS NEWMAN, Ph.D., J.D.

SERVICE EMPLOYEES INTERNATIONAL UNION,
Washington, DC, August 19, 1999.

Hon. CHARLIE NORWOOD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of the 1.3 million members of the Service Employees International Union, I am writing in support of the Bipartisan Consensus Managed Care Improvement Act of 1999, H.R. 2723.

We are very pleased that a truly comprehensive bipartisan patient protection bill has been introduced. This is a bill that addresses the concerns that many working families have about the failure of managed care plans to ensure access to quality health care and puts medical decisions in the hands of medical experts not insurance company bureaucrats. Unlike the Senate bill, H.R. 2723 would:

Cover all Americans who have private insurance's.

Provide true access to emergency services, specialists, continuity of care, and clinical trials

Provide for an internal and an independent external appeals process that ensures a timely process for consumers for whom health care is denied or withheld

Hold health plans accountable for treatment decisions that result in injury or death.

Additionally, H.R. 2723 includes a vitally important patient advocacy/whistleblower provision. As a union representing over 600,000 frontline health care workers, we know how important it is to protect health care workers who speak out against patient care deficiencies. Employers must be prohibited from firing or retaliating against such workers if we are going to encourage health professionals to report patient care problems.

We commend you and your leadership in putting forward a bill that provides real patient protections. SEIU looks forward to working with you to pass H.R. 2723.

Sincerely,

ANDREW L. STERN,
International President.

THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS
Washington, DC, August 11, 1999.

Hon. CHARLES NORWOOD,
Longworth House Office Building,
5Washington, DC.

DEAR CONGRESSMAN NORWOOD, The American College of Obstetricians and Gynecologists (ACOG) is pleased to offer its support for the Bipartisan Consensus Managed Care Improvement Act of 1999. This legislation would guarantee direct access to ob-gyn care for women enrolled in managed care.

Women need the assurance that they can receive care for their women's health needs from their ob-gyns without the added time, expense, and inconvenience of first having to get permission from their primary care physicians. Your legislation would ensure this fundamental patient protection to all women in managed care plans.

Today, many managed care plans require women—even pregnant women—to get permission slips from their primary care physicians before they can see their ob-gyns. Sixty percent of ob-gyns in managed care plans report that their gynecologic patients are either limited or barred from seeing their ob-gyns without first getting permission from another physician. An astounding 28% report that their pregnant patients must first receive another physician's permission before seeing their ob-gyns. To make matters worse, nearly 75% of ob-gyns report that their patients have to return to their primary care physicians for permission before their ob-gyn can provide necessary follow-up care.

Direct access to ob-gyns for all covered obstetric and gynecological follow-up care, as under your plan, will help to ensure quality health for women, including pregnant women and their infants. Thank you for your leadership and commitment to these vital goals. We look forward to working closely with you as this legislation moves toward enactment.

Sincerely,

RALPH W. HALE, M.D.,
Executive Vice President.

CENTER FOR PATIENT ADVOCACY,
McLean, VA, August 9, 1999.

Hon. CHARLIE NORWOOD,
Longworth House Office Bldg.,
Washington, DC.

DEAR CONGRESSMAN NORWOOD: The Center for Patient Advocacy is pleased to support the ''Bipartisan Consensus Managed Care Improvement Act of 1999.''

Since our founding in 1995, the Center for Patient Advocacy has been a leading supporter of strong, enforceable comprehensive managed care reform legislation. Every day the Center works with patients across the country who have experienced problems with managed care. We know first-hand the barriers to care that patients face, including limits on access to and coverage for speciality care and emergency room care, arbitrary medical decisions based on cost rather than a patient's specific medical needs, and the lack of a timely, independent and fair external appeals process to name a few. Most alarming, however, is that managed care plans—not patients and their doctors—continue to make medical decisions without being held legally accountable for their decisions that harm patients.

The Bipartisan Consensus Managed Care Improvement Act is a common-sense approach that addresses these problems. In this era where the pressure to reduce costs often comes at the expense of the patient, it is not only appropriate, but imperative that Congress act and pass legislation to protect patients from managed care abuses.

We commend your continued leadership in the managed care reform debate and your tireless efforts to secure a strong, enforceable and bipartisan solution to the problems patients across the country are facing. As we have continued to emphasize, patients are not calling on Congress to pass a Republican or Democrat bill. They are calling on Congress to pass bipartisan legislation that will truly provide them with needed protections and empower patients and their physicians with the decisions affecting their health care. And we believe that the Bipartisan Consensus Managed Care Improvement Act will do just that.

Sincerely,

TERRE MCFILLEN-HALL,
Executive Director.

AMERICAN OSTEOPATHIC ASSOCIATION,
Washington, DC, August 27, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN NORWOOD: The American Osteopathic Association (AOA) represents the nation's 43,500 osteopathic physicians. As President, I am pleased to let you know that the AOA endorses your bill, the ''Bipartisan Consensus Managed Care Improvement Act of 1999'' (H.R. 2723).

The AOA advocates, on behalf of patients, for Congress to enact strong, meaningful, and comprehensive protections. After six years of debate and delay, we believe that H.R. 2723 is the bipartisan legislation that will ensure the AOA's long sought principles. These include: physicians allowed to determine medical necessity; health plans held accountable for their actions; a fair and independent appeals process available to patients, and protections which apply to all Americans.

Over the last two decades, managed care has become less interested in delivering quality healthcare to patients. Instead, the focus seems entirely on the bottom line. It is time to bring the focus back to our patients and away from HMO profits. Employers and patients are tired of not receiving the care they are promised, pay for and deserve. H.R. 2723 will help bring the quality back into healthcare and allow osteopathic physicians to care for our patients in accordance with the high principles guiding our profession.

Again, thank you for your leadership on this critical issue. We are encouraged by the broad bipartisan support your legislation has received. The AOA pledges to work with you and all Members of Congress to ensure swift enactment of H.R. 2723. Please feel free to contact Michael Mayers, AOA Assistant Director of Congressional Affairs, in our Washington office with any further comments or questions.

Sincerely,

EUGENE A. OLIVERI, D.O.,
President.

AMERICAN DENTAL ASSOCIATION,
Washington, DC, August 13, 1999.

Hon. CHARLIE NORWOOD,
1707 Longworth House Office Building, Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of the 144,000 members of the American Dental Association, we wish to endorse H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999. This is the first truly bipartisan, comprehensive patient protection bill in the 106th Congress. By joining forces with Representative Dingell, you have breathed new life into the movement to establish a few basic rules to protect all insured Americans from unfair and unreasonable delays and denials of care.

We recognize that the powerful groups that oppose managed care reform will continue spending millions of dollars in their relentless efforts to scare the public and badger lawmakers who attempt to improve the health care system. However, we will do all we can to make sure that all of our members know of your courageous efforts on behalf of them and their patients.

Patient protection is a genuine grassroots issue that cuts across geographic, economic and political boundaries. We believe that only bipartisan action will solve the problems in the health care system, and your bill represents a major, positive step in the right direction.

Sincerely,

S. TIMOTHY ROSE, D.D.S., M.S.,
President.

JOHN S. ZAPP, D.D.S.,
Executive Director.

PHYSICIANS FOR REPRODUCTIVE CHOICE AND HEALTH,
New York, NY, August 30, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE NORWOOD: Physicians for Reproductive Choice and Health (PRCH) is pleased to support the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723). We applaud your leadership, as well as that of Representative Dingell and the additional supporters of the legislation. The mission of PRCH is to enable concerned physicians to take a more active and visible role in support of universal reproductive health. We represent more than 3,000 physicians and non-physician supporters from around the country. PRCH is committed to ensuring that all people have the knowledge, access to quality services, and freedom of choice to make their own reproductive health decisions, and we believe this legislation is an important step toward that goal.

The American health care system is changing rapidly. PRCH believes it is vital that those changes do not come at the expense of quality care for patients. The Bipartisan Consensus Managed Care Improvement Act includes many important patient protections. As a physician membership organization, PRCH is especially pleased that H.R. 2723 would ensure that medical judgments are rendered solely by health care providers, who are in the best position to guard the interests of their patients. Other particularly important provisions would assure that women have direct access to ob-gyn care from their choice of participating health care providers; protect health care professionals who report quality problems from retaliation by insurance plans and others; and prohibit health care plans from financially rewarding health care professionals for limiting a patient's care.

We commend your leadership in the struggle to ensure that patients' rights are established in federal law.

Sincerely,

JODI MAGEE,
Executive Director.

SEYMOUR L. ROMNEY, M.D.,
Chair.

AMERICAN CANCER SOCIETY,
August 27, 1999.

Hon. CHARLIE NORWOOD,
U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN NORWOOD: On behalf of the American Cancer Society and its 2 million volunteers, I commend you for sponsoring H.R. 2723, the ''Bipartisan Consensus Managed Care Improvement Act of 1999,'' legislation that meets the needs of cancer patients. As the largest voluntary health organization dedicated to improving cancer care, we urge support of such legislation that would help ensure patients, especially those affected by cancer, access to quality and appropriate medical care. Specifically, we are pleased that the provisions in your legislation will benefit all 161 million Americans in private health insurance and employer-sponsored plans and that your legislation provides patients with direct access to clinical trials.

More than 140 million insured Americans are in some kind of managed care plan and this includes many of the approximately 1.23 million people diagnosed with cancer each year. In addition, the National Cancer Institute estimates that 8 million Americans alive today have a history of cancer. While managed care has greatly improved access to needed prevention, early detection, and cancer treatment, we are concerned about some of the gaps that remain in getting quality care to the patient.

Your legislation adequately addresses some of our concerns in a way that will help ensure that individuals affected or potentially affected by cancer will be assured improved access to quality care. H.R. 2723 grants patients with life threatening diseases access to specialists, including an out-of-network specialist if one is not available within their health plan; ensures continuity of care if an employer switches to a plan that does not include their physician who is providing on-going treatment or if a treating physician is no longer with the health plan; and permits for a specialist to serve as the primary care physician for a patient who is undergoing treatment for a serious or life-threatening illness.

Most importantly, your bill includes a clinical trials provision strongly supported by the American Cancer Society. H.R. 2723 recognizes that coverage of the routine patient care costs for patients enrolled in any phase of high-quality, peer-reviewed clinical trials affords people with cancer and other serious or life threatening disease the opportunity to seek the best and most appropriate care while helping to advance scientific knowledge. This access is integral to possibly extending life, reducing morbidity, and increasing medical knowledge. As you may know, in many cases, coverage for routine patient services for patients who wish to participate in a clinical trial are often denied, thereby creating a major barrier for patients who would like, or need, access to these treatments. For these patients, the clinical trial offers a critical opportunity to receive state of the art cancer treatment—therapies that may be their best and most appropriate treatment option and their only chance at survival and an improved quality of life. In addition, without sufficient enrollment in clinical trials, we as a nation lose an opportunity to collect data about the safety and efficacy of a new therapy or technology that could potentially benefit future generations of patients and save the health care system money. We firmly believe it is essential that cancer patients have access to these oftentimes lifesaving therapies that can reduce suffering and prolong life and are very supportive of the provision in H.R. 2723.

The Society commends you for sponsoring this legislation that provides access to clinical trials for all patients with serious and life threatening diseases. Due to the nature of research, life-saving treatments for one disease are often found in clinical trials of a drug aimed at treating another disease. Recently, clinical trials of Rezulin, a diabetes drug, showed that the drug may slow rapid cell growth in some cancers. Similarly, research has shown that the cancer drug, endostatin, may help heart disease. By providing broad access to clinical trials, your legislation will help advance the state of research for many diseases by allowing for the cross-pollination of research—cancer patients will benefit from clinical trials in AIDS, diabetes, etc., and vice versa.

While we are very pleased with your leadership on this issue, we are concerned that H.R. 2723 will not help patients who want to enroll in privately sponsored pharmaceutical trials—the type that is most frequently provided through the Food and Drug Administration. We would greatly appreciate your consideration of increasing access to these types of clinical trials for managed care patients.

The diagnosis of cancer is devastating—not only must patients confront an array of medical decisions, they must deal with financial and emotional burdens as well. We thank you for sponsoring legislation ensuring that cancer patients, irrespective of type of health insurance, will face fewer financial worries as they consider their treatment options. Please call Megan Gordon, Legislative

Representative, for any additional information you or your staff may need.

Sincerely,

KERRIE WILSON,
National Vice President, Policy Advocacy.

AMERICAN ACADEMY OF OPHTHALMOLOGY,
Washington, DC, August 30, 1999.

Hon. CHARLES NORWOOD,
Longworth House Office Building,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: The American Academy of Ophthalmology (AAO) would like to thank you for your introduction of H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999. Your bill contains the core patient protections the AAO supports and believes should be a part of all managed care plans.

AAO is the world's largest educational and scientific organization of eye physicians and surgeons (Eye M.D.s), representing over 26,000 members, dedicated to the treatment and diagnosis of disorders of the eye.

AAO supports H.R. 2723 on the basis that it would guarantee the following six protections to the millions of Americans enrolled in managed care plans:

1. An out-of-network (point-of-service) option at the time of enrollment;
2. Timely access to specialty care;
3. A fair and expedited independent appeals process;
4. A consumer information checklist;
5. A ban on financial incentives that result in the withholding of care or a denial of a referral; and
6. A ban on ''gag clauses'' which prohibit a provider from giving patients certain information, including treatment options.

We look forward to working with you to ensure passage of a strong, comprehensive and meaningful patient protections bill this Congress. Again, thank you for introducing your bill and for championing this issue in the House of Representatives.

Sincerely,

WILLIAM L. RICH, III, MD,
Secretary for Federal Affairs.

FRIENDS COMMITTEE ON NATIONAL LEGISLATION,
Washington, DC, August 26, 1999.

Re Managed Care Improvement Act.

Representative CHARLES NORWOOD,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: I am writing on behalf of the Friends Committee on National Legislation (FCNL, a Quaker lobby in the public interest) to express our strong support for the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723).

FCNL supports a health care system whose primary goal is maintaining and improving the health of the population. In recent years, managed care has taken over as the dominant health care delivery system. The shift to managed care has reflected the belief, particularly within the business community, that managed care does a substantially better job of controlling health care costs than does traditional fee-for-service insurance. Thus, managed care organizations are under strong pressure to keep costs down. In addition, many managed care organizations operate on a for-profit basis which exerts pressures to reduce outlays. These changes in the structure of health care insurance have created an environment in which patients' interests can (and sometimes do) take a back seat. While we are sensitive to the economic issues in health care, we also believe that reform and regulation are necessary in order to ensure that managed care organizations hold the interests of patients as a prime focus.

Following are some of the provisions of H.R. 2723 that are of particular importance to FCNL.

Scope of coverage: We support extending managed care protections to all 161 million people in the U.S. with private insurance. This would complement the protection already afforded to those in Medicaid and Medicare managed care.

Access to care: We strongly favor efforts to reduce and eliminate bureaucratic obstacles that some patients have faced as they seek access to physicians and needed health care services. For example, we support access to closest emergency room, without prior authorization and without higher costs; guaranteed access to needed health care specialists, outside the network, if needed; access to pediatric specialists; the right of women to directly access ob/gyn care and services; and access to quality clinical trials for those with no other effective option.

Protection of Doctor/Patient Relationship: We oppose limitations placed on physicians by HMOs or insurance companies that reduce their ability to treat or communicate with patients. For example, we believe that legislation should prohibit gag clauses that restrict the freedom of health care providers to discuss all treatment options with patients; limit financial incentives to withhold care; ensure continuity of care so that patients in the middle of long-term treatment plans do not suffer an abrupt transition of care if their physician or other provider is dropped from the plan; and assure that health care professionals who report deficiencies in the quality of health care services will not experience retaliation by the plan.

Accountability: We support the right of patients to timely appeals of health plan decisions and to be able to hold health plans accountable for decisions. Examples of such rights include access to internal and independent external appeals processes that are fair, unbiased, and timely; and a mechanism that holds health plans legally accountable when their decisions harm patients.

FCNL applauds your efforts and the efforts of your colleagues to pass legislation that would provide these and other related protections to patients in managed care plans.

Sincerely,

FLORENCE C. KIMBALL,
Legislative Education Secretary.

AMERICAN FEDERATION OF TEACHERS,
Washington, DC, August 20, 1999.

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: I am writing on behalf of the over one million members of the AFT to urge your support for bipartisan patients rights legislation, H.R. 2723, the Bipartisan Consensus Managed Care Empowerment Act of 1999. Hopefully, when Congress returns from its August recess, the House of Representatives will have the opportunity to vote on this important bill.

This bipartisan measure, introduced by Representatives Charles Norwood (R–GA) and John Dingell (D–MI), is compromise patients' rights legislation that retains essential features of the Patients Bill of Rights, H.R. 358, that AFT has also supported.

The bipartisan bill (H.R. 2723), which applies to all 161 million Americans with health insurance coverage, has these essential features;

Ensures access to emergency care without prior authorization, following a ''prudent lay person'' standard;

Authorizes direct access to OB/GYNs and pediatricians to be primary care physicians;

Provides access to pediatric specialties;

Provides for continuity of care when there is a change of plan or change in the provider network;

Provides for an independent external appeals process;

Authorizes patients to sue health plans in state courts, but disallows punitive damages if a plan complies with an independent external appeals decision;

Provides that doctors and nurses can report quality problems without fear of retaliation from Health Maintenance Organizations (HMOs), insurance companies and hospitals.

AFT is particularly pleased that H.R. 2723 contains protection against retaliation for health care workers acting as patient advocates. The AFT is proud to represent over 53,000 health care professionals who know such protections for patient advocacy are an essential component of quality health care.

H.R. 2723 offers the House a very real opportunity to enact legislation on a bipartisan basis that will improve the quality of managed care. The American Federation of Teachers urges you to co-sponsor and support this vital legislation.

Sincerely,

CHARLOTTE J. FRAAS,
Director of Federal Legislation,
Office of Government Relations.

AFSCME, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL–CIO,
Washington, DC, August 18, 1999.

Honorable CHARLES NORWOOD,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of the 1.3 million members of the American Federation of State, County and Municipal Employees (AFSCME), I am writing to thank you for your leadership in introducing the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723). This compromise legislation provides meaningful reform of managed care with significant and enforceable protections for consumers.

In particular, we are pleased that the bill extends patient protections to all of those who are covered by managed care plans rather than just limited segments of the insured population. Importantly, the bill holds all, rather than just some, plans accountable for treatment denials which result in the injury or death of patients. But the liability shield now enjoyed by self-funded plans is removed in a balanced way, providing that there will be no punitive damages where the plan has followed the recommendation of an external review panel. Further, the bill makes clear that employees cannot be sued unless they intervene in treatment decisions.

Of particular interest to AFSCME members who work in health care, H.R. 2723 includes important protections for physicians and nurses who raise concerns or warnings about the care of patients. Although limited, these protections will allow health care professionals to speak, without fear of reprisal, to appropriate public regulatory agencies, appropriate private accrediting bodies, plan administrators or their employers. The provision protecting patient advocacy will help accomplish the bill's overall goal of improving the quality of care for patients.

In sum, H.R. 2723 would accomplish reform in a meaningful, yet balanced way. We thank

you for co-sponsoring this important legislation.

Sincerely,

GERALD W. MCENTEE,
International President.

AMERICAN THORACIC SOCIETY
AND THE AMERICAN LUNG ASSOCIATION,
Washington, DC, August 24, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of the American Lung Association and its medical section, the American Thoracic Society, I want to congratulate you for introducing the Bi-Partisan Patient Protection legislation (H.R. 2723). The ALA/ATS strongly support this important legislation.

American consumers deserve quality health insurance. Far too often we hear of cases where health insurers have either obstructed or completely denied insured patients access to the care they need. Insurers, by design or default, are preventing patients from getting the care they need.

Your legislation will help end many of the abuses in our nation's health insurance system. Your legislation will give all of our nation's insured individuals access to specialists, a swift appeals process and legal recourse for denied care, and will ensure physicians—not insurers—determine medical necessity. These important patient protections are needed to restore confidence to our nation's health care system.

The American Lung Association and the American Thoracic Society are ready to work with you and other Members of Congress to quickly enact this important legislation. Again, thank you for your leadership on this important issue.

Sincerely,

FRAN DUMELLE,
Deputy, Managing Director.

NATIONAL BREAST CANCER COALITION,
Washington, DC, August 24, 1999.

Representative JOHN DINGELL,
Representative CHARLES NORWOOD,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES: On behalf of the National Breast Cancer Coalition (NBCC) and the 2.6 million women living with breast cancer, I am writing to thank you for your leadership in offering H.R. 2723, The Bipartisan Consensus Managed Care Improvement Act of 1999. Passage of this legislation would ensure that patients in private health plans have access to legitimate patient protections.

The National Breast Cancer Coalition is a grassroots advocacy organization made up of more than 500 member organizations and 60,000 individual members dedicated to the eradication of breast cancer through advocacy and action. We have long been committed to working with Members of Congress to enact meaningful healthcare reform. While many versions of ''patient protection'' legislation have been discussed in the past, we appreciate your leadership on introducing strong and comprehensive bipartisan legislation that brings us one step closer to achieving our goal.

One of NBCC's top concerns is breast cancer patients' access to clinical trials. Women with breast cancer often seek participation in clinical research studies as their best treatment option. It is unconscionable that their health plans would deny payment for even routine patient care cost like physician and hospital charges merely because patients are receiving treatment in the context of a clinical trial versus standard therapy. H.R. 2723, which would require health plans to cover routine patient care costs for cancer patients enrolled in approved clinical trials, is a critical step in including greater participation in clinical trials.

We also want to thank you for including access to specialty care in the Bipartisan Consensus legislation. This provision is extremely important to ensure that individuals in private health plans have access to the specialty care they need—an essential component of a meaningful patients' bill of rights. We are pleased that this legislation would allow breast cancer patients to go straight to their oncologists should that be medically appropriate.

Finally, NBCC appreciates your recognition that a right without strong enforcement is no right at all. By holding plans accountable when their decisions to withhold or limit care injures patients, H.R. 2723 ensures that insurers are subject to the same rules and legal penalties for injuries as any other industry. Strong enforcement is absolutely essential to any meaningful managed care reform, and we are pleased that the Bipartisan Consensus bill incorporates this provision.

Thank you again for your outstanding leadership. We look forward to working with you to get H.R. 2723, The Bipartisan Consensus Managed Care Improvement Act, enacted into law this year. Please do not hesitate to call me or NBCC's Government Relations Manager, Jenifer Katz if you have any questions.

Sincerely,

FRAN VISCO,
President.

AMERICAN ASSOCIATION OF
UNIVERSITY WOMEN,
Washington, DC, August 24, 1999.

PROTECT WOMEN'S HEALTH IN MANAGED CARE REFORM

DEAR REPRESENTATIVE: On behalf of the 150,000 members of the American Association of University Women (AAUW), I urge you to support the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723), introduced by Reps. Charlie Norwood (R–GA) and John Dingell (D–MI), when the House considers managed care reform legislation. AAUW believes that H.R. 2723 will ensure accountability of managed care plans and a health care delivery system that fully meets the needs of women and families.

AAUW believes that only H.R. 2723 will significantly improve managed health care for all consumers, and especially for women. H.R. 2723 covers all 148 million privately insured Americans and addresses a broad range of issues that will provide quality, timely, and appropriate health care to all consumers; ensure patients' rights; and meet the needs of women and their families. H.R. 2723 guarantees that patients can have a health plan's decision to deny care reviewed by an independent medical expert, and holds managed care plans accountable when their decisions to withhold or limit care cause injury or death. H.R. 2723 is particularly important to women because it: Ensures that women have direct access to ob-gyn services from the participating health care professional of their choice; Ensures that pregnant women can continue to see the same health care provider throughout pregnancy if their provider leaves the plan or their employer changes plans; Ensures access to specialists, including, when appropriate, specialists outside a plan's network; and Ensures access to clinical trials for new treatment options and that may save people's lives.

Once again, I urge you to support H.R. 2723 to ensure accountability of managed care plans and a health care delivery system that fully meets the needs of women and families. If you have any questions, please call Nancy Zirkin, Director of Government Relations, at 202/785–7720, or Lisa Levine, Government Relations Manager, at 202/785–7730.

Sincerely,

SANDY BERNARD, *President.*

NATIONAL BLACK WOMEN'S
HEALTH PROJECT,
Washington, DC, August 24, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN NORWOOD: The National Black Women's Health Project (NBWHP) is writing in support of the Bipartisan Consensus Managed Care Improvement Act (H.R. 2723). NBWHP is the only national organization solely dedicated to improving the health and well-being of America's 17.8 million Black women through wellness programs and services, information, and advocacy. We have been and continue to be a strong supporter of managed care reform. The proposed legislation offers significant protections for all Americans, and the specific implications for women and women of color are vitally important. Of great importance is the inclusion of patient access to medical treatments and therapies including clinical trials. This is highly significant as women of color are often under-represented in clinical trials. In addition, the inclusion of access to all prescription drugs is crucial as women would have assured access to coverage for contraceptives.

There is an urgent need for consumer protections in the health care and insurance system, and we feel that this legislation is a progressive action in this regard. We appreciate any opportunities to work with you. If you have any further questions, please feel free to telephone our office. Shelia Clark, our Public Policy Associate, is our contact person. We look forward to the passage of this legislation.

Sincerely,

JULIA SCOTT,
President and CEO.

NATIONAL ALLIANCE FOR
THE MENTALLY ILL,
Arlington, VA, August 24, 1999.

Hon. JOHN DINGELL,
Hon. CHARLES NORWOOD,
U.S. House of Representatives.
Washington, DC

DEAR REPRESENTATIVES DINGELL AND NORWOOD: On behalf of the 208,000 members and 1,200 affiliates of the National Alliance for the Mentally Ill (NAMI), I am writing to express our support for your legislation, the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723). As the nation's largest organization representing people with severe mental illnesses and their families, NAMI believes that federal standards are necessary to ensure that access to the most advanced treatment is not compromised in the name of cost savings. We support your efforts as an important step forward in protecting the interests of consumers and their families in the health care system.

In particular, NAMI is especially pleased that your legislation will address critical issues that are of great concern to people with severe mental illnesses and their families including use of restrictive prescription

drug formularies and meaningful external appeals. NAMI is grateful that your legislation will protect the ability of patients and their doctors to go beyond a health plan's limited drug formulary when it is necessary to find the most effective medication. this protection is critically important for people with serious brain disorders such as schizophrenia and manic-depressive illness who depend on newer medications as their best hope for recovery.

NAMI also strongly supports your proposal for external grievance procedures that would require that decisions of independent review panels be legally binding upon health plans and prevent health plans from being able to select the independent third-party review panel. Patients and their families should be able to take their claim of an unfair denial of treatment coverage to an unbiased process for an adjudication of their rights.

NAMI also supports key provisions in H.R. 2723 regarding access to medical specialists. Health plans should be required to provide access to covered specialty care within a plan's network and allow consumers unobstructed access to a specialist, such as a psychiatrist, over a longer period, without repeated and unnecessary pre-authorizations from their plan. Finally, NAMI would like to thank you for including in your bill strong protections for consumer access to medical treatment costs associated with clinical trials. For many people with severe mental illnesses, clinical trials on new medications are the best hope for successful treatment. Health plans should not be allowed to deny patients access to these trials by refusing to pay for routine medical care.

NAMI is grateful for your efforts on behalf of people with severe mental illnesses and their families. Your bipartisan approach to this difficult issue is an important step forward in placing the interests of consumers and families ahead of politics. NAMI looks forward to working with you to ensure passage of meaningful managed care consumer protection legislation in the 106th Congress.

Sincerely,

LAURIE FLYNN,
Executive Director.

FAMILIES USA FOUNDATION,
Washington, DC, August 11, 1999.

Hon. CHARLIE NORWOOD,
Longwood HOB, Washington, DC.

DEAR CONGRESSMAN NORWOOD: Congratulations on the introduction of the ''Bipartisan Consensus Managed Care Improvement Act of 1999,'' H.R. 2723. We are well aware of the efforts you and others made to make this bill a reality.

As you know, the American public is losing faith in our health care delivery system. Managed care companies that began with the promise of providing high quality care at an affordable price are not always delivering on that promise. Unfortunately, this has resulted in consumers being worried that they will not get the care they need even though they are covered with health insurance. Your bill is a reasonable compromise proposal that can bring back balance to our health care system.

We look forward to working with you to make the ''Bipartisan Consensus'' bill the law of the land.

Sincerely,

RONALD F. POLLACK,
Executive Director.

NATIONAL ORGANIZATION OF PHYSICIANS WHO CARE,
San Antonio, TX, August 24, 1999.

Hon. CHARLIE NORWOOD,
Longworth HOB, Washington DC.

DEAR CONGRESSMAN NORWOOD: I am president of Physicians Who Care, Inc. (''PWC''). It is a not-for-profit organization which is devoted to protecting the doctor-patient relationship and ensuring quality health care. Formed in 1985 in San Antonio, Texas the organization has approximately 4,000 members, most of them doctors in private practice. PWC believes the responsibility for medical care belongs first and foremost to physicians and patients. We affirm the right of the physician, as the provider of care, to diagnose, prescribe, test and treat patients without undue outside interference. We affirm the right of the patient, as the person most affected by care, to choose his or her own physician and help determine the type of treatment received.

On behalf of PWC and its board of directors, I am writing to you now. As you know, one of the major issues facing our country today is our health care delivery system—quality, access, delivery, accountability and fairness. We are apprised that this issue will come before the House of Representatives next month after Congress reconvenes from its summer recess.

We have reviewed H.R. 2723, the bill introduced into the House by Representatives Norwood and Dingell. It is known as the ''Bipartisan Consensus Managed Care Improvement Act of 1999''. We strongly support it as it insures fairness and accountability in our health care delivery system that has been lacking in what the Senate has passed and other legislation that has gone before (H.R. 2723). We ask that you vote in favor of it.

Now is the opportunity to vote on legislation that will support the ability of patients to receive proper care from their providers and provide providers with measures of confidence and comfort not known by them since managed care and managed care plans were foisted upon patients and physicians.

We are particularly impressed by the wording in H.R. 2723 relating to external appeals, the ability of patients to sue their health plans and managed care organizations like HMOs (just like they can physicians, hospitals and others who make medical decisions in patient care), excluding employers from liability unless they are involved in the same medical decision-making that presently exposes physicians, hospitals, nurses and the like.

Moreover, we are mindful that opponents of this type legislation raise costs as an issue or that employers will not be able to provide health insurance to their employees if the ERISA preemption is lifted or even that lifting this preemptive effect will cause more lawsuits. To these points, we respectfully and firmly disagree! Opponents are using emotion and ''scare tactics'' to avoid fact and the ability of all patients to receive proper and quality health care.

We are not against managed care; it does have a place. However, we are strongly against managed care plans not ''toeing the line'', i.e. not wanting to be held accountable for their medical decisions that adversely affect patient care (all over the country managed care plans are failing, 200 in California alone).

Now may be the last time that you have to provide effective relief to patients and their providers alike. If you do not, our court system may do it for you (as recent decisions in the last few years seem to strongly indicate.)

Please vote what is right, fair and just for all patients; we sincerely ask that you support H.R. 2723.

Thank you.

Sincerely,

RONALD BRONOW, M.D.,
President.

PATIENTS WHO CARE,
San Antonio, TX, August 24, 1999.

Hon. CHARLIE NORWOOD,
Longworth HOB, Washington, DC.

DEAR CONGRESSMAN NORWOOD: I am president of Patients Who Care (PtWC). It is a non-profit 501(c)3 organization of approximately 20,000 members and is dedicated to promoting through education an understanding of issues affecting access by patients to the highest quality health care possible. We believe in preserving quality medical care, affordability of care and care reimbursement plans, and preserving the doctor/patient relationship. We also feel it is the right of patients to choose their own physician and determine the type of treatment received. Finally, we try to help patients understand their rights in the health care decision-making process.

On behalf of PtWC and its board of directors, I am writing to you now. As you know, one of the major issues facing our country today is our health care delivery system—quality, access, delivery, accountability and fairness. We are apprised that this issue will come before the House of Representatives next month after Congress reconvenes from its summer recess.

We have received H.R. 2723, the bill introduced in the House of Representatives Norwood and Dingell. It is known as the ''Bipartisan Consensus Managed Care Improvement Act of 1999''. We strongly support it as we feel it insures fairness and accountability in our health care delivery system. These qualities have been lacking in what the House and Senate have passed in previous health care legislation. We ask that you vote in favor of H.R. 2723, and do all you can to help this bill move quickly to passage.

Now is the opportunity to vote on legislation which will support the ability of patients to receive proper care from their providers. It will also give providers a greater measure of confidence and comfort in treating their patients since managed care and the managed care plans were foisted upon patients and physicians many years ago.

We are particularly impressed by the wording in H.R. 2723 relating to external appeals, the ability of patients to sue their health plans and managed care organizations like HMOs (just like they can physicians, hospitals and others who make medical decisions in patient care), excluding employers from liability unless they are involved in the same medical decision-making that presently exposes physicians, hospitals, nurses and the life. We are also mindful that opponents of this type legislation raise ''costs'' as the issue, saying 'employers will not be able to provide health insurance to their employees if the ERISA preemption is lifted or even that lifting this preemptive effect will cause more lawsuits'. We feel this is a lesser concern than decisions that adversely affect patient care (all over the country managed care plans are failing—200 in California alone).

Now may be the last time you have to provide effective relief to patients and their providers. If you do not, our court system may do it for you (as recent decisions in the last few years seem to strongly indicate.)

Please vote what is right, fair and just for all patients; we sincerely ask that you support H.R. 2723.

Thank you.

Sincerely,

STEVEN C. JOHNSON, CLU, RHU,
President.

P.S. It is also our understanding that most ''individual'' health care plans, not currently under ERISA, will not be affected by this legislation, or be required to conform to H.R. 2723. please be vigilant of this issue which our members have raised.

ALLIANCE FOR CHILDREN AND FAMILIES,
August 24, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVE NORWOOD: We at the Alliance for Children and Families are writing to express our support for the Bipartisan Consensus Managed Care Improvement Act (H.R. 2723), which you have introduced with Representative Dingell. The Alliance, an international nonprofit association representing over 350 child- and family-serving organizations, supports this important legislation to protect patients' rights. Alliance members serve more than 5 million individuals each year in more than 2,000 communities.

Broad bipartisan support for this new legislation represents a major breakthrough on behalf of patients' rights. This bill provides essential protections for all consumers in the private health insurance marketplace. H.R. 2723 ensures that medical decisions will be in the hands of medical experts. It permits people to hold their managed care plans accountable when plan decisions to withhold or limit care result in injury or death. We believe that holding health plans accountable will be a strong incentive for them to deliver clinically necessary care, minimizing the need for lawsuits.

We support your bill because it includes much needed patient protections, strong reforms of the managed care industry and due process protections for providers. It ensures that patients have access to a fair and independent external review for cases in which care is denied. H.R. 2723 also ensures that patients have access to specialists, including, when appropriate, specialists outside a plan's network.

Thank you for your leadership in protecting patients' rights through the Bipartisan Consensus Managed Care Improvement Act of 1999.

Yours sincerely,

CARMEN DELGADO VOTAW,
Senior Vice President, Public Policy.

PARALYSIS SOCIETY OF AMERICA,
August 23, 1999.

Hon. CHARLIE NORWOOD,
U.S. House of Representatives, Longworth Building, Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of the Paralysis Society of America (PSA), I am writing to voice support for H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999.

We are pleased to see that the consensus bill combines the patient protections found in the major managed care reform bills introduced in the House this year, including H.R. 216, the Quality Care Act, and H.R. 358, the Patients' Bill of Rights. We also note the importance of H.R. 2723 as a bipartisan bill. Legislators who support this bipartisan bill recognize the importance of a health care system that balances the cost of service delivery without sacrificing individual patient needs.

PSA's membership of more than 19,800 people consists of individuals with spinal cord injury or disease, their family members and caregivers, health care professionals, and others with an interest in the disciplines of spinal cord medicine and paralysis. As you can imagine, the outcome of patient protection legislation speaks directly to the vested interest in our membership.

Particular attention is given to those portions of the legislation covering freedom of choice, specialists, and external appeals, clinical trials and privacy. Also of interest to our membership are the sections covering continued care, freedom of communication, clinical trials reform, incentives to deny care, and privacy:

PSA members want the right to freely choose and/or change their doctor and hospital;

PSA members want the right to see a specialist if they and their doctor determine the need is paramount to managing the complex health care needs of people with spinal cord dysfunction;

PSA members want the right to a second and third opinion following denial of coverage by a health plan, at no cost to the patient;

PSA members should not be forced to change doctors and hospitals while in the midst of a course of treatment for a health care problem;

Doctors must be able to talk freely with patients without fearing repercussions from health plans. Every doctor should be free to discuss anything relative to a patient's health with the patient, even if the information may be negative towards the health plan. Health plans must not be permitted to use tactics that discriminate against doctors for cooperation in patient advocacy, such as threats of firing, disciplinary action and by providing incentives to deny care;

PSA members should be able to participate in clinical trials that may maximize their independence and quality of life without undue interference from their health plan; and

PSA members are concerned about their right to privacy. No medical information on a patient should be released without the patient's approval.

The right to quality health care and patient protection is of primary importance to the members of the Paralysis Society of America. PSA offers its support, and will gladly assist you in any way we can to ensure that H.R. 2723 is enacted into law.

Sincerely,

NANCY STARNES,
Director.

NATIOANAL ASSOCIATION OF
SCHOOL PSYCHOLOGISTS,
Bethesda, MD, August 24, 1999.

Hon. CHARLIE NORWOOD,
Longworth House Office Building,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of the National Association of School Psychologists, (NASP) I am writing to express our strong endorsement of H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999.

NASP is an organization that represents 21,500 school psychologists and related professionals throughout the world. NASP works to actively promote educationally and psychologically healthy environments for all children and youth. We work together with national coalitions to increase support and funding for primary prevention services and mental health programs that deter youth from delinquent activity, assist them with improved learning and provide them with experiences and role models to become successful in life. In health care, our goal is to increase access and affordability of health and mental health services for which coverage is often extremely limited or denied.

Developing a balanced compromise on the most controversial of managed care reform provisions, the Bipartisan Bill would provide essential protections for consumers in the private health insurance marketplace. The Bipartisan Consensus Bill maintains a strong utilization review process to require the oversight of trained personnel, assures fair appeals, guarantees access to emergency and urgent care services and holds health plans accountable for their decisions. Furthermore, this bill requires the development of quality criteria along with performance and clinical outcome measures for at-risk individuals and people with chronic and severe illness. If H.R. 2723 is passed, this provision will have an important positive impact on the health care provided to adults with severe mental health illnesses, children with serious emotional disturbances and other people with significant mental disorders who are increasingly being served in managed care settings.

Our efforts to improve mental health service delivery must include the elimination of insurance discrimination against people with mental disorders and the serious problems associated with the delivery of mental health care by HMOs. It is time to move beyond the impasse in this effort. The Bipartisan Bill creates a new ''Patients' Bill of rights'' which should pass the House with minimal dissension. Thank you for your commitment to reaching a workable compromise to finally provide consumers with the opportunity to appeal instances of discrimination or denial of care.

Sincerely,

SUSAN GORIN, CAE,
Executive Director.

AMERICAN ASSOCIATION OF ORAL,
AND MAXILLOFACIAL SURGEONS,
Rosemont, IL, August 26, 1999

Hon. CHARLIE NORWOOD,
U.S. House of Representatives, Washington, DC

DEAR REPRESENTATIVE NORWOOD: On behalf of the American Association of Oral and maxillofacial surgeons (AAOMS), which represents the nation's approximately 6,000 oral and maxillofacial surgeons, I thank you for supporting provider nondiscrimination language as stated in Section 133(a) of the bipartisan ''Consensus on Managed Care Improvement Act of 1999''.

We fell that this bill has the strongest chance of being enacted, as it is a bi-partisan effort and is endorsed by President Clinton. AAOMS lends its strong support for the Consensus on Managed Care Improvement Act of 1999, and hopes that it is enacted into law.

Oral and maxillofacial surgeons in your district and across the nation believe that provider nondiscrimination is a key component of managed care reform. It is the top legislative priority of the AAOMS.

Thank you again for all your help in making sure that provider nondiscrimination language was included in this important piece of legislation.

Sincerely,

DAVID A. BUSSARD, DDS, MS,
President.

AMERICAN PODIATRIC
MEDICAL ASSOCIATION, INC.,
Bethesda, MD, August 31, 1999

Hon. CHARLIE NORWOOD,
U.S. House of Representatives, Washington, DC.

DEAR MR. NORWOOD: With regard to HR 2723, the Bipartisan Consensus Managed Care

Improvement Act of 1999, I am pleased to announce our unqualified support of the proposal. Embodying every principle the association has embraced as essential for meaningful managed care reform, we are convinced its enactment is in the best interest of all Americans.

The strong bipartisan support your measure has heretofore generated is compelling evidence that, given a fair hearing by the full House, a comprehensive patient oriented reform package can prevail. To this end we offer our understanding and enthusiastic support.

Best regards!

Sincerely Yours,

RONALD S. LEPOW, DPM,
President.

OPTICIANS ASSOCIATION OF AMERICA,
Fairfax, VA, August 24, 1999.

Hon. CHARLIE NORWOOD,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of the Board of Directors and the members of the Opticians Association of America, I am writing to thank you for sponsoring H.R. 2723, the bipartisan managed care improvement bill.

This bill would give basic, common-sense protections to millions of Americans in managed care plans, and it is certainly refreshing to see the bipartisan way in which it was approached!

In addition, we are pleased to see that the bill contains a point-of-service option and anti-discrimination language which guarantee consumers the widest possible choice of providers.

We look forward to continued collaboration in the interest of America's health care consumers.

Sincerely,

JACQUELINE E. FAIRBARNS,
Assistant Executive Director for Government Relations.

AMERICAN OSTEOPATHIC ASSOCIATION,
Washington, DC, August 27, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives,
Washington, DC.

DEAR CONGRESSMAN NORWOOD: The American Osteopathic Association (AOA) represents the nation's 43,500 osteopathic physicians. As President, I am pleased to let you know that the AOA endorses your bill, the ''Bipartisan Consensus Managed Care Improvement Act of 1999'' (H.R. 2723).

The AOA advocates, on behalf of patients, for Congress to enact strong, meaningful, and comprehensive protections. After six years of debate and delay, we believe that H.R. 2723 is the bipartisan legislation that will ensure the AOA's long sought principles. These include: physicians allowed to determine medical necessity; health plans held accountable for their actions; a fair and independent appeals process available to patients, and protections which apply to all Americans.

Over the last two decades, managed care has become less interested in delivering quality healthcare to patients. Instead, the focus seems entirely on the bottom line. It is time to bring the focus back to our patients and away from HMO profits. Employers and patients are tired of not receiving the care they are promised, pay for, and deserve. H.R. 2723 will help bring the quality back into healthcare and allow osteopathic physicians to care for our patients in accordance with the high principles guiding our profession.

Again, thank you for your leadership on this critical issue. We are encouraged by the broad bipartisan support your legislation has received. The AOA pledges to work with you and all Members of Congress to ensure swift enactment of H.R. 2723. Please feel free to contact Michael Mayers, AOA Assistant Director of Congressional Affairs, in our Washington office at 202–414–0148 with any further comments or questions.

Sincerely,

EUGENE A. OLIVERI, D.O.,
President, American Osteopathic Association.

AMERICAN COUNSELING ASSOCIATION,
Alexandria, VA, August 27, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: I am writing on behalf of the more than 51,000 members of the American Counseling Association to express our strong support for your legislation H.R. 2723, the Bipartisan Consensus Managed Care Improvement Act of 1999. This bipartisan patient protection legislation will afford health care consumers the essential protections necessary to ensure the delivery of quality health care services.

H.R. 2723 provides a wide array of consumer protections including several key components for mental health providers and their clients, such as putting medical decisions in the hands of medical experts, not the insurance company bureaucrats; the ability to hold health plans liable when their decisions to withhold or deny care result in injury or death; adequate access to specialists; a continuity of care clause, and a provision to prohibit nondiscrimination against providers based on their type of license. In addition these protections would apply to all privately insured individuals, unlike other managed care legislation considered in Congress.

Representatives Norwood, we thank you for your continued advocacy on behalf of health care consumers. This legislation will make a difference to the millions of Americans with private health insurance. Please let us know if we can be of any assistance in your work.

Sincerely,

DONNA FORD, MS, NCC,
President, American Counseling Association.

AMERICAN PUBLIC HEALTH ASSOCIATION,
Washington, DC, August 10, 1999.

Hon. CHARLES NORWOOD,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: On behalf of the American Public Health Association, which represents more than 50,000 public health professionals around the country, I am writing to express our support for your new bi-partisan managed care reform bill, H.R. 2723.

This bill will provide patients with real, enforceable assurances that they will receive the care they need and have purchased from managed care companies. If passed by Congress, this bill will: improve access to emergency services; allow more people to enter clinical trials; provide patients with a fair appeals process for denied claims; lift barriers to specialists; and hold plans responsible for the medical decisions they make.

Furthermore, the bill's broad bi-partisan cosponsorship—and announced support from President Clinton—makes it Congress' best chance to complete action on this important issue this year.

We understand that some within the managed care industry oppose any government regulation, but this issue is a very important one for consumers, health care providers, and the public health community. Your steadfast commitment to reform and your strong leadership throughout this debate are commendable. H.R. 2723 is a significant and welcome step toward achieving new protections for managed care patients. We look forward to continuing work with you toward achievement of that mutual goal.

Sincerely,

RICHARD A. LEVINSON, MD, DPA,
Associate Executive Director, Programs and Policy.

NATIONAL PARTNERSHIP FOR WOMEN & FAMILIES,
Washington, DC, August 13, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE NORWOOD: The National Partnership is pleased to endorse the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723). This is strong, bipartisan patient protection legislation, and thanks to your hard work, we believe it can—and will—pass the House of Representatives.

For women and families, few issues resonate as profoundly and pervasively as the need for quality health care. Survey after survey reveals Americans' growing dissatisfaction with the current health care system, and many feel the system is in crisis. We need common-sense patient protections that will restore consumer confidence and tip the balance back in favor of patients and the health care providers they rely on.

There are many features of this bill that are especially important. First and foremost, this bill ensures that medical judgments will be in the hands of medical experts, not insurance bureaucrats looking at the bottom line. This bill:

Ensures that patients have recourse to a genuinely independent external review when care is denied.

Allows patients to hold their managed care plan accountable when plan decisions to withhold or limit care result in injury or death.

Ensures that women have direct access to ob-gyn services from the participating health care professional of their choice.

Ensures that doctors and nurses can report quality problems without retaliation from HMOs, insurance companies, and hospitals.

Ensures access to specialists, including, when appropriate, specialists outside a plan's network.

Ensures access to clinical trials that may save people's lives.

The House of Representatives faces an historic opportunity to provide patients the protections they need. We look forward to working with you to ensure passage of this important legislation.

Sincerely,

JUDITH L. LICHTMAN,
President.

DEBRA L. NESS,
Executive Vice President.

JOANNE L. HUSTEAD,
Director of Legal and Public Policy.

THE AMERICAN OCCUAPATIONAL THERAPY ASSOCIATION, INC.
Bethesda, MD, September 1, 1999.

Hon. CHARLES NORWOOD,
U.S. House of Representatives,
Washington, DC

DEAR REPRESENTATIVE NORWOOD: On behalf of the 60,000 members of the American Occupational Therapy Association, Inc. (AOTA), I

would like to express our endorsement for the Bipartisan Consensus Managed Care Improvement Act of 1999, H.R. 2723. We appreciate your leadership, along with Representative John Dingell, in continuing to puruse strong managed care legislation with real patient protections through bipartisan efforts.

H.R. 2723 contains many critical patient protections that the members of AOTA believe are necessary to ensure patients receive the care that they need. Federal legislation should: guarantee patients' access to all medically necessary specialty care using appropriate utilization review standards; protect patients' right to choose a health care plan allowing out-of-network care; prohibit the restriction of importance medical communications and require information disclosure standards; prohibit discriminatory practices against health care professionals; require timely, independent due process procedures; and hold health plans accountable for their medical decisions.

H.R. 2723 is considerably more comprehensive than legislation passed by he Senate in July. It is important that these protections are available to all Americans enrolled in private health care plans.

Over the August recess we have notified our members, asking them to talk to their legislators. Please let us know how we can continue to assist you in your efforts to have comprehensive managed care legislation addressed on the House floor.

Again, we thank you for your leadership and hard work on this issue. We look forward to continuing to work with you to pursue passage of comprehensive managed care legislation.

Sincerely,

KATHRYN M. PONTZER,
Senior Legislative Counsel,
Federal Affairs Department.

AMERICAN ASSOCIATION FOR
MARRIAGE AND FAMILY THERAPY,
Washington, DC, August 23, 1999.

Hon. CHARLES NORWOOD,
House of Representatives,
Washington, DC

RE: Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2823)

DEAR DR. NORWOOD: The American Association for Marriage and Family Therapy is writing to express our strong support for the Bipartisan Consensus Managed Care Improvement Act of 1999 (H.R. 2723). On behalf of the 46,000 marriage and family therapists throughout the United States, we want to applaud you and Rep. Dingell for your effort to provide Americans with comprehensive patient protections.

Your bill offers several safeguards that are integral to our members, as well as the public at large. One provision, the prohibition on discrimination against providers, has particular significance. It expands consumer access to qualified practitioners who are regulated by the states. Without this protection, insurers and plans can continue to discriminate against many licensed health care professionals. Additionally, the provision will foster competition among providers and expand the pool of trained practitioners.

The ability to access speciality care is also a positive component of this legislation. Patients with ongoing healthcare conditions will greatly benefit from the opportunity to access specialists who are trained in the treatment of their special conditions. Moreover, removing the requirement of a primary care referral will reduce costs and delays that burden health care delivery.

Other provisions of significance to our organization include: an independent review process for determination of medical necessity decisions; the ability of people with special health care needs and chronic conditions to continue to access their health care professionals after employers change plans; the ability to hold managed care plans accountable for decisions to deny care; and guaranteed access to emergency care services.

These protections are a superb example of how Members from both sides of the aisle can work together to improve the quality of medical care for all employees. Your leadership in this effort is truly outstanding and appreciated. If there is any role our organization can play in passage of this legislation, please contact our Government Affairs Manager, David Bergman, at (202) 467–5015. Its time to ensure that all American are provided with the security of a comprehensive health care system.

Sincerely,

MICHAEL BOWERS,
Executive Director, American Association for Marriage and Family Therapy.

AMERICAN PUBLIC PLACES EDUCATION AS A TOP PRIORITY

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

Mr. OWENS. Mr. Speaker, we have just returned from recess and we are about to enter the closing chapters of the first session of the 106th Congress. The end of the first session will only take us halfway. We can continue, and there are probably some things that will continue, but we have a full plate here.

There is a great deal of speculation about exactly what is going to happen with the appropriations bills and the fiscal plan which now is made more exciting by the fact that there is a surplus. After we lock the box and keep the Social Security funds in place, we still have a projection of a 10-year period of a trillion dollar surplus, and that has led to some radical proposals by the Republicans with respect to tax cuts, and that has certainly charged the atmosphere.

I am interested in continuing the dialogue on education. I think that we are in danger of making a great blunder if we do not use this great window of opportunity to do something dramatic to improve education in America. There is a need for a greater commitment from the Federal Government which now only is responsible for about 8 percent of the total expenditure on education. We need more federal support for education.

There are a lot of things that have to happen to improve education in America, but one of the things that has to happen is that we must have more federal support. The Federal Government is where the money is. The Federal Government's money is not made here in Washington; it all came from the local level, so it belongs to the people out there in the States and in the localities. This is no reason why we cannot resolve to use funds from the Federal Government to help solve and resolve some of the overwhelming problems that we are facing in education.

We can still win the war for education support. The status of legislation here at this point does not preclude some major development taking place either before we end this session, or certainly before we end the 106th Congress in the fall of the year 2000.

Let us take a look at where we are at this point. As far as education funding is concerned, we are in bad shape. A number of appropriations bills have been stalled, and we have only passed two; but the education appropriations bill, the Labor-HHS appropriation is further behind than any of the other appropriations in the process. It has not even gotten out of the subcommittee yet. The appropriations bill for education, it seems, is being used as a scapegoat; and it will be the last one out there, and it will have the greatest amount of reductions.

I am not on the Committee on Appropriations, but the rumors are that for the overall Labor, Health and Human Services and Education appropriations, the cut may range as high as 35 or 40 percent. And certainly education is in danger of a 15 to 20 percent cut if we follow the present process whereby there are budget caps. But they are not following budget caps on some appropriations bills. They are leaving the last ones to take most of the burden of the cuts. So education is in deep trouble at this moment in history. But I think we can still win the war.

What I want to talk about tonight is how the American public and public opinion, the common sense of the voters, still is a determining factor here. We need to hear that and know that. All of the polls still continue to show that the American people place education as one of the top priorities, either priority number one or priority number two, in terms of federal assistance, or the use of federal resources to help solve problems. They expect us to do something. They are concerned. And their common sense is correct. Their common sense is on target. But what they need to know is that there are a set of rules being followed and a set of maneuvers underway that will lead to inevitable cuts in education if those rules are followed.

The President is right when he says that not only do we face cuts in this present year, in the present appropriation, but in the bigger scenario that the Republicans have staked out, if they go ahead with a gigantic tax cut of $790 some billion dollars over a 10-year period, then the mechanics of that tax cut dictate that there must be increasing cuts, escalating cuts in education. It would be the greatest blunder this Nation has made since it was

first established if we were to fall into that pattern where a tax cut and the momentum of a tax cut makes it absolutely necessary that there must be cuts in the resources that the Federal Government allocates for education.

The Republicans have made it clear that they do not care about education at all. They ejected the portion of their tax bill that could have covered a few of the problems with education construction. We should not have, in my opinion, a great deal of authority invested in the Committee on Ways and Means to deal with education, but it so happens that that was the only vehicle that the administration felt they could utilize. So in the Ways and Means bill, through the Tax Code, the only initiative that is on the table to help with school construction in Washington, is H.R. 1660, the bill sponsored by the gentleman from New York (Mr. RANGEL), and a bill which incidentally is backed by the overwhelming majority of the members of the Democratic caucus and by some Republicans.

H.R. 1660 is in the process of a discharge petition. And I understand that more than 190 Members have already signed the discharge petition for H.R. 1660, and it is projected that we are going to get above 218 to sign that discharge petition for this school construction bill via the Tax Code. That is a process by which the Federal Government will pay the interest on money borrowed by the States and the localities for school construction.

It is a good beginning. It moves from zero to proposing that the Federal Government authorize the borrowing of up to $25 billion over a 5-year period and the Federal Government would be responsible, through tax credits, for paying the interest on the money borrowed, which is expected to come to about $3.7 or $4 billion. Close to $4 billion of federal commitment would be involved in that kind of approach.

□ 2200

Now, that is the approach that is the pragmatic thing in the present playing field. The President and administration do not see any other way to move forward and start a process of involving the Federal Government in school construction. And if we have to accept the present playing field, the budget caps and the restrictions on the budget process that were there before we found we had a surplus, then that is a good move.

I certainly am a cosponsor of H.R. 1660, one of the persons who signed the discharge petition. I think we should go full speed ahead and try to make the discharge process add up to a discussion on the floor of H.R. 1660. That is what is acceptable now on the present playing field.

Beyond the present playing field, though, we have a new scenario. I mean, in addition to the consideration of this year's appropriation and maybe next year's appropriation, we have the majority of Republicans projecting 10 years' worth of expenditures due to the fact that they have estimated that the budget surplus will continue and over a 10-year period, even after we subtract the portion of the surplus that relates directly to Social Security, we will have close to $1 trillion in surplus over a 10-year period.

They are projecting that they should go ahead and plan to use that money primarily for a tax cut, more than $790 billion over a 10-year period. If we go into that kind of scenario where we are talking about 10 years and we are talking about an umbrella of a trillion dollars, then I think that we need another additional proposal on school construction. And that proposal is the proposal that I have set forth in H.R. 1820. That deals with $110 billion.

I am going to revise H.R. 1820 soon and take out the 5-year provision which is in there now. It is $110 billion over a 5-year period. And in order to make it harmonize and fit the scenario that the Republicans have set forth, I will make it a 10-year bill, $110 billion over a 10-year period and have it be the direct appropriations, of course, in accordance with a number of school-aged children in each State.

Each State would be allotted money based on the number of school-aged children. The money could be used for construction of new facilities, for repair of existing facilities, for wiring to allow for technology in the schools, for construction related to security, and for the elimination of health threatening conditions and elimination of unsafe conditions.

So it would be a bill with great flexibility allowing each State to take the appropriation that it receives on the basis of the number of school-aged children and apply them in the areas of greatest need for their infrastructure problems.

I think probably every State and certainly probably every school district also has some problems with infrastructure that would be helped by such a bill.

As I said before, this is a scenario for the larger playing field, the 10-year, trillion-dollar surplus playing field. So H.R. 1660 we will support and should support if that is going to be the name of the game. If it is going to be within the confines of the present budget making and appropriation setting process, yes. But if we are going to move to the 10-year scenario and we are going to have $794 billion on the table for a tax cut, then we need on that same table to have $110 billion for school construction.

Or even if we are going to have $300 billion, which some say may be the compromise, $300 billion, $400 billion for a tax cut, we still need a substantial comparable approach and a comparable amount for school construction. And I will talk in a few minutes about, among all the education reform items, why school construction is definitely the most important.

Public opinion has made it quite clear that they do want us to address the education problem with more than lip service and rhetoric, they want more than sound bytes on television, they do want some resources to be applied to the problems.

We have had in the last month or so several reports on new public opinion polls relating to education. And it is consistent, in fact, it is increasingly the public outcry, the public demand for the action on the part of Government with respect to education.

Recent polls show that people are willing to spend money, the majority of people are willing to pay more taxes if necessary to get some movement on the establishment of an education program that is suitable for the 21st century, an education proposal, an education system that fits with the coming cybercivilization that we have with great demands for people who have intellectual capabilities and are well-trained. And the only way we get them is through the process of education.

In addition to these public opinion polls that have been cited recently, there have been several other related developments or reports related to education which I think are very significant. The New York Times had an article on ''The Digital Brain Drain'' on Thursday of last week, September 2. The New York Times article reads ''The Digital Brain Drain.''

There are so many computers and so much interest in computers now at the college level and the high school level that there is little interest in the hard sciences. We have criticism now of computers becoming more dominant as far as students are concerned with respect to their choices as to what they want to do in life or what they want to study, if they do not have to study chemistry and they do not want to bother with chemistry and they do not want to bother with physics.

This article by Claudia H. Dorsch in the New York Times laments the fact that the interest in hard sciences is waning, definitely declining, decreasing.

One man, Jim Ivy, it starts fears that his son Jonathan, a freshman business major at Pennsylvania State University, will graduate from college without ever having taken a chemistry course.

Mottville High School, a New Jersey school, did not require chemistry and his advisors at Penn State says he can skip it there, too.

On and on they go to talk about how young people are choosing to focus on computer and computer science being where it is at and biotechnology and physics and a number of other areas

are suffering already and are likely to suffer more.

We have more foreign students in graduate schools. The number of people who are studying sciences in graduate school has declined, the number of Americans has declined to the point where the number of graduate level students who are foreign is greater than the number who are American in our graduate schools science programs.

Now, my answer to this is that what this is saying is that, in our increasingly complex society, where more and more demands for people with intellectual capabilities, whether it is science, law, medicine, whatever it may be, the pool is too small.

What we are really confronting here is the fact that the number of young people who are graduating from high school and going to college is so small that we have to take a scarcity approach and pit one profession against the other, one field of study against the other.

If the pool was larger, if we were keeping pace, then an education system that was preparing an adequate number of students to go into college more and more because we are going into a cybercivilization where scientific competence and learning are required to a much greater degree than ever before, let us recognize it and put the emphasis in our resource allocation on education to get more youngsters into the pool.

Now, to get more youngsters into the pool who are going to go to college and study science, computers, or English or math, we need people right across the whole spectrum. So we need people in social sciences so that they can help keep our society on course.

Science will not save us. We have just seen that one of the superpowers, the two great superpowers of the world, the Soviet Union, very proficient in science. They almost beat us to the moon. They certainly beat us into outer space. They have right now, as they had before, the capability of delivering nuclear warheads anywhere in the world with their vast rocket power.

The scientists and the engineering capability of the Soviet Union was astounding. But the whole nation collapsed. Why did it collapse with such brilliant scientists and systems that were able over a short period of time relatively to produce a very sophisticated technical and scientific society? It collapsed because something was missing.

So we do not want to have educated people, the people who are our leaders who come out of the colleges, who are only proficient at sciences, whether it is computer science or chemistry or physics. They must also, right across the board, we must have a supply of people who are competent and able to lead us politically and socially.

So the pool needs to be enlarged. We need to maximize the number of youngsters who flow up from elementary school to high school, from high school into college, and from college into grad school and life-long learning, in the case of most of us, for the future.

In order to do this, we have to begin at the lowest level. President Clinton's proposal for more teachers to the classroom in order to decrease the ratio of pupils to teachers and have fewer pupils in a classroom for teachers at the lowest levels will mean that the youngsters will be more likely to learn to read. Because whatever we do in chemistry or physics or computer science, however we may change the classroom in terms of the addition of new technology, it all begins with reading.

If kids cannot read, then they will not be able to survive, they will not be able to benefit from all of the additional education accouterments that we add. They must know how to add. They must know how to do the basic math. They must get the basics at a very early age. And we cannot touch the system at the top or doctor the system at the top and hope to get the kind of results that we need. We need to have the entire system in motion.

So we need to improve education in every way. And the President's proposal for more teachers to the classroom, $1.2 billion, is on target. We need much more than that, however. Because in order to get smaller classrooms, we need more than the addition of teachers, we need the addition of some more classrooms. We condition teach a first grade class with one teacher at one side of the room and another teacher at another side of the room. It will not work at lower levels.

It may work at higher levels you can have two classes in one room. I recall when I went to school at Shelby County schools, a very poor area, certainly the segregated schools for African-Americans were quite squeezed and the 7th and 8th grades were in the same room, 7th grade on one side and 8th grade on the other. And we made do.

If we had been younger levels, I do not think we would have ever been able to have order on one side while there was complete order on the other side and have been able to move in some kind of constructive way with a room full of young children. I do not think it is possible.

We need more classrooms if we are going to have smaller sizes. We need classrooms that do not send a message to children. We cannot take the kids into the hall, as I have seen in a number of schools, where they have got them at the end of a hall because there is no place to put them.

In some cases they are in closets that have been enlarged, storage rooms that have been enlarged. And people have said that it is not happening, but there have been some converted restrooms. Boys and girls restrooms have been converted and used as classrooms in some schools. It is that bad.

School is about to start in New York City, and there will be more crises in terms of finding a place to have these youngsters sit. Finding a place to sit now is more complicated by the fact that we have a new policy which everybody from one end of the Nation to the other has applauded, ''no more social promotion.''

I do not subscribe to slogans like that, but that slogan has caught on and everybody seems to believe it is true and it is positive. ''No more social promotion'' means we have a lot of youngsters sitting in schools and would have gone on to another school from elementary school to junior high school, but with ''no more social promotion'' they are sitting there in seats that already are scarce. And we are going to have more of a problem because we do not have a construction program to go with it.

I contend that if we really want to improve education, at the heart of improving education is a school modernization construction program. That is the role that the Federal Government can play best because that is where we need the most resources. That is where localities are stretched out and cannot meet those demands.

Let us face it, even in the parts of the country where construction has the lowest cost, it still costs quite a bit to build our schools. And certainly in the areas that are poorest they have deteriorating schools because they have not had the funds to keep them going in many cases and, therefore, there is some help needed from the Federal Government.

□ 2215

Even in areas like New York City and New York State which have surpluses, it ought to apply those surpluses more to school construction and we ought to put pressure on having the State and the city apply part of their surpluses to school modernization and construction and the people of the State and the people of the city ought to wake up and demand that.

The Federal Government still needs to help. They can never meet the demand with the amount of surplus, even if they applied the entire surplus to school construction and modernization.

So we need to send a message to all the people in the education family, to the children, the teachers, the administrators, that we really care about education because we are going to deal with the problem that they cannot deal with and that is give them a safe, healthy, conducive place to study.

This is just one of the developments that I wanted to note. The digital brain drain where we are talking about how horrible it is that computer science now competes with physics and chemistry and how our scientific endeavors, research capacity is going to suffer greatly because so many people are

being taken out of the hard sciences, natural sciences, to go into computer science, I think this is a very sad.

There is a very good article that brings to our attention a major problem but the problem here is not that computer science is mean and computer science is conducting raids on the other scientists, the drama, that kind of nonsense we do not need. What we need to understand is that we need a larger pool of people from which all of the sciences and the nonsciences draw their students. We need more students in college. We need more students who pass the SAT tests. We need more students who are able to take us into this new cyber civilization.

Another article appeared in the New York Times, the same day. Calculators throw teachers a new curve, Thursday, September 2. This article talks about students reprogramming powerful math aids to play games and maybe get a leg up on the SAT.

Well, computers are being utilized in the most advanced classes via calculators and doing all kinds of things not just with the usual basic calculations but with equations and drawing graphs and all kinds of utilizations of the calculator to advance the students' education to solve problems, and many schools are now allowing these calculators to be used during the tests, and I think some plans are being made for the national tests to also allow calculators to be used.

The thing that struck me about the article, it is a long article and a very positive article about how young people are able to master these computers and come up with such original and creative ideas, but what caught my attention most was an inset article by Jennifer Lee, which talks about some schools cannot afford hardware and training. And the fact that the digital gap between those who are rich enough to be able to have the kind of school technology that is most up-to-date and most relevant because it can connect up with the Internet, it can do all the things that the most up-to-date computers and technology can do, these schools cannot even afford the calculators. It points out that some parents are now complaining about the fact that calculators are being used in the classroom; their youngsters cannot afford them and they are placed at a disadvantage.

A number of government and foundation grants are now available to help schools purchase calculators, and other forms of technology, but hardware in the poorest schools may be only a part of the problem because they find that they do not have the teachers and the software that can utilize the hardware that other schools have available. So it is again another aspect of the digital divide between the poorest schools and the more well to do schools with respect to being able to afford the modern instruments that can improve their education and enable them to pass the necessary requirements to move on to college and to qualify for all of these many professions that need new scientists and new information technology workers.

It is important to note that in a speech that President Clinton made at Olney, Maryland, yesterday, he pointed out the fact that he had visited one school and that they told him that the school could not utilize the computers and the technology that they had because when they hooked it all up it started blowing fuses. The wiring for the school was inadequate and could not accept the modern technology. We are back to the major problem of infrastructure, the great need for construction, school construction, and the need for the Federal Government to be involved in carrying school construction forward.

What are our chances? Why do I say that we can still win the war for education support; we can still win the war to get a significant appropriation for school construction? I think that even if we had some decision-making in this session of Congress, this first half of the 106th Congress, there is time, if we wake up and understand the power that is out there among the parents and the students, the public opinion is there. On education, we have only the example of politicians and elected officials ignoring the polls. It is an amazing phenomena how we see the polls saying that education is important and we ignore the fact that they keep asking for something more significant than we are giving. Everybody proposes some nickel and dime education program but the public keeps demanding something that is really going to deal with the problem in a more basic way.

There are people who say that no major decisions are going to be made about the trillion dollar, 10-year surplus in this session, that we are not going to be able to deal with it; there is too little time; it is going to be carried over to the next session.

That gives us more time. I think time is on our side.

There are other people who say that we may have some kind of unusual coming together of the White House and the Republican leadership and the Congress and we have a deal made this year. I hope not. I fear any kind of rapid deal, because that tends to leave out public opinion. If public opinion is allowed to operate long enough, if the common sense of the people out there is allowed to stay in play, we are going to win this war for education support. We are going to win this war to get meaningful appropriations for education.

We may have a giant omnibus, continuing resolution. The continuing resolution will mean that basic decisions about new programs such as a multibillion dollar tax cut will not be made. It will be carried over to next year. Let it be carried over, and remember that time is on our side. The force is with us. We have truth. We have logic. We have reason. We have so much on our side.

It is amazing how blind our leadership is not to understand that school construction is a place where the Federal Government can make the greatest contribution for the improvement of education.

So it will be carried over until next year, election year 2000. Next year is an election year. That will be the battle ground. That will be the place where the long-term fiscal plan, the 10-year allocation of $1 trillion will be decided. We will have time to catch our breath.

The Republican proposals have kind of overwhelmed us. They proposed a $794 billion tax cut. The Democrats have not countered that with any proposal of substance. We know that our leadership wants a diversified package which will include allocations for Medicare, for education, for a few other programs, but we do not know exactly how much. We do not know whether they are going to be willing to change the formula or change the approach with respect to school construction and place a substantial, adequate amount, on the table for school construction over the next 10 years.

We may not see the leadership move unless the public pressures the leadership to come to its senses. Not to use this opportunity to finance school construction on a meaningful basis would constitute one of the most devastating blunders in the history of the Nation. It would be a great blunder for us not to use the opportunity now, while we have a surplus, to strike a blow against our deteriorating infrastructure and a blow in favor of building up that physical infrastructure and sending a message to the school boards and the teachers and the administrators that we care; we care enough to take off their back the problem of the physical infrastructure. Now they should take care of the other problems.

Yes, the Federal Government can help with research. They can help with curriculum standardization. They can help with experimentation and the dissemination of information about what works and what does not work. There are a thousand ways the Federal Government can help, but the way it can help most is to foot the bill for a large part of the school construction necessary; give the facility, give the infrastructure, take away that burden from local and State governments totally. They should not have the total burden, but local governments and State governments certainly need to contribute more to school construction and the pressure should be on the national basis and part of the participation of the Federal Government can help to stimulate that.

The window of fiscal opportunity is open now. We have a projection of $1 trillion now. If we go ahead and allow that window to close, if we allow a huge Republican tax cut to take place and the $1 trillion to go primarily toward the tax cut, there is nothing left for us in order to deal with the need for education funding and for construction.

Education is not just another nondefense expenditure. I think we need expenditures in several areas: Child care programs, social programs, but education is a key because it is investment. It is an investment in the future for the coming generation. Education is going to help us solve the problem of Social Security. The major problem that Social Security faces is that the number of people who will be drawing down their Social Security payments is going to be greater than the number of people working to put payments into the Social Security fund. If we do not get a labor pool out there that is going to fill the jobs that are going to be available, or if we have to fill the jobs with foreigners or we have to contract out and send the work overseas, we do not get the benefit in our Social Security fund for that. Our economy does not get enriched by the salaries that are paid to workers who are in another country. So education is not just another nondefense expenditure.

Investment in the future of coming generations is best taken care of via the education route. We cannot allow ourselves to blunder into a situation where we do not provide out of this pool of a trillion dollars a substantial amount of money for education.

School construction crystallizes the Federal commitment. It crystallizes the commitment of elected officials for education. It crystallizes the national commitment. If we do something on school construction which is meaningful we can stimulate and accelerate all of the other school improvement efforts out there. Without modernization and construction, we are facing an abandonment of the public school system.

A lot of the people who are against a meaningful school construction program are really scheming to have the public school system scuttled. If we do not build, if there are no buildings, we are sending a message that we are abandoning the process. Why should teachers, why should educators, principals, why should even students believe us when we say that education is important if we are going to allow buildings to fall down around them?

There are people that advocate vouchers, which is an extreme approach to education reform. I am not going to be so blind as to say vouchers are not a good idea for experimentation. Maybe they can tell us something significant, but I think the vouchers ought to be funded out of private sources. We have enough foundations, enough corporations, who favor vouchers to fund a voucher system.

The capacity of private schools in this country right now is very limited. The number of youngsters who are going to private schools using vouchers is so limited until certainly there is enough money in the foundation and corporation world to fund it and let us see how it works via funding from the private sector instead of using public school funds to fund vouchers.

To say we are going to experiment with the improvement of education while having vouchers and pull the money out of the public school system and definitely dooming the public school system to continued mediocrity or a struggle to make ends meet, then we are not improving education in an overall way. Part of the experiment requires that we try to make the traditional system work, if possible, so we have something to compare with. What is learned through a voucher program may be utilized in the public school system.

□ 2230

Certainly we must realize via common sense and simple logic that most of the 53 million children in America who go to school are going to have to go to public schools for a long time. No matter what kind of legislation Congress passes or the State legislatures pass, there is not a capacity out there to replace the public schools. We are going to have to have public schools for another generation at least, no matter what we do.

So improvement of public schools is a necessary part of any serious, sincere reform effort. We must build in 2000, build schools and we will set up a whole chain reaction.

I think that we ought to be positive about it and assume that we are going to build in 2000. I have a hard hat here which is part of a campaign that we are kicking off at the Congressional Black Caucus weekend next week to wake up the African American community to the fact that we must play a key role. It is a Congressional Black Caucus weekend. The African American community must provide a leadership role in stimulating efforts to gain more resources from the Government for school construction.

There are people who have given up, and there are some public opinion polls, and the Republican majority has certainly brought those to our attention, which say that black parents, African American parents in the big cities in large numbers opt to use vouchers or charter schools. They want to abandon the public school system. They talk about more than 50 percent.

So the people who are being used to tear down the public school system certainly ought to be alerted to the fact that there are clear alternatives.

I know what is happening. Most of us who are in leadership positions know that African American parents have been disappointed by reforms; they are disappointed by no movement in their schools. Certainly those who are brightest and those who are most concerned about their children become very restless, and they do not believe that there is a real effort to improve public schools, and they have given up. They will take any alternative, charter schools or vouchers. They do not make a distinction, just any alternative to the public school system.

Now if we say we are going to not abandon the public school system, and a lot of those problems related to reading, related to counseling and a number of other very difficult problems that for years we have been struggling with, we are going to give you the opportunity, let the educators and the administrators have the opportunity and the resources, because if we are devoting federal funds to school construction and the physical infrastructure, then there are funds available for other programs and other approaches to the local education agency and the local schools.

So we ought to build. As my colleagues know, I think that we cannot emphasize it too much. Every elected official, every leader in the African American community ought to identify with the need for school construction, school modernization. We ought to understand that the chain reaction of hope can only be set off if we send a clear message that we are going to do something different in a big way.

You know, there is a time when brick and mortar are considerations, are the most important considerations in rallying people. What you do in terms of concrete and bricks send a bigger message and a better message and a more inspiring message than anything else you can do. If you are willing to build, then that is a commitment.

Time is on our side. I think we can still win. As I said before, reason is on our side, logic is on our side. When political expediency continues to be blinded to the obvious, then common sense out there among the voters and among the people that have to point the way.

We probably have a school facility problem in every district. There is at least one school in every congressional district. So we ought to be able to get the message through to the Members, but it will not happen automatically. You have to be willing to devote time and energy and communicate.

We are communicating in one way, through the polls and the focus groups. We have let the Members of Congress know, let the White House know; everybody knows that people want more resources devoted to education. What we have not been able to understand is that the only significant things that

can be done, there are some significant things that can only be done by the Federal Government, and the Federal Government needs to accept its role in a very important and expensive proposition such as school construction.

We should not think that it is impossible to do this. We are at a point now where we have a proposal on the table by the administration. President Clinton has been called the education president for good reasons. Nobody else in Washington has provided over such a long period of time a comprehensive program for the improvement of education. Whatever the criticism one may have of it, at least there is a comprehensive program and not just an attempt to raid the education coffers in order to give money to the local level under some slogan, a block grant slogan or dollars to the classroom slogan, but no real program based on research, evidence. We have evidence that smaller classrooms make a big difference. We have research to support that, so the thrust of the administration's program is to get more money to school districts to hire more teachers in the early grades.

There are other programs, after-school centers. There has been a lot of attention paid by this administration; they paid a lot of attention to the fact that you need new technology. They led the movement. The President himself and the Vice President led the movement to wire schools with volunteers when nothing else was working. The E-rate is a result of this administration standing fast and insisting that the telecommunications law be followed and interpreted in the most generous way possible. So we have the E-rate.

There are a number of things that this administration has done that we can applaud, but it has not gone far enough, and the playing field has changed. If you are now dealing with a trillion dollar surplus over a 10-year period, then let us have a program for that 10-year scenario. Let us have a school construction program for that 10-year scenario.

As my colleagues know, there have been times when it seemed that we could not win and things were impossible, and folks have said, as my colleagues know, it is just reckless for you to stand on the floor and ask for $100 billion dollars, $110 billion over a 10-year period. It is impossible. Well, there were days when we faced other impossibilities. In the early days of the 104th Congress, shortly after the Republican majority took control in the days of the Contract with America there were proposals to abolish the Department of Education. We had two former Republican Secretaries of Education come to the House and testify before committees calling for the abolishment of the Department of Education. That was a major item on the agenda of the Contract with America, to get rid of the Department of Education.

That same Congress in those years proposed that we cut education drastically. We cut in 1995 a proposal on the table called for almost a $4 billion cut in education programs including Head Start, including Title I. Those are days where things seemed almost doomed in terms of federal, the federal commitment and federal aid to education.

But we kept fighting. We fought a good battle in school lunches where school lunches were also cut.

There are some people who are worried about protocol, and they say my hat is against the rules; is that what you are saying? Well, I will hold it here; is that all right? We have some arcane rules, and we worry about the wrong things. But the important point was made. We need to understand that school construction has to be pursued relentlessly, and while they worry about where you wear the hat here, any kind of hat, even a demonstration hat on the floor, while they worry about that, let us worry about the real problems out there, and remember that in the darkest days of the 104th Congress when they proposed to cut school lunches, Head Start, et cetera, we kept fighting, we kept fighting.

As my colleagues know, as a matter of levity let me just remind you of some of the things that we did to get our message across. We had to sometimes be a little humorous with it. On April 4, 1995, I recall an item I put in the CONGRESSIONAL RECORD which included a poem about school lunches. It was very serious, and we were very upset about the fact that they were proposing to cut school lunches. You might have forgotten, so let me just read from the item that I entered into the RECORD in 1995 on April 4.

Mr. Speaker, a final word has not yet been said about the Republican swindle of the children who receive free lunches in the schools across our Nation. But the final, most authoritative figures have been established by the Congressional Budget Office. The very conservative but thorough Congressional Budget Office has estimated that the Republicans will capture slightly more than $2 billion from their block granted school lunch program. This will be $2 billion more to go into the tax cut for the rich.

See, the present concern about tax cuts for the rich is not the only attempt to give big tax cuts to the rich. We had one before.

This is a scenario filled with horror. It conjures up the image of a poster, that poster that was famous during the war where the finger of Uncle Sam was pointed out at you, and it said: I need you. That kind of image is now being conveyed to the children of America. They are saying: this Nation needs your lunch.

And I put together a small rap poem that goes as follows:

This Nation, the Nation, needs your lunch.
Kids of America, there is a fiscal crunch.
This great Nation now needs your lunch.
To set the budget right,
Go hungry for one night.
Don't eat what we can save.
Be brave.
Patriots stand out above the bunch,
Proudly surrender lunch.
Kids of America, nutrition is not for you.
Sacrifice for the rich few.
Be a soldier and play dead.
The F–22 might rescue you.
The seawolf sub might bring some hot grub;
Now hear this: There is a fiscal crunch.
This Nation needs your lunch.
Pledge allegiance to the flag,
Mobilize your own brown bag.
The enemy deficit must be defeated.
Nutrition suicide squads are desperately needed.
Kids of America, there is a fiscal crunch.
This great Nation now needs your lunch.

Mr. Speaker, it is ridiculous for the Republican majority to call for cutting school lunches. Let it happen, and we overcame that. We woke up the American public. It did not happen automatically that we moved from 1995 proposals by Republican majority for a $4 billion tax cut, education cut, to a 1996 position in the closing days of the same Congress where they proposed a $4 billion increase.

The difference was public opinion, common sense. The people of America stood up to the nonsense and said education is important, do not abolish the Department of Education, do not cut school lunches, do not cut Head Start. If you come out here and try to run on that kind of platform, you are doomed to defeat.

The focus groups and the public opinion polls told the Republicans they were off course, and they did an about face that was 360 degrees. Instead of a $4 billion cut, we got a $4 billion increase, the largest increase in education funding in the last few decades, since the Great Society entered the whole area of elementary and secondary education.

So we have difficult roadblocks placed in front of us in the past, and we have overcome it. The enemies of education have been forced to retreat in other cases. The E-rate last year, just a few months ago we were fighting the battle of the E-rate. What is the E-rate all about? The E-rate was a promise made by the corporations and telecommunications leaders to help education in exchange for some amazing concessions in the Telecommunications Act of 1996. After they had gotten all these concessions and all the deregulation they wanted, they begin to renege on the agreement; and when the FCC proposed to provide discounted funding to schools and libraries, and that is what Congress had asked them to do, discounted funding, they got opposition from a wide number of corporations and some Members of the

House and Members of the Senate, and I came to this floor at that time and made an appeal to the schoolchildren of America.

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I happened to be speaking early in the evening on that day, so I made a special appeal to children, and between the school children and their parents and all the ordinary citizens who might not have children but have common sense out there, this thing has been turned around.

On Sunday, August 15, in a New York Times there was a report which reads as follows: ''Phone fee for school Internet service seems to be too popular to overturn. Phone fee for school Internet service seems to be too popular to overturn.''

Certain corporations were opposing the E-Rate. A simple matter. The FCC passed the regulations which required that money be paid into a fund. It is a universal fund that already exists for other purposes, so they expanded that fund to include money that would go into libraries and schools to pay a part of their costs for telecommunications. Up to 90 percent of the cost would be paid in the poorer schools, but all schools would get about 20 percent. Even the most wealthy schools would get a 20 percent discount.

This would help them to continue on an ongoing basis to pay the costs of having technology in their schools. The on-line services, the telecommunications services would be partially paid out of this fund.

The FCC proposed $2.4 billion. There was such a hue and cry here in Congress and by the corporations who took them to court, and all the muscle was brought into play behind the scenes. Forget about the American people and school kids who would benefit from this.

So much muscle was brought into play that the FCC backed down. They cut the $2.4 billion in half. It became $1.2 billion. They moved for their first funding at 50 percent of the amount that they had originally decided.

Well, we appealed to the ordinary people and the children of America to counterattack; and, as a result, this report now says that nobody in high places now is willing to fight the battle against the E-Rate. We raised it back now to $2.25 billion, up from the $1.7 it had been cut down to.

I know, because I went with members of the Congressional Black Caucus to the hearing where the final vote was taken to raise it back to the amount of $2.25 billion. That hearing was a great event, where we restored the promise that had been made to the schools and libraries of America.

Now they are saying nobody is waging war in any significant way. There are still some court suits being brought. I don't know where MCI is now on this whole matter, but MCI was one of the huge corporations that brought a suit, and I will include for the RECORD this article.

[From The New York Times National, Aug. 15, 1999]

PHONE FEE FOR SCHOOL INTERNET SERVICE SEEMS TO BE TOO POPULAR TO OVERTURN

(By David E. Rosenbaum)

WASHINGTON, Aug. 14—Two years ago, when the Government imposed a new fee on long-distance telephone companies to raise money for Internet connections at schools and libraries, the reaction from some quarters was ferocious.

Republican politicians, assuming that people would be outraged by the extra charges showing up on their phone bills, called it the ''Gore tax'' because Vice President Al Gore had championed the program.

Conservative academics accused the Clinton Administration of distorting the marketplace, quietly expanding the Federal role in education and creating a new, expensive entitlement program.

The long-distance carriers were quick to put new line items on phone bills identifying the extra charges they were passing along to customers, and they screamed that costs would skyrocket.

But the program, officially called the E-rate, has proved to be so popular that even the harshest critics now agree that further complaints are futile.

What happened was that pork barrel trumped political, ideological and commercial concerns.

In the new school year, 80,000 schools and libraries across the country will have new or improved high-speed Internet access because of the program, and a total of more than one million individual classrooms, in every state and presumably every Congressional district, will be wired.

While a tight lid has been imposed on almost all other Government programs, spending for the E-rate, which appears nowhere in the Federal budget, has been increased by one-third to $2.25 billion in the coming school year. That makes it one of the Federal Government's largest education programs—much larger, for example, than the $1.5 billion the Government is allocating this year to vocational and adult education.

''Once you have large sums of money pouring into every school district in the country, it's impossible to turn off the spigot,'' said a lobbyist who has worked against the program.

Another opponent of the program, Adam Thierer, a communications policy specialist at the Heritage Foundation, agreed there was no turning back. ''Pork barrel has won out, no doubt about it,'' he said.

''This technology has such appeal,'' Mr. Thierer added. ''If you're against this, you're viewed as being against children. The political dynamic at play here is very powerful.''

In his State of the Union Message in 1996, President Clinton set the goal of connecting every classroom and library to the Internet by the turn of the century. Now, because of the E-rate, it appears as if that goal will essentially be met, and the President often speaks of the success.

At a political fund-raiser a week ago in Little Rock, Ark., with Vice President Gore at his side, Mr. Clinton declared: ''Al Gore led the fight to make sure that the Federal Government required all the schools in this country to have affordable rates so that every classroom in the poorest schools in America can be hooked up to the Internet. He did that, and he deserves credit for it.''

Administration officials seize every opportunity to point out the local benefits. In a speech in Houston last month, William E. Kennard, the chairman of the Federal Communications Commission, said, ''This week we were able to send nearly $12 million to schools and libraries right here in Texas.''

Everyone agrees that schools and libraries should have access to modern technology. Mr. Thierer, for example, said he would not want his children to go to a school that was not connected to the Internet.

The controversy has been over whether the way to accomplish the goal is through the back door. The Federal Communications Commission, not Congress, decides how much money should be spent under the E-rate program and who should receive it. And rather than raise the money through general taxes, it all comes from the fee on long-distance telephone service.

''I do not doubt that there is a benefit to wiring our classrooms and libraries today,'' said Senator Kay Bailey Hutchison, Republican of Texas. ''But to require captive consumers to pay the full cost does not pass the fairness test.''

From the Administration's perspective, the problem is that the Republican Congress would never have approved money directly for Internet connections.

The E-rate program grew out of the sweeping 1996 legislation that rewrote the nation's 62-year-old communications law. The measure, a product of countless compromises and tradeoffs, instituted a new era of competition in telephone and data services.

One section of the legislation requires telephone companies (and providers of cellular phone and pager services) to pay a fee to the Federal Communications Commission so that all Americans can have access to affordable telephone service and so that schools, libraries and rural hospitals and clinics can receive discounts on telephone service and Internet access.

The size of the fee and the exact nature of the services it would cover were left up to the commission to determine.

Ever since telephones became a central part of American life early in this century, some telephone users have subsidized others. Businesses have subsidized residential users. Urban customers have subsidized those in rural areas. The affluent have paid more so that poor people could afford telephones.

The theory has been that everyone benefits from universal access to telephones, just as everyone benefits from a national highway system and mail service that reaches everywhere in the country.

Reed E. Hundt, who was Mr. Gore's prep-school classmate and the F.C.C. chairman from 1994 to 1997, saw the communications law as the path toward the Administration's goal of wiring classrooms and libraries. Under the policy that he developed and that has been followed by his successor, Mr. Kennard, long-distance companies pay a fee of slightly less than 1 percent of their revenue into a universal service fund.

Two-thirds of the money raised by the fee is spent on telephone service for rural communities and poor people. The other third, $2.25 billion a year, is earmarked for the E-rate program. This covers 20 percent to 90 percent of the cost of wiring and paying the monthly bills from Internet service providers. The poorer the schools' students or the libraries' neighborhood, the higher the percentage of the cost that is covered.

The companies pass along the cost of the fee to their customers. AT&T, for instance, charges residential accounts 99 cents a

month. MCI World-com charges customers 7.2 percent of their long-distance bill. Sprint charges 6.3 percent. One-third of this fee pays for the E-rate.

The cost of the E-rate program to most consumers is 30 to 40 cents a month—about the cost of a postage stamp, Mr. Kennard frequently says.

The program had a rocky start. Faced with criticism in Congress and a report of poor management by Government auditors, Mr. Kennard cut back the financing last year to $1.7 billion from the original $2.25 billion.

But across the country, from the biggest cities to the most remote communities the response from schools and libraries has been enthusiastic. Complaints from long-distance customers who are footing the bill have dwindled.

Joseph Salvati, coordinator of the E-rate program for New York City public schools, said 7 to 12 classrooms in every school in the city would be wired for high-speed Internet service when school opens for the new year. The city received about $70 million for the program through last June and expects another $70 million in the new school year, Mr. Salvati said

Elva Scott, the volunteer librarian in Eagle, Alaska, an isolated community with 500 residents near the border with the Yukon Territory, said her library's grant allowed her to offer residents 30 minutes of free time on the Internet every month and more time at a charge of $3 for every 30 minutes.

''Before this,'' Ms. Scott said, ''we were really out of the loop.''

Republican opponents clearly misjudged the public's willingness to pay a small amount of money to accomplish what is seen as an important social goal. Encouraged by the political support and a new management structure, Mr. Kennard returned in May to the $2.25 billion annual level.

His position was bolstered last month when the United States Court of Appeals for the Fifth Circuit rejected a challenge to the program on the ground that the fee imposed by the F.C.C. was an unconstitutional tax.

But in Washington, even the strongest supporters of universal access to the Internet still worry about whether the communications commission should be running a major education program rather than Congress or the Department of Education or the education authorities in the states and cities.

''It's a wonderful program,'' said Patricia Aufderheide, a professor of communications at American University here and the author of a book on the 1996 telecommunications law. ''But it's certainly making education policy in a backward way.''

Mr. Speaker, I think people ought to know that the phone fee for school Internet service seems to be too popular to overturn.

Mr. Speaker, I will also enter into the RECORD another entry that I made on July 17, 1998, in the CONGRESSIONAL RECORD already. I think it is time to look at it again. It is called ''The Massacre of the E-Rate Continues.'' At that time I thought some humor would help wake children up to what was really going on. It is called ''The E-Rate KILLER.''

MCI
Wants E-Rate to die
Children cry
Big shots lie
Pigs kidnap the sky
MCI
Wants E-Rate to die
Deadbeat dinosaur
Monster Corporate Idiots
MCI
Never shy
Greedy grinch
Stealing all the pie
MCI
With justice no civil tie
MCI
Filthy sty
In the star spangled eye
MCI
Wants E-Rate to die
MCI
Makes children cry.

THE MASSACRE OF THE E-RATE CONTINUES

Mr. OWENS. Mr. Speaker, the massacre of the infant E-Rate continues. Certain greedy corporations have chose to persecute and betray the children of America by denying them vital access to education technology in their schools and libraries. After the Telecommunications Act of 1996 enriched these giant corporations by removing certain regulations and allowing an unprecedented increase in their profits, MCI and others have chose to renege on the deal. The telecommunications corporations gave their word that they would support an earmarking of a portion of the Universal Access Fund just for Schools and libraries. Now corporations and misguided political leaders have forced the Federal Communications Commission to cut the original funding goal by fifty per cent. On behalf of the 30,000 schools and libraries that applied for funding, and all of the children of America we demand that full funding for the E-Rate be restored immediately. The children of America have a message for corporations like MCI:

THE E-RATE KILLER

MCI
Wants E-Rate to die
Children cry
Big shots lie
Pigs kidnap the sky
MCI
Wants E-Rate to die
Deadbeat dinosaur
Monster Corporate Idiots
MCI
Never shy
Greedy grinch
Stealing all the pie
MCI
With justice no civil tie
MCI
Filthy sty
In the star spangled eye
MCI
Wants E-Rate to die
MCI
Makes children cry.

I think we ought to be reminded that that kind of appeal was necessary to bring common sense back to the policymakers who were rallying against MCI, as well as the big corporate powers.

So we can win some of these battles. My point is we can win. Let us remember these battles that we have won. There was a point where they wanted to cut the Public Broadcasting funds. I think we came and talked about Big Bird and Sesame Street, and they backed down on that. We have won battles. We have forced retreats.

In this situation it may not be a situation of forcing a retreat or winning a battle. It is a matter of getting it on the table, construction for schools, school construction, school modernization, funds to facilitate greater school security, funds to eliminate unhealthy and unsafe conditions. If that gets on the table when the discussion takes place about the $1 trillion surplus, then we will have won the battle.

I propose $110 billion over a 10-year period to keep pace with and be comparable to the Republican tax cut proposal, but if you get less, we still have won the battle. But let us go forward and understand that we cannot give up. The force is with us; the education president is with us. This education president can be persuaded, as he has in the past, he can be persuaded to expand his horizons, and we hope we can help persuade him to expand the school construction proposal.

The working families and unions are with us. I have here, the hard hats are with us, so we want the hard hats and all the forces combined to fight harder and understand this is a battle we can win, this is a war we can win. The force is with us. Education is an investment that America needs. It will be a great blunder not to have all possible effort to improve education taking place.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCHUGH (at the request of Mr. ARMEY) for today on account of family matters.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. SCOTT, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

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

Mr. MORAN of Kansas, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, September 9.

Mr. NETHERCUTT, for 5 minutes, September 9.

Mr. SHAW, for 5 minutes, today.

Mr. WALDEN of Oregon, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, September 9.

Mr. KASICH, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, today.

Mr. KINGSTON, for 5 minutes, September 9.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 199. An act for the relief of Alexandre Malofienko, Olga Matsko, and their son, Vladimir Malofienko; to the Committee on the Judiciary.

S. 452. An act for the relief of Belinda McGregor; to the Committee on the Judiciary.

S. 620. An act to grant a Federal charter to Korean War Veterans Association, Incorporated, and for other purposes; to the Committee on the Judiciary.

S. 632. An act to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Commerce.

ENROLLED BILL SIGNED

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

On August 5, 1999:

H.R. 1664. An act providing emergency authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, and for other purposes.

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore (Mr. WOLF):

On August 10, 1999:

H.R. 211. An act to designate the Federal building and United States courthouse located at 920 West Riverdale Avenue in Spokane, Washington as the ''Thomas S. Foley United States Courthouse'', and the plaza at the south entrance of such building and courthouse as the ''Walter F. Horan Plaza''.

H.R. 1219. An act to amend the Miller Act, relating to payment protections for persons providing labor and materials for Federal construction projects.

H.R. 1568. An act to provide technical, financial, and procurement assistance to veteran owned small businesses, and for other purposes.

H.R. 1905. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2000, and for other purposes.

H.R. 2565. An act to clarify the quorum requirement for the Board of Directors of the Export-Import Bank of the United States.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

On August 6, 1999:

S. 606. An act for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical, LLC (successor to Kerr-McGee Chemical Corporation), and for other purposes.

The SPEAKER pro tempore (Mr. WOLF) announced his signature to enrolled bills of the Senate of the following titles:

On August 10, 1999:

S. 507. An act to provide for the conservation and development of water and related resources, to authorize the United States Army Corps of Engineers to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

S. 1543. An act to amend the Agricultural Adjustment Act of 1938 to release and protect the release of tobacco production and marketing information.

S. 1546. An act to amend the International Religious Freedom Act of 1998 to provide additional administrative authorities to the United States Commission on International Religious Freedom, and to make technical corrections to that Act, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles.

On August 5, 1999:

H.R. 2465. Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2000, and for other purposes.

On August 11, 1999:

H.R. 1568. To provide technical, financial, and procurement assistance to veteran owned small businesses, and for other purposes.

H.R. 1219. To amend the Miller Act, relating to payment protections for persons providing labor and materials for Federal construction projects.

H.R. 2565. To clarify the quorum requirement for the Board of Directors of the Export-Import Bank of the United States.

H.R. 211. To designate the Federal building and United States courthouse located at 920 West Riverside Avenue in Spokane, Washington, as the ''Thomas S. Foley United States Courthouse'', and the plaza at the south entrance of such building and courthouse as the ''Walter F. Horan Plaza''.

On August 12, 1999:

H.R. 1664. Providing emergency authority for guarantees of loans to qualified steel and iron ore companies and to qualified oil and gas companies, and for other purposes.

ADJOURNMENT

Mr. OWENS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Thursday, September 9, 1999, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

3861. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Mediterranean Fruit Fly: Removal of Quarantined Area [Docket No. 98–083–5] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3862. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Raisins Produced From Grapes Grown in California; Use of Estimated Trade Demand to Compute Volume Regulation Percentages [Docket No. FV99–989–4 FR] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3863. A letter from the Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Tomatoes Grown in Florida; Partial Exemption From the Handling Regulation for Producer Field-Packed Tomatoes [Docket No. FV98–966–2 IFR] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3864. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Oranges and Grapefruit Grown In Lower Rio Grande Valley in Texas; Increased Assessment Rate [Docket No. FV99–906–2 FR] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3865. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Soybean Promotion and Research Program: Procedures to Request a Referendum [No. LS–98–001] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3866. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Viruses, Serums, Toxins, and Analogous Products; Update of Incorporation by Reference for Rabies Vaccine [Docket No. 97–103–2] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3867. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Propiconazole; Extension of Tolerances for Emergency Exemptions [OPP–300899; FRL–6093–3] (RIN: 2070–AB78) received July 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3868. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Glufosinate Ammonium; Pesticide Tolerances for Emergency Exemptions [OPP–300900; FRL–6092–8] (RIN: 2070–AB78) received August 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3869. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Pyriproxyfen; Re-establishment of Tolerances for Emergency Exemptions [OPP–300909; FRL–6098–1] (RIN: 2070–AB78) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3870. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program (NFIP); Insurance Coverage and Rates (RIN: 3067–AD00) received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3871. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–7292] received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3872. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations—received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3873. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—National Flood Insurance Program (NFIP); Group Flood Insurance Policy (RIN: 3067–AC35) received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3874. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3875. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3876. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA–7718] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3877. A letter from the Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits—received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3878. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Sucralose [Docket No. 99F–0001] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3879. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting the Department's final rule—Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No. 98F–0014] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3880. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Minnesota [MN44–02–7269a; FRL–6414–9] received August 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3881. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Texas: Final Authorization of State Hazardous Management Program Revisions [FRL–6424–1] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3882. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Control of Emissions From Hospital/ Medical/ Infectious Waste Incinerators (HMIWIs); State of Missouri [MO 080–1080a; FRL–6421–6] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3883. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Oklahoma: Incorporation by Reference of State Hazardous Waste Management Program [FRL–6423–8] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3884. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Clifton, Illinois) [MM Docket No 98–213 RM–9352] (Lennox, South Dakota) [MM Docket No 98–215 RM–9370] (Sibley, Iowa) [MM Docket No 98–219 RM–9390] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3885. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Lufkin and Corrigan, Texas) [MM Docket No. 98–135 RM–9300 RM–9383] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3886. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Annville, Kentucky) [MM Docket No. 99–51 RM–9454] (Liberty, Pennsylvania) [MM Docket No. 99–52 RM–9455] (Clarendon, Pennsylvania) [MM Docket No. 99–53 RM–9456] (Ridgeley, West Virginia) [MM Docket No. 99–54 RM–9457] received August 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3887. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No 98F–0824] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3888. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—General Statement of Policy and Procedures for NRC Enforcement Actions [NUREG–1600, Rev.1] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3889. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—MIGRATORY BIRD HUNTING; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 1999–2000 Early Season (RIN: 1018–AF24) received August 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3890. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Migratory Bird Hunting; Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands (RIN: 1018–AF24) received August 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3891. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish by Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No. 990304062–9062–01; I.D. 080999I] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3892. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting the Department's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Central Regulatory Area of the Gulf of Alaska [Docket No. 990304062–9062–01; I.D. 080999J] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3893. A letter from the Acting Assistant Secretary, Fish and Wildlife Service, transmitting the Service's final rule—Migratory Bird Hunting; Final Framework for Early-Season Migratory Bird Hunting Regulations (RIN: 1018–AF24) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3894. A letter from the Acting Director, Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Adjustments [Docket No. 981231333–8333–01; I.D. 072699C] received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3895. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Deep-water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska [Docket No. 990304062–9060–01; I.D. 080399C] received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3896. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of

the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Central Regulatory Area [Docket No 990304062–9062–01; I.D. 080399B] received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3897. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area [Docket No. 990304062–9062–01; I.D. 080399A] received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3898. A letter from the Deputy Assistant, Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Gulf of Maine (GOM) Cod Landing Limit Adjustment [Docket No. 990727204–9204–01; I.D. 072299A] (RIN: 0648–AM87) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3899. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No. 990304062–9062–01; I.D. 080999B] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3900. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska [Docket No. 990304062–9062–01; I.D. 080999A] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3901. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Central Regulatory Area [Docket No. 990304062–9062–01; I.D. 080399B] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3902. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Deep-water Species Fishery by Vessels using Trawl Gear in the Gulf of Alaska [Docket No. 990304062–9060–01; I.D. 080399C] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3903. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Regulatory Area [Docket No. 990304062–9062–01; I.D. 080399A] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3904. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No. 990304062–9062–01; I.D. 081399A] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3905. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District [Docket No. 990304062–9062–01; I.D. 081299A] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3906. A letter from the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Catch Specifications [Docket No. 990506120–9220–02; I.D. 032499E] (RIN: 0648–AL80) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3907. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 Series Airplanes [Docket No. 99–NM–17–AD; Amendment 39–11242; AD 99–16–07] (RIN: 2120–AA64) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3908. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Model Beech 1900D Airplanes [Docket No. 98–CE–123–AD; Amendment 39–11247; AD 99–16–12] (RIN: 2120–AA64) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3909. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 230 Helicopters [Docket No. 98–SW–52–AD; Amendment 39–11244; AD 99–16–09] (RIN: 2120–AA64) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3910. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes [Docket No. 99–NM–180–AD; Amendment 39–11243; AD 99–16–08] (RIN: 2120–AA64) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3911. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–600, -700, and -800 Series Airplanes [Docket No. 99–NM–188–AD; Amendment 39–11246; AD 99–16–11] (RIN: 2120–AA64) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3912. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400 Series Airplanes [Docket No. 99–NM–61–AD; Amendment 39–11245; AD 99–16–10] (RIN: 2120–AA64) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3913. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Wayne, NE [Airspace Docket No. 99–ACE–29] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3914. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Hebron, NE [Airspace Docket No. 99–ACE–27] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3915. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Modification of VOR Federal Airways, MO [Airspace Docket No. 99–ACE–14] (RIN: 2120–AA66) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3916. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; SMITH Center, KS [Airspace Docket No. 99–ACE–32] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3917. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Jefferson, IA [Airspace Docket No. 99–ACE–31] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3918. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Babylon, NY [Airspace Docket No. 99–AEA–05] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3919. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Thedford, NE; Correction [Airspace Docket No. 99–ACE–23] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3920. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Kingman, AZ [Airspace Docket No. 97–AWP–21] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3921. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to

Class E Airspace; Rock Rapids, IA [Airspace Docket No. 99–ACE–15] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3922. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Clarinda, IA [Airspace Docket No. 99–ACE–17] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3923. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airport Name Change and Revision of Legal Description of Class D, Class E2 and Class E4 Airspace Areas; Barbers Point NAS, HI [Airspace Docket No. 99–AWP–11] received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3924. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Modification of the Orlando Class B Airspace Area, Orlando, FL; and Modification of the Orlando Sanford Airport Class D Airspace Area, Sanford, FL [Airspace Docket No. 95–AWA–4] (RIN: 2120–AA66) received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3925. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Galveston, TX [Airspace Docket No. 99–ASW–09] received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3926. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Antlers, OK [Airspace Docket No. 99–ASW–17] received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3927. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Altus, OK [Airspace Docket No 99–ASW–16] received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3928. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: The Clinton Bluefish Festival Fireworks Display, Clinton Harbor Clinton, CT [CGD01–99–118] (RIN: 2115–AA97) received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3929. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A300–600 Series Airplanes [Docket No 99–NM–189–AD, Amendment 39–11249, AD 99–16–14] (RIN: 2120–AA64) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3930. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 204B, 205A, and 205A–1 Helicopters [Docket No. 98–SW–73–AD; Amendment 39–11252; AD 99–17–03] (RIN: 2120–AA64) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3931. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Rising Sun Regatta Ohio River Mile 505.0–507.0, Rising Sun, IN [CGD08–99–049] (RIN: 2115–AE46) received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3932. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Standards; Transport Category Rotorcraft Performance [Docket No. 24802; Amendment No. 29–44] (RIN: 2120–AG86) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3933. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Harmonization of Critical Parts Rotorcraft Regulations [Docket No. 29311; Amdt. Nos. 27–38 & 29–45] (RIN: 2120–AG60) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3934. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revisions to Digital Flight Data Recorder Requirements for Airbus Airplanes [Docket No. FAA–1999–6140; Amendment Nos. 121–271 & 125–32] (RIN: 2120–AG88) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3935. A letter from the Program Assistant, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes [Docket No. 98–NM–315–AD; Amendment 39–11261; AD 99–17–13] (RIN: 2120–AA64) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3936. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulation, Columbia River St. Helens, Oregon, to Port of Benton, Washington [CGD13–99–033] (RIN: 2115–AA97) received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3937. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Shrewsbury River, NJ [CGD01–99–010] (RIN: 2115–AE47) received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3938. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Shreveport, LA [Airspace Docket No. 99–ASW–10] received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3939. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29683; Amdt. No. 1944] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3940. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [CGD01–99–080] (RIN: 2115–AE47) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3941. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Port of New York/New Jersey Annual Marine Events [CGD01–99–135] (RIN: 2115–AA97) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3942. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29684; Amendment No. 1945] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3943. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777 Series Airplanes [Docket No. 98–NM–275–AD; Amendment 39–11251; AD 99–17–02] (RIN: 2120–AA64) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3944. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes [Docket No. 99–CE–20–AD; Amendment 39–11250; AD 99–17–01] (RIN: 2120–AA64) received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3945. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Lyons, KS [Airspace Docket No. 99–ACE–38] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3946. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Ava, MO [Airspace Docket No. 99–ACE–37] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3947. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Rolla/Vichy, MO [Airspace Docket No. 99–ACE–26] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3948. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Emporia, KS [Airspace Docket No. 99–ACE–24] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3949. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Roosevelt Roads NS (Ofstie Field), PR [Airspace Docket No. 99–ASO–9] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3950. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class D Airspace; Lake Hood, Elmendorf AFB, and Merill Field, AK Revision of Class E Airspace; Elmendorf AFB and Merrill Field, AK [Airspace Docket No. 99–AAL–6] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3951. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace: Ossining, NY [Airspace Docket No. 99–AEA–06] received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3952. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—SAFETY ZONE: Salvage of Sunken Fishing Vessel CAPE FEAR, Buzzards Bay, MA [CGD01 99–145] (RIN: 2115–AA97) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3953. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone: Decker Wedding Fireworks, Western Long Island Sound, Rye, New York [CGD01–99–149] (RIN: 2115–AA97) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3954. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Mears Point Marina and Red Eyes Dock Bar Fireworks Display, Chester River, Kent Narrows, Maryland [CGD 05–99–070] (RIN: 2115–AE46) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3955. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Patapsco River, Baltimore, Maryland [CGD 05–99–071] (RIN: 2115–AE46) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3956. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Danvers River, MA [CGD01–99–148] (RIN: 2115–AE47) received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3957. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Departmentof Transportation, transmitting the Department's final rule—Airworthiness Directives; MD Helicopters, Inc. (MDHI) Model MD–900 Helicopters [Docket No. 98–SW–42–AD; Amendment 39–11248; AD 99–16–13] (RIN: 2120–AA64) received August 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3958. A letter from the Director, Office of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting the Department's final rule—Reconsideration of Denied Claims (RIN: 2900–AJ03) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3959. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting the Department's final rule—Veterans Education: Increased Allowances for the Educational Assistance Test Program (RIN: 2900–AJ40) received August 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3960. A letter from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting the Department's final rule—Furnishing Identifying Number of Income Tax Return Preparer [TD 8835] (RIN: 1545–AX27) received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3961. A letter from the Chief, Regulations Unit, Internal Revenue Service, Department of Treasury, transmitting the Department's final rule—Treatment of Distributions to Foreign Persons Under Sections 367(e)(1) and 367(e)(2) [TD 8834] (RIN: 1545–AU22 and 1545–AX30) received August 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3962. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Repeal of Section 415(e) [Notice 99–44]—received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3963. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 99–39] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3964. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Taxation of fringe benefits [Rev. Rul. 99–33] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3965. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Announcement of Rule to be included in Final Registration under section 897(e) of the Code—received August 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3966. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability [Rev. Proc. 99–33] received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3967. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Interest Rates—October 1999 [Rev. Rul. 99–36] received August 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3968. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Specifications for Filing 1999 Forms 1098, 1099, 5498, and W–2G, Magnetically or Electronically [Rev. Proc. 99–29] received August 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3969. A letter from the Head, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Inbound Grantor Trusts with Foreign Grantors [TD8831] (RIN: 1545–AU90) received August 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3970. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Elimination of Magnetic Tape Program for Federal Tax Deposits [Notice 99–42] received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3971. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Treasury Depreciation Study: Request for Public Comment [Notice 99–34] received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3972. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Designated Private Delivery Services [Notice 99–41] received August 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3973. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Boyd Gaming Corporation v. Commissioner—received August 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GEKAS: Committee on the Judiciary. H.R. 462. A bill to clarify that governmental pension plans of the possessions of the United States shall be treated in the same manner as State pension plans for purposes of the limitation on the State income taxation of pension income (Rept. 106–302). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEKAS: Committee on the Judiciary. House Joint Resolution 54. Resolution granting the consent of Congress to the Missouri-Nebraska Boundary Compact (Rept. 106–303). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEKAS: Committee on the Judiciary. House Joint Resolution 62. Resolution to grant the consent of Congress to the boundary change between Georgia and South Carolina (Rept. 106–304). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 2506. A bill to amend title IX of the Public Health Service Act to revise and extend the Agency for Health Care Policy and Research: with an amendment (Rept. 106–305).

Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1619. A bill to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to expand the boundaries of the Corridor; with an amendment (Rept. 106–306). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. S. 323. An act to redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes; with an amendment (Rept. 106–307). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 1231. A bill to direct the Secretary of Agriculture to convey certain National Forest lands to Elko County, Nevada, for continued use as a cemetery; with an amendment (Rept. 106–308). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS: Committee on Rules. House Resolution 281. Resolution providing for consideration of a motion to suspend the rules (Rept. 106–309). Referred to the House Calendar.

Mr. LINDER: Committee on Rules. House Resolution 282. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes (Rept. 106–310). Referred to the House Calendar.

Mr. DREIER: Committee on Rules. House Resolution 283. Resolution providing for consideration of the bill (H.R. 417) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes (Rept. 106–311). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Ms. CARSON:

H.R. 2807. A bill to amend the National School Lunch Act and the Child Nutrition Act of 1966 to promote identification of children eligible for benefits under, and enrollment of children in, the Medicaid and State Children's Health Insurance programs; to the Committee on Education and the Workforce.

By Mr. FRANK of Massachusetts (for himself, Mrs. LOWEY, Mr. WAXMAN, Mr. STARK, Mrs. THURMAN, Mr. HASTINGS of Florida, Ms. NORTON, Ms. SCHAKOWSKY, and Mr. LANTOS):

H.R. 2808. A bill to amend title 18, United States Code, to eliminate the prohibitions on the transmission of abortion related matters, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island:

H.R. 2809. A bill to impose an immediate suspension of assistance to the Government of Indonesia until the results of the August 30, 1999, vote in East Timor have been implemented, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KENNEDY of Rhode Island (for himself, Mr. CHABOT, and Mr. VISCLOSKY):

H.R. 2810. A bill to facilitate the exchange by law enforcement agencies of DNA identification information relating to violent offenders, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAFALCE:

H.R. 2811. A bill to implement certain recommendations of the National Gambling Commission by prohibiting the placement of automated teller machines or any device by which an extension of credit or an electronic fund transfer may be initiated by a consumer in the immediate area in a gambling establishment where gambling or wagering takes place; to the Committee on Banking and Financial Services.

By Mr. MCGOVERN (for himself, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINCHEY, Mr. FROST, Mr. FATTAH, Mr. MARTINEZ, Ms. LEE, and Ms. MILLENDER-MCDONALD):

H.R. 2812. A bill to provide for a community development venture capital program; to the Committee on Small Business.

By Ms. NORTON (for herself and Mr. WYNN):

H.R. 2813. A bill to assist local governments in conducting gun buyback programs; to the Committee on the Judiciary.

By Mr. POMBO (for himself, Mr. CONDIT, Mr. DOOLITTLE, Mrs. CHENOWETH, and Mr. HERGER):

H.R. 2814. A bill to amend chapter 55 of title 5, United States Code, to authorize equal overtime pay provisions for all Federal employees engaged in wildland fire suppression operations; to the Committee on Government Reform.

By Mr. ROGAN:

H.R. 2815. A bill to present a congressional gold medal to astronauts Neil A. Armstrong, Buzz Aldrin and Michael Collins, the crew of Apollo 11; to the Committee on Banking and Financial Services.

By Mr. SALMON (for himself, Mr. BARRETT of Wisconsin, and Mr. GILMAN):

H.R. 2816. A bill to establish a grant program to assist State and local law enforcement in deterring, investigating, and prosecuting computer crimes; to the Committee on the Judiciary.

By Mr. TOWNS (for himself, Mr. UPTON, Mr. MCDERMOTT, Mr. LOBIONDO, Mr. WAXMAN, Mrs. JOHNSON of Connecticut, Mr. BROWN of Ohio, Mr. BILBRAY, Mr. WYNN, Mr. FOLEY, Mrs. CAPPS, Mr. BOEHNER, Mr. LEWIS of Georgia, Mr. LEACH, Mr. PALLONE, Mrs. MORELLA, Mr. KLINK, Mrs. LOWEY, Mr. GILLMOR, Mr. ABERCROMBIE, Mr. HINCHEY, Ms. CARSON, Mr. ACKERMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. OLVER, Ms. KILPATRICK, Mr. CLYBURN, Ms. LOFGREN, Mr. THOMPSON of Mississippi, Mr. MORAN of Virginia, Mr. BALDACCI, Mr. WISE, Mrs. CLAYTON, Mr. THOMPSON of California, and Ms. RIVERS):

H.R. 2817. A bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services, to provide for more equitable reimbursement rates for certified nurse-midwife services, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 2818. A bill to prohibit oil and gas drilling in Mosquito Creek Lake in Cortland, Ohio; to the Committee on Resources.

By Mr. UDALL of Colorado (for himself, Mr. BOEHLERT, and Mr. MINGE):

H.R. 2819. A bill to create an initiative for research and development into the utilization of biomass for fuel and industrial products; to the Committee on Science, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSSELLA (for himself, Mr. DREIER, Mr. HYDE, Mr. BLILEY, Mr. ARCHER, Mr. SAXTON, Mr. GILMAN, Mr. BONILLA, Mr. ROYCE, Mr. BARTLETT of Maryland, Mr. HAYWORTH, Mr. SMITH of New Jersey, Mr. BALLENGER, Mr. DELAY, Mr. STUMP, Mr. WATTS of Oklahoma, Mr. PICKERING, Mr. SESSIONS, Mr. TRAFICANT, Mrs. KELLY, Mr. COX, Mr. TANCREDO, Mr. UPTON, Mr. ISTOOK, Mr. CHAMBLISS, Mr. ROGAN, Mr. PACKARD, Mrs. ROUKEMA, Mr. BUYER, Mr. HOSTETTLER, Mr. VITTER, Mr. GREEN of Wisconsin, Mr. ROHRABACHER, Mr. WALDEN of Oregon, Mr. SWEENEY, Mr. KNOLLENBERG, Mr. WICKER, Mr. FRANKS of New Jersey, Mr. WELLER, Mr. EWING, Mr. LARGENT, Mr. REYNOLDS, Mr. COBURN, and Mr. SHADEGG):

H. Con. Res. 180. Concurrent resolution expressing the sense of Congress that the President should not have granted clemency to terrorists; to the Committee on the Judiciary.

By Mr. BRYANT:

H. Con. Res. 181. Concurrent resolution expressing the sense of the Congress with respect to war crimes against United States military personnel and their families, and in particular to the war crimes committed in El Salvador against United States Army pilots David H. Pickett and Earnest Dawson, Jr.; to the Committee on International Relations.

By Mr. DAVIS of Virginia (for himself, Mr. DREIER, Mr. GOODLATTE, Ms. DUNN, Mr. MORAN of Virginia, Mr. DOOLEY of California, Ms. ESHOO, and Mr. SMITH of Washington):

H. Con. Res. 182. Concurrent resolution outlining a vision to shape congressional information technology policy into the next century to promote and preserve the successes, leadership, and uniqueness of the United States information technology sector; to the Committee on Commerce.

By Mr. CUNNINGHAM (for himself, Mr. PACKARD, Mr. HUNTER, and Mr. BILBRAY):

H. Res. 284. A resolution expressing the sense of the House of Representatives on baseball player Tony Gwynn's 3,000th career base hit; to the Committee on Government Reform.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

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

H.R. 6: Mr. SANDLIN.
H.R. 82: Mr. COLLINS and Mr. STEARNS.
H.R. 135: Ms. KAPTUR.
H.R. 170: Mr. UDALL of New Mexico, Mr. UDALL of Colorado, and Mr. LUCAS of Kentucky.
H.R. 175: Mr. BERRY and Mr. MICA.
H.R. 205: Mr. DICKS.
H.R. 220: Mr. HILLEARY and Mr. KINGSTON.
H.R. 271: Mr. BAIRD.
H.R. 325: Mr. MALONEY of Connecticut.
H.R. 354: Mrs. MORELLA, Mr. FORD, Mr. PORTMAN, Ms. NORTON, Mr. MINGE, Mr. SHERMAN, and Mr. HYDE.
H.R. 357: Mr. LARSON.
H.R. 371: Mr. HOEKSTRA and Mr. SHAYS.
H.R. 382: Ms. CARSON, Mr. COSTELLO, Mr. MCGOVERN, and Mr. FROST.
H.R. 405: Mr. GREENWOOD, Mr. LANTOS, Mr. RODRIGUEZ, Mr. HILLIARD, Mr. DUNCAN, Mr. LEWIS of Kentucky, Mr. COBLE, Mr. FILNER, Mr. ISAKSON, and Mr. STEARNS.
H.R. 406: Mr. RODRIGUEZ.
H.R. 488: Mr. BLAGOJEVICH.
H.R. 489: Mr. LUCAS of Kentucky.
H.R. 491: Mr. OWENS.
H.R. 505: Mr. ROMERO-BARCELO.
H.R. 531: Mr. HOEKSTRA, Mr. WISE, and Mr. KUCINICH.
H.R. 534: Mr. COOK, Mr. BONILLA, Mr. PHELPS, Mr. SISISKY, Mr. RAHALL, Mr. SANDLIN, Mr. WEYGAND, Mr. THORNBERRY, Mr. LAMPSON, Mr. MORAN of Kansas, Mr. HANSEN, Mr. GREEN of Texas, and Mr. MORAN of Virginia.
H.R. 555: Ms. WATERS.
H.R. 566: Mr. WEINER, Mr. CLEMENT, Mr. GORDON, and Mr. MASCARA.
H.R. 595: Mr. GONZALEZ, Ms. CARSON, and Mr. BOUCHER.
H.R. 623: Mr. BARTLETT of Maryland.
H.R. 634: Mr. OWENS.
H.R. 637: Mr. GREENWOOD, Mr. GEJDENSON, and Mr. UPTON.
H.R. 639: Mr. LUCAS of Kentucky and Mr. TALENT.
H.R. 655: Mrs. MALONEY of New York, Mr. WEXLER, Mrs. THURMAN, Ms. PELOSI, Mr. KENNEDY of Rhode Island, Mr. SANDLIN, and Mr. WEINER.
H.R. 664: Mr. PASTOR, Mrs. MEEK of Florida, and Mr. OWENS.
H.R. 714: Mr. LARSON and Mr. FILNER.
H.R. 716: Mr. SMITH of Texas.
H.R. 721: Mr. BLUMENAUER, Mr. SPENCE, Mr. WU, Mr. KING, Mr. CAPUANO, Mr. THOMPSON of California, Mr. CONDIT, Mr. BAIRD, and Mr. GRAHAM.
H.R. 750: Mr. COYNE, Mr. GEJDENSON, Mr. FRANK of Massachusetts, Mr. PAUL, Mr. BERMAN, Mr. ORTIZ, Mr. MARTINEZ, Mr. MCGOVERN, Mr. CLAY, Mr. BLAGOJEVICH, Ms. MCKINNEY, Ms. SANCHEZ, Mr. GILCHREST, and Mrs. JONES of Ohio.
H.R. 765: Mrs. EMERSON, Mr. BENTSEN, Mr. OBERSTAR, Mr. JENKINS, and Mr. POMEROY.
H.R. 776: Mr. HASTINGS of Florida and Mr. WEXLER.
H.R. 798: Ms. VELAZQUEZ, Mr. WISE, and Mrs. MCCARTHY of New York.
H.R. 809: Mr. DEAL of Georgia, Mr. CALVERT, Ms. PELOSI, and Mr. GUTIERREZ.
H.R. 827: Mr. WEXLER, Mr. COYNE, and Mr. LANTOS.
H.R. 828: Mr. HOEFFEL.
H.R. 832: Mr. JACKSON of Illinois.
H.R. 854: Mr. SANDLIN.
H.R. 860: Mr. HOLT and Ms. PELOSI.
H.R. 886: Mr. OWENS.
H.R. 904: Mr. DUNCAN and Mr. NETHERCUTT.
H.R. 914: Mr. MARTINEZ and Mr. SANDLIN.
H.R. 920: Mr. MEEHAN, Ms. NORTON, Mrs. CHRISTENSEN, and Mr. CLAY.
H.R. 941: Mr. BERRY.
H.R. 959: Mr. SANDLIN and Mr. CLEMENT.
H.R. 976: Mrs. LOWEY.
H.R. 984: Mr. SHIMKUS and Mr. WEINER.
H.R. 997: Mr. LIPINSKI and Mr. GORDON.
H.R. 1071: Mr. GORDON.
H.R. 1083: Mr. RYAN of Wisconsin.
H.R. 1095: Mr. SAWYER, Mr. SHIMKUS, Mr. OLVER, Mr. KENNEDY of Rhode Island, Mr. TOWNS, Mr. BLAGOJEVICH, Mr. CROWLEY, Mr. LATOURETTE, and Mr. EHLERS.
H.R. 1102: Mr. LANTOS, Mr. WEYGAND, Mr. SANDLIN, Mr. MCDERMOTT, and Mr. SMITH of Washington.
H.R. 1103: Mr. BLAGOJEVICH.
H.R. 1111: Mr. MINGE, Mr. SPRATT, Mr. SANDLIN, Mr. COLLINS, Mr. LAZIO, Mr. GEJDENSON, and Mrs. FOWLER.
H.R. 1115: Mr. BLUNT, Ms. CARSON, Mr. PASTOR, Mr. JEFFERSON, and Mr. MCNULTY.
H.R. 1168: Mr. RUSH, Mr. ROGAN, Mr. SISISKY, Mr. COOK, Ms. KAPTUR, and Mr. UDALL of New Mexico.
H.R. 1176: Mr. SHAYS and Mrs. JOHNSON of Connecticut.
H.R. 1187: Mr. LEWIS of Kentucky, Mr. FORD, Mr. CANNON, and Mr. SWEENEY.
H.R. 1190: Mr. CAMP and Ms. HOOLEY of Oregon.
H.R. 1193: Mr. COYNE, Mr. OWENS, Mr. LANTOS, Mr. HOEFFEL, Mr. BOEHLERT, Mr. LUCAS of Kentucky, and Mr. GILMAN.
H.R. 1221: Mr. BOEHLERT, Mr. GREENWOOD, Mr. HASTINGS of Florida, Mr. SNYDER, Mr. HINCHEY, Mr. HANSEN, Mr. HINOJOSA, Mr. MOORE, Mr. UDALL of Colorado, and Ms. LOFGREN.
H.R. 1228: Mr. COYNE, Mr. GEJDENSON, Mr. SANDLIN, Mr. PASTOR, and Mr. REYES.
H.R. 1229: Mr. CRAMER.
H.R. 1244: Mr. OSE, Mr. PACKARD, and Mr. NEY.
H.R. 1260: Mr. DIAZ-BALART.
H.R. 1271: Mr. PASTOR, Mrs. LOWEY, Mr. GUTIERREZ, Mr. KILDEE, Mr. MCGOVERN, Mr. KENNEDY of Rhode Island, and Mr. TOWNS.
H.R. 1287: Mr. NUSSLE.
H.R. 1304: Mr. RODRIGUEZ, Mrs. MALONEY of New York, Mr. WYNN, and Mr. LUCAS of Kentucky.
H.R. 1313: Mr. WU, Mr. SANDLIN, Ms. LEE, and Ms. BALDWIN.
H.R. 1325: Ms. SLAUGHTER, Mr. BRYANT, and Mr. SAM JOHNSON of Texas.
H.R. 1344: Mr. HALL of Texas, Mr. RODRIGUEZ, Mr. SESSIONS, Mr. PICKERING, and Mr. SANDLIN.
H.R. 1356: Mr. ENGLISH, Mrs. CUBIN, and Mr. FOLEY.
H.R. 1358: Mr. LUCAS of Kentucky and Mr. CALVERT.
H.R. 1387: Mr. QUINN.
H.R. 1388: Mrs. FOWLER, Mr. BOUCHER, Mr. KILDEE, and Mr. CUMMINGS.
H.R. 1413: Mr. SCARBOROUGH.
H.R. 1445: Mr. LAHOOD, Mrs. TAUSCHER, Mr. BROWN of Ohio, Mr. SESSIONS, Mr. COOK, and Mrs. LOWEY.
H.R. 1450: Mr. FILNER.
H.R. 1456: Mrs. MCCARTHY of New York and Mr. SABO.
H.R. 1457: Mr. PICKETT.
H.R. 1476: Mr. RAHALL.
H.R. 1483: Mr. PITTS, Mr. DOOLEY of California, Mr. HOEFFEL, and Mr. MEEHAN.
H.R. 1485: Mr. HASTINGS of Florida, Mr. BECERRA, Mr. GEORGE MILLER of California, Mr. STARK, and Mr. EDWARDS.
H.R. 1495: Mr. OWENS.
H.R. 1504: Mr. HOEKSTRA, Mr. PRICE of North Carolina, Mr. BOUCHER, Mr. RAHALL, and Mr. METCALF.
H.R. 1511: Mr. VITTER and Mr. SANDLIN.
H.R. 1518: Ms. CARSON, Mr. SANDERS, and Mr. SISISKY.
H.R. 1523: Mr. SHOWS.
H.R. 1524: Mr. ROGERS.
H.R. 1532: Mr. GONZALEZ, Mr. BARRETT of Wisconsin, and Mr. COOK.
H.R. 1579: Mr. WEXLER, Mr. CLYBURN, Mr. LANTOS, Mr. GALLEGLY, Mr. SNYDER, Mrs. MORELLA, Mr. CANNON, and Mr. CAMPBELL.
H.R. 1592: Mr. PEASE, Mr. EWING, Mr. VITTER, Mr. TOOMEY, Mr. WAMP, Mr. METCALF, Mr. CANNON, and Mr. WELDON of Florida.
H.R. 1598: Mrs. ROUKEMA, Mr. SMITH of Washington, Mr. COOK, and Mr. SESSIONS.
H.R. 1619: Ms. DELAURO.
H.R. 1621: Mr. UDALL of Colorado, Mr. ACKERMAN, Mr. GEJDENSON, Mr. CUMMINGS, Mr. COSTELLO, Mr. DEFAZIO, Ms. NORTON, Mr. FILNER, Mr. OBERSTAR, and Mr. VENTO.
H.R. 1625: Mr. MORAN of Virginia, Mr. JACKSON of Illinois, Mr. OWENS, Mr. MEEHAN, Mr. ALLEN, Ms. ROYBAL-ALLARD, Mr. STRICKLAND, Mr. MARKEY, Mrs. MINK of Hawaii, Mr. BENTSEN, Mr. ABERCROMBIE, Mr. HOLT, Mr. FATTAH, Ms. LEE, Mr. CARDIN, Ms. VELAZQUEZ, Mr. BLUMENAUER, Mr. CUMMINGS, Mr. RANGEL, Mr. GREENWOOD, and Ms. ESHOO.
H.R. 1640: Ms. KAPTUR, Ms. MILLENDER-MCDONALD, and Mr. CAPUANO.
H.R. 1660: Mr. CLYBURN, Ms. MCCARTHY of Missouri, Mr. WATT of North Carolina, Mr. THOMPSON of Mississippi, Mr. DEFAZIO, Mr. MCINTYRE, Mr. OBERSTAR, Mr. PICKETT, Mr. SISISKY, Mr. SKELTON, Mr. KANJORSKI, Mr. KLECZKA, and Mr. BENTSEN.
H.R. 1663: Mr. SANFORD.
H.R. 1736: Mr. SNYDER, Mrs. LOWEY, and Mr. SANDLIN.
H.R. 1747: Mr. RADANOVICH and Mr. ISAKSON.
H.R. 1760: Mr. CLYBURN, Mr. THOMPSON of Mississippi, Mr. DEFAZIO, Mr. WELDON of Pennsylvania, Mr. FRANKS of New Jersey, and Mr. SHIMKUS.
H.R. 1777: Mr. SHOWS.
H.R. 1785: Mr. SMITH of New Jersey, Mr. BLAGOJEVICH, and Ms. RIVERS.
H.R. 1796: Mr. OWENS.
H.R. 1798: Mr. SANDLIN and Mr. NORWOOD.
H.R. 1812: Mr. GEORGE MILLER of California and Mr. CAMPBELL.
H.R. 1820: Mr. STARK.
H.R. 1824: Mr. SHAYS.
H.R. 1838: Mr. VITTER.
H.R. 1839: Mr. COYNE.
H.R. 1850: Mr. HOLT.
H.R. 1862: Mr. PASCRELL and Mr. UDALL of Colorado.
H.R. 1870: Mr. COYNE.
H.R. 1871: Mr. COSTELLO and Mr. LAFALCE.
H.R. 1883: Mr. NUSSLE, Mr. GILCHREST, Mr. BOYD, Mr. HASTINGS of Florida, Mr. BECERRA, Mr. STENHOLM, Mr. RAMSTAD, Mr. OSE, Mr. YOUNG of Alaska, Mr. CLEMENT, and Ms. KAPTUR.
H.R. 1887: Mr. LANTOS, Mr. CHABOT, Mr. WEXLER, Mr. GILMAN, and Mr. GOODLATTE.
H.R. 1899: Mr. MOORE, Ms. DEGETTE, Mr. SHOWS, Mr. MARTINEZ, Mr. LEACH, Mr. COYNE, Mr. BROWN of Ohio, Mr. TOWNS, Mr. HALL of Ohio, Mr. JACKSON of Illinois, Ms. LOFGREN, Mr. SANDERS, Ms. RIVERS, Mr. SISISKY, Mr. ALLEN, Ms. BALDWIN, Mr. FOLEY and Mr. KIND.
H.R. 1910: Mr. FARR of California, Mr. SANDLIN, and Mr. HINCHEY.
H.R. 1929: Mr. GEORGE MILLER of California.
H.R. 1933: Mr. STEARNS AND MS. PRYCE of Ohio.

H.R. 1935: Mr. DEFAZIO.

H.R. 1957: Mr. HILLIARD and Mr. BARRETT of Wisconsin.

H.R. 1967: Mr. WEINER, Ms. ROS-LEHTINEN, and Mr. WATT of North Carolina.

H.R. 1977: Mr. BEOHLERT and Mr. BLAGOJEVICH.

H.R. 1990: Mr. CUMMINGS, Mr. WYNN, Mr. COSTELLO, Ms. JACKSON-LEE of Texas, and Mr. MCINTOSH.

H.R. 1998: Mrs. CAPPS and Mr. HOYER.

H.R. 1999: Mr. QUINN, Mr. SHOWS, Mr. MEEKS of New York, Mr. TOWNS, Mrs. MCCARTHY of New York, Mrs. MALONEY of New York, Mr. GUTKNECHT, Mr. FORBES, Mr. COSTELLO, and Mr. WEINER.

H.R. 2021: Mr. PASTOR, Mr. GONZALEZ, Mr. LANTOS, and Mr. SANDLIN.

H.R. 2030: Mr. SENSENBRENNER, Ms. DUNN, and Mr. SPRATT.

H.R. 2102: Mr. COSTELLO, Mr. SANDLIN, and Mr. KENNEDY of Rhode Island.

H.R. 2120: Mr. OWENS, Mr. MENENDEZ, Mr. VENTO, Mr. JEFFERSON, Ms. SANCHEZ, and Mr. KUYKENDALL.

H.R. 2121: Mrs. MINK of Hawaii, Mr. MORAN of Virginia, Mr. BARCIA, Mr. FILNER, Mr. BECERRA, Mr. JACKSON of Illinois, Mr. COOK, Ms. NORTON, Mr. PASTOR, and Mr. CLAY.

H.R. 2130: Ms. MCCARTHY of Missouri, Mr. UNDERWOOD, Mr. PRICE of North Carolina, and Mrs. MALONEY of New York.

H.R. 2175: Mr. HINCHEY and Mr. SANDLIN.

H.R. 2202: Mr. SHAYS.

H.R. 2227: Mr. LANTOS.

H.R. 2228: Mr. SANDLIN and Mr. DOOLEY of California.

H.R. 2236: Mr. FROST.

H.R. 2240: Mr. GEKAS.

H.R. 2244: Mr. CAMPBELL.

H.R. 2245: Mr. SHOWS and Mr. HERGER.

H.R. 2247: Mr. PITTS, Mr. DOOLITTLE, and Mr. NUSSLE.

H.R. 2258: Mr. MARKEY.

H.R. 2260: Mr. GREEN of Wisconsin and Mr. BATEMAN.

H.R. 2262: Mr. PAUL.

H.R. 2263: Mr. PAUL.

H.R. 2264: Mr. PAUL.

H.R. 2268: Mr. BAKER.

H.R. 2282: Mr. SANDLIN.

H.R. 2308: Mr. CLEMENT and Mr. SANDLIN.

H.R. 2337: Mr. DOOLITTLE and Mr. ENGLISH.

H.R. 2356: Mr. GREENWOOD.

H.R. 2357: Mr. BARRETT of Wisconsin, Mr. WATT of North Carolina, and Mr. SANDLIN.

H.R. 2372: Mr. ENGLISH, Mr. SENSENBRENNER, Mr. CALLAHAN, Mr. KASICH, Mr. PICKETT, Mr. WELDON of Florida, Ms. ROS-LEHTINEN, Mr. HILL of Montana, Mr. GRAHAM, Mr. CAMP, Mr. MCINTOSH, Mr. SPENCE, Mr. DOOLITTLE, Mr. SIMPSON, Mr. PACKARD, Mr. NORWOOD, Mr. GORDON, Mr. SCHAFFER, and Mr. CANNON.

H.R. 2436: Mr. WATTS of Oklahoma, Mr. WAMP, Mr. DUNCAN, Mr. HOEKSTRA, Mr. LUCAS of Kentucky, Mr. GARY MILLER of California, Mr. MCINTOSH, Mr. CHABOT, and Mr. STENHOLM.

H.R. 2491: Mr. HASTINGS of Florida, Mr. CONYERS, Ms. SCHAKOWSKY, and Mr. LAZIO.

H.R. 2498: Mr. HALL of Texas, Mr. MARTINEZ, Mr. LANTOS, Mr. CASTLE, Mr. MCDERMOTT, and Mr. CAPUANO.

H.R. 2512: Mr. WATT of North Carolina and Mr. FATTAH.

H.R. 2525: Mr. BARCIA and Mr. CAMPBELL.

H.R. 2534: Mr. UNDERWOOD, Mr. OWENS, Mr. HASTINGS of Florida, Mrs. CHRISTENSEN, Ms. KILPATRICK, and Mr. GORDON.

H.R. 2555: Mrs. MINK of Hawaii.

H.R. 2569: Mr. KUCINICH.

H.R. 2586: Mr. LANTOS and Mr. KENNEDY of Rhode Island.

H.R. 2592: Mr. HALL of Texas.

H.R. 2596: Mr. SPENCE, Mr. STUMP, Mr. BLILEY, Mr. ARMEY, Mr. COX, Mr. SESSIONS, Mr. CHAMBLISS, Mr. HANSEN, Mr. SCARBOROUGH, Mr. COOKSEY, Mr. PITTS, Mr. MCINTOSH, Mr. THORNBERRY, Mr. ROHRABACHER, Mr. HAYES, Mr. ROGAN, Mr. UNDERWOOD, Mrs. BONO, Mr. GRAHAM, Mr. SOUDER, Mr. BACHUS, Mr. LEWIS of Kentucky, Mr. HASTINGS of Washington, Mr. GREEN of Wisconsin, Mr. HERGER, Mr. BAKER, Mr. SMITH of New Jersey, Mr. WELDON of Florida, Mrs. CHENOWETH, Mr. HOEKSTRA, Mr. HILLEARY, Mr. RYAN of Wisconsin, Mr. SHADEGG, Mr. TANCREDO, Mr. DEMINT, Mrs. CUBIN, Mr. JONES of North Carolina, Mr. SAM JOHNSON of Texas, Mr. DICKEY, Mr. TAUZIN, Mr. RYUN of Kansas, Mr. HOSTETTLER, Mr. BARTLETT of Maryland, Mr. MCCRERY, Mr. GILCHREST, Mr. TALENT, Mr. PORTMAN, Mr. KUYKENDALL, Mr. GIBBONS, Mrs. MYRICK, Mr. MCKEON, Mr. LUCAS of Oklahoma, and Mr. POMBO.

H.R. 2634: Mr. NORWOOD.

H.R. 2651: Mr. HALL of Texas, Mr. EVERETT, Mr. WAMP, Mr. MCINTOSH, Mr. GOSS, and Mr. BAKER.

H.R. 2662: Ms. KILPATRICK, Ms. ESHOO, and Mr. LANTOS.

H.R. 2691: Mr. SANDERS.

H.R. 2700: Ms. SCHAKOWSKY, Mr. BARRETT of Wisconsin, Mr. BROWN of Ohio, Mr. OWENS, and Mr. KUCINICH.

H.R. 2708: Mr. GILCHREST, Mr. LIPINSKI, Mr. ROGAN, and Mr. KUYKENDALL.

H.R. 2709: Mr. EWING, Mr. BLUNT, Mr. MCINTOSH, and Mrs. CHENOWETH.

H.R. 2716: Mr. HALL of Texas.

H.R. 2719: Mr. TURNER.

H.R. 2722: Mrs. MINK of Hawaii.

H.R. 2734: Mr. CAPUANO.

H.R. 2743: Mr. DICKEY, Mr. NUSSLE, and Mr. HUTCHINSON.

H.R. 2765: Mr. CLYBURN, Mr. HILLIARD, Mr. GUTIERREZ, and Mr. DIXON.

H.R. 2788: Ms. MCCARTHY of Missouri.

H.J. Res. 55: Mrs. BIGGERT, Mr. UDALL of New Mexico, and Mr. GOODLATTE.

H. Con. Res. 21: Mr. SHAYS.

H. Con. Res. 89: Mr. GREEN of Texas, Mr. UNDERWOOD, and Mr. PICKETT.

H. Con. Res. 97: Mr. UNDERWOOD, Mr. SABO, Mr. VENTO, Mrs. MALONEY of New York, Mr. WAXMAN, Mr. BAIRD, and Ms. LEE.

H. Con. Res. 111: Mr. BLAGOJEVICH and Mr. WATT of North Carolina.

H. Con. Res. 119: Ms. DANNER and Mr. HOLDEN.

H. Con. Res. 134: Mr. GONZALEZ, Mrs. CAPPS, and Mr. THOMPSON of California.

H. Con. Res. 139: Mr. GARY MILLER of California, Ms. SCHAKOWSKY, Mrs. FOWLER, Mr. TANNER, Mr. WOLF, Mr. SPENCE, Mr. COSTELLO, Mr. CANNON, Mr. BOEHLERT, and Mr. BOUCHER.

H. Con. Res. 146: Mr. MCGOVERN.

H. Res. 41: Mr. HILLEARY.

H. Res. 238: Mr. MORAN of Virginia.

H. Res. 265: Mr. DINGELL, Mr. WAXMAN, and Mr. FRANK of Massachusetts.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 1621: Mr. TANCREDO.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2684

OFFERED BY: MR. EDWARDS

AMENDMENT NO. 3: In the paragraph in title I for the Department of Veterans Affairs, Veterans Health Administration, Medical Care, account—

(1) after the second dollar amount, insert ''(increased by $730,000,000)''; and

(2) strike the period at the end and insert a colon and the following:

Provided further, That any reduction in the rate of tax on net capital gain of individuals or corporations under the Internal Revenue Code of 1986 enacted during 1999 shall not apply to a taxable year beginning before January 1, 2001.

H.R. 2684

OFFERED BY: MR. EHLERS

AMENDMENT NO. 4: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. ____. The amounts otherwise provided in this Act are revised by increasing the amount provided for ''National Science Foundation—Research and Related Activities'', increasing the amount provided for ''National Science Foundation—Major Research Equipment'', increasing the amount provided for ''National Science Foundation—Education and Human Resources'', and reducing each amount provided in this Act (other than for the National Science Foundation) that is not required to be provided by a provision of law, by $156,524,000, $33,500,000, $40,000,000, and 0.354 percent, respectively.

H.R. 2684

OFFERED BY: MR. FILNER

AMENDMENT NO. 5: In title I, in the item relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', insert at the end the following:

In addition, for ''Medical Care'', $1,100,000,000: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

H.R. 2684

OFFERED BY: MR. FILNER

AMENDMENT NO. 6: In title I, in the item relating to ''VETERANS BENEFITS ADMINISTRATION—READJUSTMENT BENEFITS'', insert at the end the following:

In addition, for ''Readjustment Benefits'', $881,000,000 for enhanced educational assistance under the Montgomery GI Bill: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

H.R. 2684

OFFERED BY: MR. FILNER

AMENDMENT NO. 7: In title I, in the item relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', insert at the end the following:

In addition, for ''Medical Care'', $3,000,000 to provide a presumption of service-connection for veterans who were exposed to Hepatitis C risk factors during military service and now have Hepatitis C: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

H.R. 2684

OFFERED BY: MR. FILNER

AMENDMENT NO. 8: In title I, in the item relating to ''DEPARTMENTAL ADMINISTRATION—NATIONAL CEMETERY ADMINISTRATION'', insert at the end the following:

In addition, for ''National Cemetery Administration'', $9,500,000 to reduce the repair backlog at national veterans cemeteries: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

H.R. 2684

OFFERED BY: MR. FILNER

AMENDMENT NO. 9: In title I, in the item relating to ''DEPARTMENTAL ADMINISTRATION—GENERAL OPERATING EXPENSES'', insert at the end the following:

In addition, for ''General Operating Expenses'', $6,250,000 to provide an additional 250 employees to reduce backlog and waiting time for adjudication of claims: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

H.R. 2684

OFFERED BY: MR. FILNER

AMENDMENT NO. 10: In title I, in the item relating to ''DEPARTMENTAL ADMINISTRATION—OFFICE OF INSPECTOR GENERAL'', insert at the end the following:

In addition, for ''Office of Inspector General'', $838,430 to provide an additional 10 employees for the Office of Inspector General Hotline: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

H.R. 2684

OFFERED BY: MR. FILNER

AMENDMENT NO. 11: In title I, in the item relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', insert at the end the following:

In addition, for ''Medical Care'', $4,600,000 to provide pay parity for dentists with physicians employed by the Veterans Health Administration: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

H.R. 2684

OFFERED BY: MR. FILNER

AMENDMENT NO. 12: In title I, in the item relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL CARE'', insert at the end the following:

In addition, for ''Medical Care'', $35,200,000 for health care benefits for Filipino World War II veterans who were excluded from benefits by the Rescissions Acts of 1946 and to increase service-connected disability compensation from the peso rate to the full dollar amount for Filipino World War II veterans living in the United States: *Provided*, That the Congress hereby designates the entire such amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That such amount shall be available only to the extent of a specific dollar amount for such purpose that is included in an official budget request transmitted by the President to the Congress and that is designated as an emergency requirement pursuant to such section 251(b)(2)(A).

H.R. 2684

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 13: Page 29, line 26, after the first dollar amount insert the following: ''(increased by $5,000,000)''.

Page 79, line 5, after the first dollar amount insert the following: ''(reduced by $5,000,000)''.

H.R. 2684

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 14: Page 30, line 11, after the first dollar amount, insert the following: ''(increased by $20,000,000)''.

Page 79, line 19, after the first dollar amount, insert the following: ''(reduced by $20,000,000)''.

H.R. 2684

OFFERED BY: MR. GUTIERREZ

AMENDMENT NO. 15: Page 31, line 9, after the first dollar amount, insert the following: ''(increased by $5,000,000)''.

Page 80, line 14, after the first dollar amount, insert the following: ''(reduced by $5,000,000)''.

H.R. 2684

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 16: Page 75, line 5, insert ''(reduced by $12,000,000)'' after the dollar amount.

Page 79, line 5, insert ''(increased by $10,000,000)'' after the dollar amount.

H.R. 2684

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 17: Page 79, line 5, insert ''(increased by $250,000,000)'' after the dollar amount.

Page 79, line 19, insert ''(increased by $449,000,000)'' after the dollar amount.

Page 80, line 14, insert ''(increased by $225,600,000)'' after the dollar amount.

H.R. 2684

OFFERED BY: MR. NADLER

AMENDMENT NO. 18: Page 26, line 6, after the first dollar amount insert the following: ''(increased by $10,000,000)''.

Page 82, line 23, after the first dollar amount insert the following: ''(reduced by $10,000,000)''.

EXTENSIONS OF REMARKS

INTRODUCTION OF THE COMPUTER CRIME ENFORCEMENT ACT OF 1999

HON. MATT SALMON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. SALMON. Mr. Speaker, I rise to introduce the Computer Crime Enforcement Act of 1999. The bill provides $25 million in grants (from the Department of Justice) to local law enforcement officials to combat computer crime. Specifically, the grants will be used to: Teach State and city law enforcement agents how to investigate hi-tech crimes; purchase the necessary equipment to assist in the investigation of computer crime; and train prosecutors to conduct investigations and forensic analysis of evidence in prosecutions of computer crime.

As you know, many businesses, educational institutions, banks, hospitals, and other information-intensive entities have fallen prey to hi-tech criminals who illegally break into computer systems and steal sensitive information. And too often, local law enforcement agents have not had the necessary equipment or training to protect the public from hi-tech thieves.

Computer Crime is on the rise. And companies are requiring more Federal assistance. According to a recent report released by the FBI and the Computer Security Institute, 32 percent of companies surveyed required help from law enforcement agencies—up 17 percent from the prior year. And, according to a recent report by San Francisco's Computer Security Institute, nearly a third of U.S. companies, financial institutions, government agencies, and universities say their computer systems were penetrated by outsiders last year. More than half of the organizations said their computer systems were subject to unauthorized access by insiders, and 57 percent said the Internet was a ''frequent point of'' by hackers, up 37.5 percent from 3 years ago.

We can no longer afford to be mystified by those who commit these hi-tech crimes. The small network that once was the electronic home to a few scientists has become an electronic labyrinth where hundreds of millions of people regularly pay taxes, trade stock bank, buy goods, and send intensely personal information. When criminal gain access to this sensitive information, the consequences can be devastating.

Computer criminals know no boundaries. And they are becoming sophisticated to the point that most companies aren't even aware that they are under attack. therefore, it is imperative that Congress address the needs of local police officers who are fighting this new wave of crime on the front lines. I urge my colleagues to cosponsor my bill.

IN HONOR OF WINNIE LEE BROWN MARTIN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. KUCINICH. Mr. Speaker, today I rise to honor the memory of Mrs. Winnie Lee Brown Martin of Garfield Heights, Ohio for her years of devotion and service to her community.

Mrs. Martin devoted her time selflessly and wholeheartedly, balacing between the community, a family, and her job. She was a diligent worker and worked at the Joseph Feiss and Company's clothing factor for more than twenty-eight years, but never let it subtract from her life at home. Her sense of family values lead to a warm, loving home for her two sons, Elroy Martin, Jr. and Laddree Lee Martin, and to her late husband, Elroy Martin, Sr. who sadly passed away eleven years ago.

She skillfully represented her community and was a dynamic local political leader. The list of her achievements is seemingly endless. She served as president of the Garfield Heights Women's Civic Club, precinct committeewoman, and was on the executive board of the Garfield Heights Democratic Club. The Cuyahoga County Board of Elections further deputized her to assist them in the voting process. She also contributed so much to the community life, serving on the Council of Ministries of Schaffer United Methodist Church and later, as an active member of St. Paul United Methodist Church. She even organized the community's popular High Steppers drill team. These activities did not go unrecognized: in 1983 she was awarded the Phillips-Van Heusen Corporation Award for outstanding community service and in 1985 she was awarded the Henry S. Trubiano Award for service in the Democratic Club.

Mrs. Martin's legacy lives on in her sons, grandchildren, and great-grandchildren. Her dedication and her warm personality will be remembered with affection for many years to come. My dear colleagues, please join me in honoring the memory of this remarkable woman. She will be greatly missed.

TRIBUTE TO THE WELLNESS COMMUNITY, SOUTH BAY CITIES

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. KUYKENDALL. Mr. Speaker, I rise today to recognize a very special organization in my district, the Wellness Community, South Bay Cities. For the last 12 years, this group has provided much needed emotional support and educational resources for South Bay cancer patients.

The mission of Wellness Community, South Bay Cities is to help people with cancer fight for their recovery by providing psychological and emotional support services at no cost whatsoever to people with cancer and their loved ones.

They are the ones who provide the support so vital to one's recovery. The Wellness Center, South Bay Cities' programs are designed to address the loss of control, hopelessness and social isolation that cancer patients and their families often experience. Each year, they help thousands of patients and families who are battling this illness, providing assistance during the difficult times.

I commend the staff and volunteers for providing such outstanding care. The South Bay is grateful for your services.

A TRIBUTE TO DR. PHRA E. KERCHEVAL

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mrs. MEEK of Florida. Mr. Speaker, I rise today to pay tribute to Dr. Phra E. Kercheval, an outstanding citizen of the United States and a lifelong resident of the State of West Virginia, who celebrated his 101st birthday on May 21, 1999.

Dr. Kercheval was born on May 21, 1898 in Horton, Randolph County, WV, to George H. and Ella Kercheval. He graduated from Tunnelton High School-Preston County in 1914, from Potomac State College with a Pre-Dental degree in 1916, and from Baltimore College of Dental Surgery-University of Maryland in 1921. He was a member of Sigma Nu, Theta Nu Epsilon, and Psi-Omega Alpha Chapter.

Dr. Kercheval is a veteran of World War I, being a member of the U.S. Army Medical Corps, serial number 512556, and received an Honorable Discharge in 1918. Dr. Kercheval established his dental practice in Tunnelton and Kingwood, WV in 1921 and practiced for 52 years, until 1973. He founded and established the Kercheval Memorial Clinic with the cooperation of Dr. John Lehman in July, 1939. He was instrumental in establishing the current Preston Memorial Hospital in Kingwood, WV in 1952.

Dr. Kercheval is a member of the American Legion and has held the position of Post Commander on five occasions, is Past Commander of the State of West Virginia 1944–1945, was on the National Executive Committee 1947–1958, served on the National Rehabilitation Committee, and was one of the organizers of the Mountaineer Boy's State. He met with Senate and House leaders in regard to veterans' benefits during his activity with the National Rehabilitation Committee.

Dr. Kercheval is also a member of the American Dental Association, the West Virginia Dental Association, and the Monongahela Dental Association, the IOOF, and is a 32nd degree Mason and Shriner.

Dr. Kercheval resides with his wife of 59 years in Kingwood, WV and enjoys visits with his daughter, Barbara Kercheval, his son Phra E. Kercheval, Jr., as well as from his three grandchildren and five great-grandchildren.

Mr. Speaker, it is indeed a privilege to pay tribute to such an outstanding citizen as Dr. Phra E. Kercheval, who has been an inspiration to so many other Americans, and I am happy to have the opportunity to wish him many more happy years of fruitful life in his beloved state of West Virginia.

THE CITY OF SACRAMENTO CELEBRATES THEIR 150TH ANNIVERSARY

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. MATSUI. Mr. Speaker, it is my personal honor and privilege to rise today and pay tribute to my State's Capitol, my Congressional district which I have served for the past 20 years, and my home; the City of Sacramento on their 150th anniversary.

In January of 1848, James Marshal reached into the American River near Sacramento and retrieved a small nugget of gold. This discovery gave birth to California's gold rush and provided a prosperous foundation for Sacramento to thrive.

At the confluence of the Sacramento and American Rivers, the City of Sacramento grew quickly, cradled by the fertile land of the Central Valley. On August 1, 1849, Sacramento's City Council convened for the first time and began drafting the City Charter. On March 18, 1850, the City of Sacramento became the first incorporated city in the State of California.

Since that time, Sacramento has developed a national and international reputation for progress and innovation. From its early days as the terminus for the Pony Express and the Transcontinental Railroad, to its current seat of government for the nation's most populous state, Sacramento has embraced its destiny in defining the ever-changing face of California.

Today, instead of Sacramento's riches coming from the surrounding hills of gold, our riches come from the great wealth of people, culture and diversity. As the 7th largest city in California, and the 38th largest city in the Nation, we owe our prosperity to the men and women who have sacrificed and dedicated their lives to the social and economic strength of our City.

Spanish explorer Gabriel Moraga bestowed upon our City the name Sacramento, meaning holy covenant with God. As the City of Sacramento begins its 150th anniversary, I encourage the people of Sacramento to make a personal covenant with each other, to honor our history, respect our diversity, and challenge us all to ensure a prosperous future.

This evening, the City of Sacramento will begin a yearlong celebration of its 150th anniversary at a special City Council meeting at City Hall. As a former member of the City Council, I would like to personally congratulate the Mayor and the City Council for achieving such an honorable milestone.

Mr. Speaker, I ask my colleagues to join me in congratulating the City of Sacramento on their 150th anniversary. Sacramento's golden history is reflected often throughout the City and is a constant reminder of the wealth of opportunity, which continues to grace the people of Sacramento.

IN HONOR OF THE VERY REVEREND FATHER MIKHAIL EDWARD MIKHAIL, D. MIN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor the Very Reverend Father Mikhail E. Mikhail, D. Min who celebrates the Silver Jubilee of the Priestly Ordination for 25 years of service at the Saint Mark Coptic Orthodox Church of Cleveland.

The Very Rev. Fr. Mikhail E. Mikhail began his service to God at a young age as a student of several Coptic Orthodox Church leaders in Cairo, Egypt. He excelled in his studies and was fortunate to enter the Coptic Orthodox Theological Seminary in Caro which he came under the patronage of his most influential mentor, H. H. Pope Shenouda III, who was the H.G. Shenouda, Bishop of the Christian Education and Dean of the Seminary.

In 1972, the Very Rev. Fr. Mikhail, then Deacon Mounier, graduated from the Seminary and was assigned to serve at St. Mary Coptic Orthodox Church in Masarra Shoubra in Cairo. Shortly after, he became the first consecrated deacon to serve in the United States at the St. Mary & St. Antonius in Queens, New York. Only a year later, in 1974, he was called back to Cairo and on May 11, 1974 Deacon Mounir married Seham Samuel. On August 23, 1974 Deacon Mounier was ordained the Priest Mikhail Edward Mikhail by H. H. Pope Shenouda III at St. Marks Cathedral.

In 1975, Fr. Mikhail and his wife arrived in Cleveland to begin his new ministry as the first resident pastor of the St. Mark Coptic Orthodox Church. Here he served a community which was about fifty families large as well as other Coptic communities in Columbus, Dayton and Cincinnati in Ohio; and Pittsburgh Pennsylvania and Minneapolis-St. Paul, Minnesota.

Fr. Mikhail took the lead in the building of a new church in Cleveland in the traditional Coptic style which officially opened in 1988. The Very Rev. Fr. Mikhail has dedicated his life in the past 25 years to the spiritual growth and enhancement of the Coptic community in Cleveland. As a result of his guidance there has been a revived interest in true Coptic Orthodox religious practices that have brought people closer to God. As a father, a teacher, and friend, the Very Rev. Fr. Mikhail has been a blessing to the Coptic community both in Cleveland and abroad.

My Fellow colleagues, join me in honoring the Very Rev. Fr. Mikhail, a man who has dedicated his life to God, freedom and the well-being of all people.

HONORING STEPHEN JOSEPH MASTO, SANTA BARBARA CITY FIREFIGHTER

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. CAPPS. Mr. Speaker, I rise today with a heavy heart to honor the service and pay tribute to Santa Barbara City Firefighter, Stephen Joseph Masto who died in late August while helping battle a wildlife in Los Padres National Forest.

At the young age of 28, Stephen had already devoted his career to public safety. Before serving in the Santa Barbara City Fire Department, he served as an apprentice firefighter in the Brea fire Department in Orange County, as a reserve officer at fire departments in Upland in San Bernardino County, and Los Alamitos in Los Angeles County, and as a volunteer disaster worker in Long Beach, CA. Clearly, Stephen was committed to serving the common good.

In remembering Stephen, we can never repay him for his dedication, hard work, or ultimate sacrifice. Rather, we must honor him by being especially mindful of the brave men and women firefighters he left behind to carry on the selfless work of protecting the lives and safety of their neighbors in times of need. Like Stephen, these are true heroes in every sense of the word.

I know that I speak for the entire community when I extend my most heartfelt condolences to his family and loved ones who will miss Stephen terribly. We only hope that their warm memories of this heroic man will sustain them in this moment of grief.

PROVIDING FOR CONSIDERATION OF H.R. 2684, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

SPEECH OF

HON. DEBBIE STABENOW

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Ms. STABENOW. Mr. Speaker, I rise this evening to oppose the rule for H.R. 2684, a bill making appropriations for the VA–HUD and Independent Agencies for Fiscal Year 2000, which does not allow a vote on the Edwards/Stabenow/Evans amendment.

Mr. Speaker, this amendment would have added $730 million to Veterans Health Care. The VA estimates that the adoption of our amendment would have allowed an additional 140,000 veterans to receive the health care they need. Instead, this budget continues the under funding of critical medical care for those who have served our country in the armed services.

Today, there are 20,000 fewer VA medical staff then there were just 5 years ago. What does this mean for our veterans? Due to these staffing shortages, a veteran in Tennessee with multiple sclerosis was forced to wait 4 months to be seen by a doctor. Others have been forced to travel over 300 miles just to receive x-rays. And there are more examples of the problems facing the Veterans Health Care System. In my own state of Michigan, a disabled Korean veteran experiencing fainting spells and no appetite was not able to receive treatment at either a VA inpatient or outpatient facility. In less than a week this man collapsed and was pronounced dead of septic shock and pneumonia. These were qualified facilities that did not have the staff to help this man.

Mr. Speaker, I would like to share with you a letter that I received in my office that I feel accurately explains the situation our veterans are facing today. Julianna Smith, the wife of Vietnam veteran John Smith of Milan, MI, told me she continued to have problems getting adequate medical care for her husband who is disabled and requires 24 hour care. She was very upset about the effects that further cuts to the VA medical system would have on her and her husband. She wrote,

> My husband fought a war overseas, and was then shunned and spit upon by fellow Americans once he returned stateside. He paid his taxes to the government just like everyone else, and he gave part of his life to that same government that now wants nothing to do with him.

Mr. Speaker, our veterans deserve better. They kept their promises to us. It's time for our country to keep our promises to them. I urge my colleagues to vote no on this rule, and provide the health care our nation's heros deserve.

TRIBUTE TO JAMES C. LESTER

HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. KUYKENDALL. Mr. Speaker, I rise today to honor James C. Lester, a pioneer in the health care industry in my district. For the last 32 years, Jim Lester has dedicated himself to providing quality care to the residents of the South Bay. For 27 of those years Jim has been closely associated with the Little Company of Mary Hospital organization.

Jim joined the Little Company of Mary Hospital in 1967. Now, as Jim Lester retires as president and CEO of the Little Company of Mary Health Services, he leaves a first class integrated health care delivery system. What was once a stand-alone facility is now three hospitals, three skilled nursing facilities, three diagnostic centers, four walk-in urgent care centers, a large regional home care service, a chemical dependency recovery center, multiple physician sites, a mobile pediatric care van and three fundraising foundations. It was Jim who had the vision and initiative to make the Little Company of Mary Health Services the organization that it is today.

Because of Jim Lester, the Little Company of Mary Health Services is poised to enter the 21st century as a leading member of the health care industry. I commend Jim Lester for his loyalty and dedication to providing such outstanding health care to the residents of the greater South Bay. We are grateful for his contributions to the community.

IN HONOR OF MARGARET W. WONG

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor an exceptional woman, Ms. Margaret W. Wong. Today, Ms. Margaret W. Wong is the recipient of the Belle Sherwin Democracy in Action Award.

The Belle Sherwin Democracy in Action Award is awarded annually by the league of Women Voters of Cleveland, Ohio. Ms. Margaret W. Wong reflects and upholds the goals of the league through her dedication to serving others and furthering the quality of our Cleveland community. She is a civic leader and committed to helping immigrants and those in need through her work in immigration and naturalization law.

Ms. Margaret W. Wong is an admirable member of our community. I ask you to join me in acknowledging her accomplishments and honoring her for receiving the Belle Sherwin Democracy in Action Award.

TRIBUTE TO JOHN FOLLIT

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. NEAL of Massachusetts. Mr. Speaker, I rise today to pay tribute to one of the Second Congressional District of Massachusetts' outstanding and dedicated citizens, Mr. John Follit. John is being honored today by his fellow citizens at the Italian American Veterans Post No. 64 of East Longmeadow, MA. It is an honor for me to join in this recognition of someone who has contributed a great deal to our community.

John Follit has served the East Longmeadow community through his work with the Office of Children and his advocacy for children in the State. He has been active in politics by serving as chairman of East Longmeadow's Democratic Town Committee, and he has helped many political candidates by planning campaign strategies in local, state, and national campaigns. John has also been a union steward and has been a champion of democratic principles in whatever he does.

Beyond his work in the community, John has put so much energy into his family life. He is a loving husband to his wife, Laurie, and a great father to his three children. John and his family have demonstrated their generosity in many ways, including bringing a foster child into their care. John Follit is a leading citizen and is dedicated in everything he does.

My best wishes go out to John Follit and his family as, together, they now face the many related challenges to his health. My thoughts and prayers are with them all. John Follit has done so much for so many that it is a privilege to honor and pay tribute to him on this special day.

A TRIBUTE TO TERRENCE STARR

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. GEORGE MILLER of California Mr. Speaker, I rise today to recognize and pay tribute to an outstanding public servant, Mr. Terrence Starr, on the occasion of his retirement as Chief Probation Officer with the Contra Costa County Probation Department.

Mr. Starr began his probation career in San Diego County where he worked for 29 years in various capacities, including superintendent of juvenile hall and superintendent of various camp facilities. He served as Chief Probation Officer of Shasta County from 1990 to 1995, and assumed the position of Chief Probation Officer of Contra Costa County in November of 1995.

Terry Starr's tenure in Contra Costa County has been brief, but incredibly effective. Over the past four years he has successfully led the effort to secure funding for a badly needed new juvenile hall facility which is expected to be completed in 2003. He expanded the Orin Allen Youth Rehabilitation Facility, the local county-run boys' camp, by 26 beds, and was instrumental in opening the Summit Center.

The 25 bed Summit Center, which is an innovative example of successful interagency coordination and cooperation, is staffed and run by the country's probation, mental health and education departments, and offers treatment and assistance to young male offenders who are struggling with serious emotional difficulties. Mr. Starr has most recently developed a 20 bed specialized treatment facility and program for girls, which is comparable to the Summit Center for boys. The Chris Adams Girls' Center is slated to open in December 1999. Mr. Starr has been instrumental in securing numerous grants from both the state and federal government to place probation officers in high schools through out Contra Costa County and to provide much needed treatment services for girls.

The leadership abilities Mr. Starr possesses are extraordinary. They have been demonstrated by his successful term as President of the California Probation, Parole, and Correctional Association and his appointment by Governor Pete Wilson to serve for several years on the Board of Corrections, representing the Chief Probation Officers of California.

Terry Starr is a hardworking, highly principled individual who is a committed and effective advocate for children. Indeed, he has devoted his life to helping those most in need and has made an immeasurable difference in the lives of so many children and their families. He is well-liked and respected by his staff, friends, and colleagues and will be sorely missed by all.

It is with great pleasure, albeit with a measure of regret, that I congratulate Terry Starr

upon his retirement. I wish him a long, happy, and healthy retirement enjoying the animals and outdoors he so loves.

PROVIDING FOR CONSIDERATION OF H.R. 2684, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2000

SPEECH OF

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. CAPUANO. Mr. Speaker, I rise in strong opposition to the Rule for the VA–HUD and Independent Agencies Appropriations bill. This bill makes significant cuts in critical housing initiatives and will have a devastating effect on basic scientific research in this country.

This legislation is a string of broken promises—promises to provide for those who need a place to live, promises to invest in research and development, and promises to provide quality health care for our veterans. The bill reported by the Appropriations Committee cuts funding for housing programs, cuts funding for basic research and NASA, and does not provide adequate funding for Veterans' health care.

Last year, Congress authorized 100,000 new Section 8 rental vouchers to help families with worst-case housing needs, people who pay more than half their income in rent every month. This bill provides no new funding for this voucher program, denying 100,000 Americans affordable housing opportunities.

The bill cuts $250 million in funding from the Community Development Block Grant program. Cities and towns across America will be unable to use these funds to create new jobs, invest in new housing opportunities, and revitalize neighborhoods. In addition, the Committee cut $20 million from the HOME investment partnership program, $10 million of which is targeted at providing counseling services to first-time homebuyers.

The Committee also cuts funding for the most vulnerable Americans—the homeless. It is estimated that more than 600,000 people are living in shelters and on the streets of this country. Many are families, children, veterans, and victims of domestic violence. Despite the overwhelming need for more shelter beds and supportive services for the homeless, this bill cuts additional funding from the Homeless Assistance grant program.

Mr. Speaker, taking care of Veterans who bravely served our country should be one of Congress's top priorities. After reviewing this legislation, it is quite clear that Republicans do not believe this to be true. While this bill provides an addition $1.7 billion for Veterans Medical Health Care, it falls far short of the $3 billion increase necessary to ensure our nation's veterans with adequate healthcare. Without this additional funding, Veteran Health Care centers across the country will be forced to make even greater cuts in existing programs and will be prohibited from implementing additional programs.

NASA and NSF have also taken a huge hit in this bill. By cutting $1 billion from the NASA program and $275 million from NSF, the science community has been dealt a serious blow. It is tragic that a country which prides itself on being number one in space exploration and the technological advances will suffer the devastating effects of these short-sighted cuts for years, and possibly decades to come.

The $1 billion decrease to the NASA budget is the largest cut since the end of the Apollo program! Several programs have been severely reduced or zeroed out, which virtually guarantees their termination. This bill cancels funding for the Space Infrared Telescope Facility, and decreases funding for the Explorer program, Discovery program, and Mars missions support funding for research and technology for space science. At the same time, there are $122 million in non-requested earmarks within the bill. Existence of these earmarks worsens the impact of reductions to higher priority programs.

By limiting funds, NASA will be forced to make drastic administrative cuts in ten of its centers and will be forced to close at least two centers. No doubt this will translate into several employees being laid off. By decreasing NASA funds, we will ensure the delay in development of the Crew Return Vehicle (CRV) which will subsequently setback the timetable when crew can board the ISS.

Mr. Speaker, to make a long story short, this is a bad bill. It's bad for science; it's bad for Veterans; it's bad for working class families; it's bad for middle class families; and it's bad for seniors. I strongly urge my colleagues to defeat the rule and oppose this bill in its current form.

CONFERENCE REPORT ON H.R. 2488, TAXPAYER REFUND AND RELIEF ACT OF 1999

SPEECH OF

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. KOLBE. Mr. Speaker, I rise with pride to support the conference report on H.R. 2488, which provides a sizable tax cut for the American taxpayers. I am proud to give taxpayers back their money the federal government doesn't need. That's right; the federal government doesn't need it. Surplus means the amount in excess of what we spend. And the federal government has and will have all it needs plus enough to reform Social Security and Medicare and start paying down the debt, and still leave a small amount to return to the folks who are sending their hard-earned dollars to Washington, DC.

Within hours of the announcement of the conference agreement, my office began receiving letters from groups opposing this tax cut. And what are they saying? Don't give the money back; spend more money on my program.

The Minority Leader suggests that the amount we're giving back is too much; that we have to save the surplus so we have money available for entitlement reform.

Didn't he hear that we're using $3 to save Social Security and Medicare, to fund programs and to pay down the debt, for each $1 we are giving back to the taxpayers?

President Clinton says he'll talk about giving a tax cut after we provide for Medicare, debt reduction and federal spending.

Didn't he hear? This bill gives $3 of the surplus to Social Security, Medicare, government programs, and debt reduction for every $1 of the surplus that it leaves with the taxpayer. Makes one worry about what he has in mind for federal spending. Is he thinking about more and bigger government programs?

Mr. Speaker, American taxpayers have been paying and paying and paying. The typical American family pays more in taxes than on food, clothing and shelter combined. Our tax burden from all government is the highest since we were financing a world war in the 40s. In fact, without this tax relief bill, the average American household will pay $5,307 more in taxes over the next 10 years than the government needs to operate.

We have a good economy; unemployment is at record lows. We don't need more government. We do need to scrutinize programs and divert dollars from ineffective and wasteful programs to areas that need additional funding. But we don't need to increase the size of government.

Individuals have the right to choose how to spend their money. They can choose to tutor their kids, or replace a furnace or air conditioner, or help an elderly parent, or support a favorite charity, or even save it for their own retirement. They shouldn't have it taken from their paycheck before they even see it so that government can use it to fund yet another program.

One administration official called these taxpayers selfish.

I call the groups who want to spend more of the taxpayers' money selfish.

I urge my colleagues to vote for this bill. Let's return a small share of the surplus to the taxpayers. It belongs to them.

THE NATIONWIDE GUN BUYBACK ACT OF 1999

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Ms. NORTON. Mr. Speaker, today I introduce the Nationwide Gun Buyback Act of 1999 (NGBA), providing federal funds to local jurisdictions to engage in gun buyback programs like the successful program conducted by the District of Columbia last month. Under the bill, funds would be distributed through the Justice Department after evaluation of proposals, and added weight would be given to jurisdictions with the greatest incidence of gun violence. The NGBA would require that a jurisdiction certify that it is capable of destroying the guns within 30 days, that it can conduct the program safely, and that an amnesty appropriate for the jurisdiction will be offered. Not only individuals, but groups such as gangs could take advantage of the buyback provisions to encourage street gangs to disarm themselves.

This bill is necessary because, despite the extraordinary demonstrated success of the gun buyback program in the District, local jurisdictions have no readily available funds for similar programs. The District was forced to find money on an ad hoc basis and ran out of funds despite many residents who still desired to turn in guns. Initially, the District conducted a pilot program using funds from the Department of Housing and Urban Development. Confronted with long lines of residents, the Police Department then took the program citywide, using drug asset forfeiture funds. Even so, after using $290,000, the city ran out of funds, but not of guns that could have been collected. The guns were a ''good buy'' but hard-pressed jurisdictions, especially big cities, should not have to rob Peter to pay Paul when it comes to public safety. The federal government can play a unique and noncontroversial role in reducing gun violence by providing the small amount authorized by my bill, $50 million, to encourage buybacks efforts where they can be helpful.

The District's gun buyback leadership needs to be taken nationwide because the nation's capital has successfully demonstrated a faster and easier way to get guns where criminals cannot use them and children and adults cannot misuse them. Gun buyback efforts are not new, but the recent, dramatic impact of the District's program has special bi-partisan and natural appeal today because the program is voluntary and requires no change in local laws. My bill has the added feature of skirting the present stalemate in the Congress, where we have yet to pass a gun safety bill. A gun buyback bill is certainly no substitute for gun safety legislation, but my bill is based on demonstrated and successful experience in a number of cities that have achieved voluntary compliance by citizens with local laws.

Families, and especially mothers, have feared guns in their homes, but have not known how to get rid of them. In most jurisdictions, a grandmother petrified that there is a gun in the house cannot turn it in without subjecting herself or her grandson to prosecution. This dangerous unintended result of gun safety legislation is reason enough for gun buyback efforts.

Like tax amnesty, gun amnesty temporarily puts a premium on the ultimate goal. When the goal is taxes, the government puts a premium on getting the amount owned. When the goal is guns, the premium is on getting deadly weapons off the streets and out of people's homes.

The Columbine teen massacre, the Jewish Community Center shootings, and the Chicago area ethnic killings have come together with the urban gun violence that has plagued cities for years. The result is an American consensus for multiple approaches to fight the gun culture. The extraordinary success of the buyback programs in the District and around the country has shown that these programs should now be made readily available to jurisdictions that desire to use them.

In a market economy, efforts to buy back trouble have special appeal. We may disagree on the various approach as to gun violence, but Democrats and Republicans alike can agree to this sensible approach.

I urge my colleagues to support this vital legislation.

IN HONOR OF MAYOR STANLEY J. TRUPO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. KUCINICH. Mr. Speaker, I rise today to honor Mayor Stanley J. Trupo of Berea, Ohio, who recently announced his retirement after 12 years of dedicated public service.

Mayor Trupo inherited a city without a strategic vision—and an office without furniture. Elected in 1987, the new mayor entered his office in city hall to find it empty, save a broken desk chair. Stan immediately went about restoring order to Berea's house. The Mayor's first step was to develop the city economically. The Mayor's efforts translated into Berea's being the site of the Cleveland Browns' headquarters. Under Stan's leadership, Berea became not only a city in which to live, but a city in which to work. His promotion of the city's industrial corridor has brought over 4,000 jobs to Berea.

While the city's business sector has expanded, Berea has remained a community of families. Berea is a city that takes care of its children. Berea public schools form one of the most respected systems in my state. Mayor Trupo's youth diversion program provides guidance to at-risk kids. Trupo projects like the Berea Recreation Center well represent the city's rich community life. The Cuyahoga County Fairgrounds host the county's huge annual fair. Berea Summer Theater entertains crowds at Baldwin Wallace College. With the return of the Browns, parents and children will once again line practice fields, watching their gridiron heroes preparing for the coming season. It is Mayor Trupo's success in moderating Berea's economic development as a city on the move and his hard work to maintain longstanding community traditions that has led to Berea's being named as a White House Millennium City.

Mayor Trupo's work does not end at Berea's borderline. Stan has also served as a trustee on the board of Regional Transit Authority. Stan's time on the board has been marked by an expansion period during which Cleveland-area residents have enjoyed a better level of service than ever before. A White House appointment added a seat on board of the Federal Home and Loan Bank of Cincinnati to Mayor Trupo's long list of responsibilities. The tireless Mayor Trupo served in each capacity with characteristic resolve.

I wish to thank Mayor Trupo for his outstanding service and ask my fellow colleagues to join me in wishing Mayor Trupo all the best as he moves on to new endeavors.

DISAPPROVING EXTENSION OF NONDISCRIMINATORY TREATMENT TO PRODUCTS OF PEOPLE'S REPUBLIC OF CHINA

SPEECH OF

HON. JOHN ELIAS BALDACCI

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 27, 1999

Mr. BALDACCI. Mr. Speaker, today I voted to extend Normal Trading Relations to the People's Republic of China for another year. I cast this vote reluctantly after much consideration.

Our Nation's relationship with China is one of the most critical issues facing us in the post-cold-war era. This relationship impacts three critical areas: Human rights for the Chinese people; our national security interests in the Asian-Pacific region; and the jobs of working Americans.

As a nation, we have continued to reaffirm a policy of engagement with China in the hope that continued economic ties will span the political and cultural differences that divide us. In pursuing this policy, we have seen some progress in areas of freedom of speech and worship, but clearly not enough. China has also played a role in trying to diffuse tensions between the United States and North Korea. However, lately it appears our investment in this policy is yielding ever diminishing returns.

China continues to violate numerous bilateral trade agreements, imprisons citizens for their political views and religious affiliations, uses prison labor in manufacturing and performs forced abortions. A startling new development is China's espionage effort to steal our nuclear weapons secrets, its aggressive posture toward Taiwan, and its transfer of missile technology to rougue nations around the globe.

I decided to give our Nation's current policy one last chance to achieve the goal we all share: encouraging China to become a responsible member of the world community. However, I want to be clear that my patience is wearing thin with the actions of the Chinese regime. I hereby give notice that I will not vote for NTR again unless I see a fundamental shift in China's trade, proliferation, and human rights policies.

I believe that our country's policy of engagement has been the right one. And again, I feel that there are signs that progress has been made. However, we cannot wait forever while China continues to take one step forward followed by two steps back. We must constantly re-evaluate whether our NTR policy is indeed providing a catalyst for change, or whether it is merely providing cover for a bully. Unless clear improvements are seen, I will no longer be able to look favorably on most-favored-nation status for China.

A TRIBUTE TO TONY GYWNN

HON. RANDY ''DUKE'' CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. CUNNINGHAM. Mr. Speaker, I rise today to introduce a resolution to congratulate

and commend my constituent from Poway, California: Tony Gwynn of the San Diego Padres, for his achievements on and off the field.

Mr. Speaker, on August 6, 1999, Tony Gwynn hit the 3,000th base hit of his career. As many baseball fans know, this was not an easy accomplishment. In the history of Major League Baseball, only 22 other ball-players have hit 3,000 or more base hits. This achievement places Tony Gwynn in the pantheon of baseball legends including: Roberto Clemente, Lou Brock, and Hank Aaron.

In 18 seasons, all with the San Diego Padres, Tony Gwynn has been the master of putting the ball into play. In the Padres' 1998 National League Championship season, Tony had almost as many home runs as strikeouts, and struck out looking only three times. His hands are lightning-quick and he's able to wait until the last millisecond before connecting with the ball wherever it is pitched. He goes after the first good pitch he sees and almost always hits it, so he rarely walks. And Tony is renowned for his ability to hit balls through the left side of the infield.

Tony has batted over .300 in 17 of those seasons and in the strike-shortened season of 1994, batted an amazing .394. His career batting average is an astounding .338.

Furthermore, off the baseball diamond, Tony has been a tremendous asset to the San Diego community. Tony, along with his wife Alicia, have given their time and effort in philanthropic efforts. He doesn't like to talk about his community efforts, but the Gwynn's are involved in more than two dozen organizations—San Diego Police Athletic Leagues, Sickle Cell Anemia Foundation, Padres Scholars, the Casa de Amparo, Neighborhood House, the Jackie Robinson Family YMCA to name a few—that benefit from his time, attention and money.

In 1998, Tony led all Padres players in community appearances and joined seven-time American League batting champion Rod Carew for a historic youth batting clinic in Culiacin, Mexico, in March 1998. In addition, Tony was named the Individual of the Year at the 1998 Equal Opportunity Awards Dinner. He also was the 1995 Branch Rickey Award winner, and 1998 Padres Nominee for Major League Baseball's Roberto Clemente Man of the Year Award.

These days kids, children often must pay to get a professional athletes' autograph, picture, or signed memorabilia. Tony Gwynn has no part of this. Tony stays late at events to sign autographs; he's nice to young people; he's nice to everybody. I hope my colleagues will join me in honoring this tremendous individual for his multitude of accomplishments.

Also, I want to thank my former staff members, Jeannette Shields and Chris Hayes for their work in drafting this resolution.

HELP FOR THE UNINSURED: THE LESSONS FROM NEW JERSEY: WHY H.R. 2185 SHOULD BE ENACTED

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. STARK. Mr. Speaker, the July/August 1999 issue of Health Affairs contained an interesting article entitled, "Hidden Assets: Health Insurance Reform in New Jersey," by Harvard professor, Katherine Swartz, and Brandeis professor, Deborah Garnick.

The information in the article strongly supports passage of H.R. 2185—a bill which gives people a refundable tax credit to buy individual health insurance through a community-rated, guaranteed-issue insurance pool.

The article describes how, because of the collapse of the major individual insurer in New Jersey in 1993, the State came up with an Individual Health Coverage Program (IHCP). The key reforms of the IHCP are described below. The article concludes with the observation that the reforms themselves have not done much to help reduce the number of uninsured, because the cost of insurance is still too high for the working poor who constitute the bulk of the uninsured. But, says the article, if the New Jersey reforms were accompanied by a refundable tax credit system, it could make a major difference.

What they are describing, Mr. Speaker, is H.R. 2185.

OVERVIEW OF THE REFORMS

The IHCP reforms forced changes in five areas. (1) To broaden the size of the potential market, insurers are sharply limited in their ability to choose whom they will insure. The regulations, require guaranteed issue and renewal of policies, portability of coverage across carriers, and limited to preexisting condition exclusions. (2) To encourage indemnity insurance companies and managed care organizations (hereafter collectively referred to as carriers) to enter the market, all carriers selling health insurance in New Jersey must either offer policies in the individual market or share in the losses of carriers that do sell policies and incur losses. (3) To give consumers more leverage in the market, carriers in the market may only sell up to six types of policies with standardized benefit packages, a standardization that facilitates comparisons by consumers.

(4) To extend access to higher-risk persons, the state required carriers to use pure community rating in setting premiums for the standardized policies; age-rating bands or variations in premiums based on where a person resides in the state are not permitted. In setting premiums, carriers also are required to meet a minimum loss ratio, so that at least 75 percent of premiums are used for provision of services. However, carriers do not have to seek approval from a state agency for any changes in premiums that they might want to implement, which we discuss in more detail below. (5) To implement the IHCP and monitor industry compliance with the regulations, the authorizing legislation called for oversight by a board, which runs the program independently of the New Jersey Department of Banking and Insurance. Four of the nine board members are representatives of carriers and elected by the companies.

New Jersey's reforms are remarkable, particularly today, when states are assumed to have little power to bargain with corporations. In recent years mutual fund firms, automobile factories, professional baseball teams, and many other corporations have extracted large government concessions by threatening to move elsewhere. Yet New Jersey imposed major regulations and risk sharing on health insurers, with major carriers taking a leadership role in the process.

Additional efforts are needed to increase coverage. Even a well-functioning individual health insurance market has limits on what it can accomplish. The IHCP did not dramatically raise the number of New Jersey residents with individual coverage. Surely one reason more people have not purchased policies is that the premiums are not affordable for those with low incomes. The various congressional proposals to provide tax deductions or credits might induce some people to purchase individual policies who otherwise would not, but for people with low incomes, other efforts will be needed. The federal Earned Income Tax Credit offers a model of how the federal government could issue a tax credit that provides money during the year for the purchase of insurance. Such an "earned insurance tax credit" also would help to bring in younger workers, who typically earn low salaries, and thereby increase the proportion of healthy persons in each carrier's individual plans.

Similarly, if the tax code were revised and incentives for employer-sponsored coverage were replaced by tax credits for individuals purchasing insurance, large numbers of people would enter the individual markets. The result would be a sharp increase in the proportion of healthy persons in the individual markets. Either of these tax-induced increases in the proportion of healthy persons with individual coverage would lower the expected expenditures per insured person. Competition among carriers in this expanded market then would increase, keeping premiums close to costs.

New Jersey's IHCP is a model for other states wishing to increase access to health insurance via market-oriented solutions that do not involve increased government financial obligations. States have assets they can trade upon to force competition in an expanded individual insurance market—a factor that should be of greater importance in states' strategies for increasing access to health insurance.

IN HONOR OF SAINT EDWARD HIGH SCHOOL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. KUCINICH. Mr. Speaker, I rise to honor the faculty, staff, and students, past and present, of Saint Edward High School as they celebrate the fiftieth anniversary of the school's founding.

The story of Saint Edward High School is one of community. Three Brothers of the Holy Cross opened the new school in 1949 with a mission of providing outstanding Catholic education to the young men of Cleveland's West Side. The Brothers of the Holy Cross recognize community as an invaluable resource to the individual, one from which valuable lessons of self and God are drawn. The school

that they built would reflect this awareness of the human family's interconnectedness.

The story of Saint Edward High School is one of tradition. The schools's tradition is one of excellence based in common values arrived at through honest contemplation. Saint Edward men confront the same questions that every human being with an honest thirst for justice and peace must confront. That they arrive at similar conclusions lends only more credence to the school's core of beliefs. The values have stood the test of time and so has Saint Edward High School. Saint Edward men are not committed to doing justice because that is their reputation. Saint Edward men are committed to doing justice because, by virtue of an honest, open, and on-going investigation into how life is to be lived, the way of love seems the only rational approach.

The story of Saint Edward High School is one of family. Saint Edward students tend to beget Saint Edward students, generation after generation of families growing up amongst the same faculty, the same staff—a growing community that never forgets what it is, what it was, and the values that have allowed for its progress. It comes as little surprise, then, that a listing of the school's achievements sounds so much like what proud parents might say of their children—the school possessing a selfless enthusiasm for its student's achievements. Indeed, Saint Edward High School has much reason to be enthusiastic. St. Edward men's excellence in the classroom transfers on to the playing field. The St. Edward Wrestling, Basketball, and Baseball teams delivered Ohio High School State Championships in 1998. Whether it be debate or band, Latin or chess, St. Edward students consistently prove to be the best amongst their peers.

My fellow colleagues, I ask you to join me in wishing the best to the community of St. Edward High School as it celebrates the school's first fifty years in existence.

TRIBUTE TO MAYOR EDWARD QUAGLIA

HON. DAVID D. PHELPS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. PHELPS. Mr. Speaker, I rise today to pay tribute to Mayor Edward Quaglia of Herrin, Illinois. Mayor Quaglia served the people and city of Herrin faithfully for more than 20 years; seven of those years as an alderman on the City Council, and for 15 years as mayor. This year, on May 31, Mayor Quaglia retired as Mayor due to health concerns. In honor of his retirement, the City of Herrin, the City Council of Herrin, Mayor Victor Ritter, and City Clerk Marlene Simpson have proclaimed July 18, 1999 as ''Mayor Edward Quaglia Day.''

Mr. Speaker, Mayor Quaglia will be long remembered by the good people of the City of Herrin, southern Illinois, and the entire State for his determined dedication to making Herrin a better place to live and to raise a family. Mayor Quaglia will not only be remembered for his numerous achievements including improving the city's infrastructure, and his hard work on development and construction of the Civic Center, the Annual Mayor's Community-wide Thanksgiving Dinner, the High School Sport's Complex, and planning the city's premier annual event, Herrinfesta Italiana, but most importantly for his compassionate and straightforward leadership style. He always gave all he had for a good cause and put the welfare of the citizens and City of Herrin first. When speaking of Mayor Quaglia, it is impossible not to mention his family, which is so important to him. His wife, JoAnne, has always stood by his side and been the light of his life. He has five loving children and four beautiful grandchildren.

I know that Mayor Quaglia will be sorely missed by all of Herrin in his retirement. But it is a retirement well earned, and one that I am sure that Edward Quaglia and his family and friends will enjoy with him to the fullest. Mr. Speaker, I encourage all my fellow Members to share in my wish to extend Mayor Quaglia a long, healthy, and happy retirement along with God's Speed.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

SPEECH OF

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2670) making appropriations for the Department of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2000, and for other purposes:

Mr. BOUCHER. Mr. Chairman, the Federal Communications Commission has an accounting requirement that is no longer needed for any purpose, which costs companies subject to the requirement at least $270 million annually. That money could and should be used not for the compilation of useless accounting statements, but for the promotion of universal service and other consumer benefits, such as lower prices, better services, an investment in advanced technologies and investment in out-of-region facilities with which to offer competitive telecommunications services.

The old accounting requirement was for the purpose of giving the Commission the information it needed for oversight of the rate-of-return regulation that was employed for all companies prior to 1991.

But in 1991, the large companies became subject to price caps and were no longer subject to rate-of-return regulation. The accounting requirement as to these price-cap companies no longer has any purpose, and the Tauzin-Dingell amendment would assure that it no longer applies.

The monies spent on these needless accounting reports can then be put to more productive purposes. I strongly urge the approval of the Tauzin-Dingell amendment.

TRIBUTE TO MANUEL (MANNY) MÉNDEZ

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Mr. Manuel (Manny) Méndez, an outstanding individual who has devoted his life to his family and to serving the community. Mr. Méndez who left Phipps Community Development Corporation on Wednesday, August 4, 1999 after 10 brilliant years his post as executive director/chief executor officer.

Mr. Méndez is a community builder to creating and sustaining enduring communities. He is the principal administrator of the Phipps Community Development Corporation which is an affiliate corporation of Phipps Houses, New York's oldest and largest nonprofit developer/owner of housing for low and moderate income families. Founded in 1905 Phipps Houses provides secure and well-designed housing for the working poor and other needy families.

Mr. Speaker, Mr. Méndez's primary focus is on the management, design, implementation and community development of seven residential communities throughout New York City, providing homes to 14,000 individuals. The communities are West Farms and Crotona Park West in the South Bronx, Bellevue South in Manhattan and Sunnyside in Queens.

Manny believes that shelter is not enough. Hence, Phipps CDC—a Human Services/Educational/Employment Training Corporation—is committed to the development of the human spirit. Through a variety of program offerings in the fields of education, human services, employment readiness and community development, the Corporation under his leadership has assisted thousands of families. In early 1992 Mr. Méndez initiated efforts to provide Phipps residents and community members with regular and preventive medical care necessary for long term health and well being. Additionally this effort would help in ending the need for community members to use hospital emergency rooms as their primary care physicians in two South Bronx neighborhoods. In June of 1993, in a joint effort with the Bronx Lebanon Hospital Center, the first family-based practice clinic was opened in Crotona Park West. In 1994, in concert with Montefiore Hospital, a second family-based practice was opened in West Farms.

Mr. Speaker, the contributions and accomplishments of Mr. Méndez in the field of human services, social policy and community development have been widely cited in the New York Times, New York Magazine, the Amsterdam News, the Washington Post as well as many other publications.

Before joining Phipps, Mr. Méndez held several senior executive level positions at the New York City Human Resources Administration, among them as Deputy Commissioner from 1988 to 1990. Mr. Méndez was responsible for the shelter of 12,000 homeless men and women, 4,000 prospective service for adults cases and 168 senior citizen centers. In 1995 he was appointed to a four-year term as commissioner of the New York City Equal Employment Practices Commission. He had

served as special advisor to President Carter on the Atlanta Project and to the United States Catholic Conference of Bishops in Washington, D.C. and was an assistant professor at the Fordham University Graduate School of Social Services. He is a sponsor of the One Hundred Black Men's Youth Leadership Program and former president of the Puerto Rican Family Institute, a National Mental Health Organization. Mr. Méndez is presently a trustee and serves on the Executive Committee as assistant treasurer of Bronx Lebanon Hospital, a board member of the Association of Hispanic Arts, chairman of the New York City Human Resources Administration Advisory Board and a trustee of the Primary Care Development Corporation.

Mr. Méndez is a graduate of City College of New York and the Fordham University Graduate School of Social Services. He is a native of the Bronx, he and his wife, Joan, presently reside in the upper Westside of Manhattan.

Mr. Speaker, I ask my colleagues to join me in wishing best of luck to Mr. Manuel (Manny) A. Méndez in his new endeavors.

TRIBUTE TO COLONEL WILLIAM F. HINES

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. McINNIS. Mr. Speaker, Colonel Bill Hines is an outstanding example of the role models who lead Civil Air Patrol Wings. He has devoted a lifetime to quality aviation professionalism and service to his nation, particularly through Civil Air Patrol.

In 1952, Colonel Hines joined the Civil Air Patrol as a cadet in San Antonio, Texas. Two years later he completed his flight training. He was only 17 years old but he had already chosen his course in life. His family moved to Ohio and he received both his private and commercial pilot licenses. He earned his instrument rating and flight instructor rating while attending classes at Ohio State University. He taught flying at the University for two years. He then moved onto Purdue University where he continued in flight instruction. He also earned several degrees while at Purdue.

After working for the Indiana Aeronautics Commission and as an Emergency Services officer for the Indian Wing of the Civil air Patrol he began a career as a commercial pilot. He worked with Frontier Airlines from 1964 until the company shut down in 1986. While with Frontier, he served as Central Air Safety Chairman for fifteen years. In 1986 he moved to Continental Airlines. Colonel Hines flew with the Continental for eleven years until his retirement in 1997. He continues to teach ground school and safety courses for Continental.

He finally settled down into the Colorado Wing of the Civil air Patrol where he has concentrated on flight operations and aircrew evaluation and standardization. He also served several years as the Vice Commander and has, for the last four years, served as Wing Commander for the entire State of Colorado. Colonel Hines is in charge of the search and rescue division of CAP for Colorado. He has actively participated in many difficult searches. Colonel Hines was essential for providing the leadership in the search for the Air Force A–10 which crashed near Eagle, Colorado. He led the massive effort, which involved many days and missions. Colonel Hines was instrumental in the planning and execution of the safe high-altitude mission in marginal weather conditions.

Through his selfless volunteer leadership, Colonel Hines has distinguished himself as a great man. He has also brought distinction to the Colorado Wing, the Rocky Mountain Region, the Civil Air Patrol, and through all of these organizations, the United States of America.

IN RECOGNITION OF JERSEY CITY'S ECUADORIAN FLAG RAISING CEREMONY COMMEMORATING ECUADOR'S INDEPENDENCE AND OF THIS YEAR'S HONOREES, INCLUDING MR. NAPOLEON BARRAGAN, MR. HECTOR DELGADO, AND MR. ANGELO DEL MONACO

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize the honorees of this year's Ecuadorian Flag Raising Ceremony to commemorate Ecuador's independence celebration for their tremendous contributions to the State of New Jersey.

On August 10, 1999, the Ecuadorian Flag Raising Ceremony will observe Ecuador's independence by honoring an array of civic leaders and community activists from Jersey City, New Jersey. The Ceremony creates a forum which highlights efforts in promoting not only Ecuadorian cultural pride but also for the important and difficult task of providing role models for our children and young people.

This year's honorees are:

ECUADOREANS FOR JERSEY CITY: George Barreto, Washington Davida, Sergio Mendez, Denis Tapia, Rosa Tapia, Lourdes Porras, Santiago Cavagnaro, Blanca Barzola, Frank Molina, Armando Molina, and Sara Velazquez.

ECUADORIAN CIVIC ORGANIZATIONS: La Casa de la Cultura Ecuatoriana, Comite Civico Ecuatoriano, Sociedad Tungurahuense de New Jersey, A.S.O.P.R.E.X., and Cultuarte.

ECUADORIAN NEWSPAPERS: Ecuador News, Campana News, El Expreso, and Latinos.

In addition, special tributes and presentations are set to be awarded to Mr. Napoleon Barragan, founder of 1–800–MAT–TRES, Mr. Hector Delgado, founder and proprietor of Delgado Travel, and Mr. Angelo del Monaco, the five-time world record holding Ecuadorian cyclist, for their outstanding achievements and unquestionable leadership.

I ask my colleagues to join me in congratulating all of the recipients honored by the Ecuadorian Flag Raising Ceremony for all of their accomplishments. Their tremendous contributions have truly strengthened the City of Jersey City, and, I wish them all continued luck and success in community service.

ANTI-GAY BIGOTRY AGAINST ARIZONA STATE REPRESENTATIVE STEVE MAY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 8, 1999

Mr. LANTOS. Mr. Speaker, at a time when the leaders of this country should rise up and speak out in favor of the family and commitment, it is a disgrace to our common sense that our nation and in particular our Department of Defense, continues to persecute gay Americans who espouse these values.

Though millions of law-abiding, tax-paying gay Americans honor the tradition of family by honoring their unions to each other, they consistently see their efforts rewarded by a rhetoric that is seemingly aligned with their commitment to these values and yet is used as a tool to alienate them from this society and deny them their most basic rights.

Recently, Arizona State Representative Steve May added a heroic voice to those calling for full civil rights for gay Americans by refusing to accept the bigotry and prejudice inherent in the movement to strip away domestic partner benefits for gay couples. During debate in the Arizona State House of Representatives on legislation barring Arizona counties from offering domestic partner benefits, Mr. May bravely spoke out against the legislation and told his fellow legislators that he was gay and that he would not tolerate discrimination against gay families.

Representative May is a member of the Army Reserve and a former active duty soldier. After acknowledging in the debate that he loves and shares his life with another man, the Army has initiated an effort to remove him from the military.

Mr. Speaker, what hypocrisy! At a time when our nation's military is being forced to lower its standards in order to maintain force levels, we are expelling from the military highly talented and experienced individuals who want to serve our nation.

Mr. Speaker, the New York Times last Sunday (September 5, 1999) published an Editorial Observer column by Brent Staples which eloquently places the experience of Steve May in a suitable context and appropriately denounces the injustice of attacks on gay women and men in this country. I urge my colleagues to read this excellent piece and to join me in ending the injustice of protecting some families while harming others.

Mr. Speaker, I submit the column by Brent Staples commending Steve May and his stance on domestic partner benefits in The New York Times to be placed in the RECORD.

[From the New York Times, Sept. 5, 1999]

WHY SAME-SEX MARRIAGE IS THE CRUCIAL ISSUE

(By Brent Staples)

The civil rights movement had made spectacular gains in the courts—including Brown v. Board of Education—before Rosa Parks galvanized public opinion in a way that lawsuits had not. Ms. Parks became an emblematic figure when she was arrested in Montgomery, Ala., for refusing to sit in the ''colored only'' section of a bus. The sight of this

dignified woman being denied the simplest courtesy because she was black crystallized the dehumanizing nature of segregation and rallied people against it.

Racism began to wane as white Americans were introduced to members of the black minority whom they could identify as ''just like us.'' A similar introduction is underway for gay Americans, but the realization that they are ''just like us'' has yet to sink in. When it finally does, the important transitional figures will include State Representative Steve May, a 27-year-old Republican from Arizona.

Mr. May is a solid conservative who supports issues like vouchers and charter schools. He was raised a Mormon and recalls himself as the kid who ''had to go out and bring in the wayward souls.'' He is also a former active-duty soldier and an Army reservist, whose record shows that he could have moved up swiftly and been given a command.

But Mr. May is about to be hounded out of the Reserve for publicly admitting he loves and shares his life with another man. This acknowledgment came last winter during a heated exchange in the Arizona Legislature over a bill that would have barred counties from offering domestic-partner benefits, stripping them from gay couples who currently enjoy them.

Mr. May could have sat quietly, protecting his career. Instead he exposed the provision as bigoted and told the Arizona House: ''It is an attack on my family, an attack on my freedom. . . . My gay tax dollars are the same as your straight tax dollars. If you are not going to treat me fairly, stop taking my tax dollars. . . . I'm not asking for the right to marry, but I'd like to ask this Legislature to leave my family alone.''

When Rosa Parks declined to yield her seat on that bus, she was telling Alabama that she was not just a colored person, but a human being who deserved the respect and protection of the law. Mr. May's words in the Arizona House were similarly clarifying. Fearful of a backlash, gay politicians rarely mention their mates in public—and shy away from speaking of them in terms that might disturb even constituents who know that they are gay. But by framing his argument in the context of ''the family,'' Mr. may disarmed his bigoted colleagues and took the debate on same-sex unions exactly where it needed to go.

When Mr. May's comments became public, the Army Reserve began an investigation that legal experts say will certainly end in discharge. Lieutenant May will then become a casualty of ''don't ask, don't tell,'' which ended more than 1,100 military careers in 1998, on the grounds that homosexuals who reveal the fact are no longer fit to serve.

This is a staggering loss at a time when the armed services are canvassing strip malls and lowering entrance requirements to find personnel. By the time this policy is abandoned, thousands of talented Americans will have been lost to a purge that will come to be recognized as contrary to the public good and morally wrong.

Republicans began the 1990's refusing campaign contributions from gay organizations and demonizing homosexuals for political gain. But in the race for 2000, the most prominent candidates are accepting the money and say that they would hire gay workers as long as they refrained from pressing ''a gay agenda''—a code phrase for keeping quiet about issues of same-sex intimacy, up to and including marriage. The trouble with this approach is that legitimacy for same-sex unions is the heart of the matter. By denying that legitimacy, we declare gay love less valid than heterosexual love and gay people less human. We cut them off from the rituals of family and marriage that bind us together as a culture.

The legislator who wished to revoke benefits from same-sex partners in Arizona viewed those partnerships as culturally alien and morally illegitimate. The military establishment may force Mr. May out of the service—despite an exemplary record—because his family consists of two men who are indistinguishable from their neighbors, except that they sleep together.

This persecution finds a parallel in statutes that made it illegal for blacks and whites to get married up until 1967, when the Supreme Court declared the laws unconstitutional. The laws were based on the primitive belief that blacks and whites were set apart on the tree of life by God Himself. Interracial couples were initially seen as a threat to the social order and to the institution of marriage. Over time, the culture began to discard the filter of race, viewing the couples as ''just like the rest of us.'' The same process will probably work out for same-sex couples—but only after an extended battle. When the matter is settled, historians will look back at people like Steve May, who declined to go quietly to the back of the American bus.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 9, 1999 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 13

10 a.m.
Joint Economic Committee
To hold hearings on certain tax cut provisions and budget surplus issues.
SD–124

SEPTEMBER 14

Time to be announced
Energy and Natural Resources
Energy Research, Development, Production and Regulation Subcommittee
To hold hearings on S.1051, to amend the Energy Policy and Conservation Act to manage the Strategic Petroleum Reserve more effectively. (Subcommittee hearing will immediately follow the 9:30 full committee hearing).
SD–366

9:30 a.m.
Energy and Natural Resources
To hold hearings on S.1052, to implement further the Act (Public Law 94–241) approving the Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America.
SD–366

Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed fiscal year 2000 youth violence intiative.
SD–192

Armed Services
To hold hearings on issues concerning the sinking of the USS Indianapolis.
SH–216

10 a.m.
Judiciary
To hold hearings on issues relating to hate on the internet.
SD–226

Health, Education, Labor, and Pensions
To hold hearings on issues relating to educational readiness.
SD–430

2 p.m.
Judiciary
To hold hearings on pending nominations.
SD–226

2:30 p.m.
Aging
To hold hearings on the benefits of exercise for the elderly.
SH–216

SEPTEMBER 15

10 a.m.
Energy and Natural Resources
To hold hearings on the nomination of David J. Hayes, of Virginia, to be Deputy Secretary of the Interior; the nomination of Sylvia V. Baca, of New Mexico, to be an Assistant Secretary of the Interior; and the nomination of Ivan Itkin, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.
SD–366

Governmental Affairs
To hold hearings on the nomination of Sally Katzen, of the District of Columbia, to be Deputy Director for Management, Office of Management and Budget.
SD–628

Judiciary
To hold hearings to examine certain clemency issues for members of the Armed Forces of National Liberation.
SD–226

2 p.m.
Intelligence
To hold closed hearings on pending intelligence matters.
SH–219

Judiciary
Immigration Subcommittee
To hold hearings on Immigration and Naturalization Service reform issues.
SD–226

SEPTEMBER 16

9:30 a.m.
Governmental Affairs
Investigations Subcommittee
To hold hearings on the practices and operations of the securities day trading industry.
SD–628

10 a.m.
Health, Education, Labor, and Pensions
Public Health Subcommittee
To hold hearings to examine issues relating to children's health.
SD–430

2 p.m.
Intelligence
To hold closed hearings on pending intelligence matters.
SH–219

2:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on the Administration's Northwest Forest Plan.
SD–366

SEPTEMBER 21

9 a.m.
United States Senate Caucus on International Narcotics Control
To hold hearings on counterinsurgency vs. counter-narcotics issues in regards to Colombia.
SH–216

SEPTEMBER 28

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.
345 Cannon Building

SEPTEMBER 30

2:30 p.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S.1457, to amend the Energy Policy Act of 1992 to assess opportunities to increase carbon storage on national forests derived from the public domain and to facilitate voluntary and accurate reporting of forest projects that reduce atmospheric carbon dioxide concentrations.
SD–366